

plicable in the case of burley tobacco” before period at end of par. (6), and struck out subsecs. (b) and (c), which related to combination of tracts in contiguous counties, and to burley tobacco poundage quota when a farm is divided through reconstitution, respectively.

1999—Subsec. (b). Pub. L. 106-78 inserted “or flue-cured” after “Burley”.

1991—Subsecs. (a)(4) to (7), (c). Pub. L. 102-237 struck out “or” at end of par. (4), substituted “; or” for period at end of par. (5), substituted a period for “; or” at end of par. (6), and redesignated par. (7) as subsec. (c) and moved subsec. (c) to follow subsec. (b).

1990—Subsec. (a)(7). Pub. L. 101-577 added par. (7).

1983—Pub. L. 98-180 designated existing provisions as subsec. (a) and added subsec. (b).

1970—Pub. L. 91-524 temporarily inserted provision that term “acreage allotments” include the farm base acreage allotments for upland cotton and the domestic allotment for wheat. See Effective and Termination Dates of 1970 Amendment note below.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-357 applicable to the 2005 and subsequent crops of tobacco, see section 643 of Pub. L. 108-357, set out as an Effective Date note under section 518 of this title.

##### EFFECTIVE AND TERMINATION DATES OF 1970 AMENDMENT

Pub. L. 91-524, title IV, § 404, title VI, § 605, Nov. 30, 1970, 84 Stat. 1366, 1378, as amended by Pub. L. 93-86, § 1(11), (22), Aug. 10, 1973, 87 Stat. 229, 235, provided that the amendments made by sections 404 and 605 are effective only with respect to the 1971 through 1977 crops.

##### SAVINGS PROVISION

Amendment by sections 611 to 614 of Pub. L. 108-357 not to affect the liability of any person under any provision of law so amended with respect to the 2004 or an earlier crop of tobacco, see section 614 of Pub. L. 108-357, set out as a note under section 515 of this title.

#### PART D—WHEAT MARKETING ALLOCATION

### § 1379a. Legislative findings

Wheat, in addition to being a basic food, is one of the great export crops of American agriculture and its production for domestic consumption and for export is necessary to the maintenance of a sound national economy and to the general welfare. The movement of wheat from producer to consumer, in the form of the commodity or any of the products thereof, is preponderantly in interstate and foreign commerce. Unreasonably low prices of wheat to producers impair their purchasing power for non-agriculture products and place them in a position of serious disparity with other industrial groups. The conditions affecting the production of wheat are such that without Federal assistance, producers cannot effectively prevent disastrously low prices for wheat. It is necessary, in order to assist wheat producers in obtaining fair prices, to regulate the price of wheat used for domestic food and for exports in the manner provided in this part.

(Feb. 16, 1938, ch. 30, title III, § 379a, as added Pub. L. 87-703, title III, § 324(2), Sept. 27, 1962, 76 Stat. 626.)

#### Statutory Notes and Related Subsidiaries

##### INAPPLICABILITY OF SECTION

Section inapplicable to 2014 through 2018 crops of covered commodities, cotton, and sugar and inapplicable

to milk during period beginning Feb. 7, 2014, through Dec. 31, 2018, see section 9092(a)(3) of this title.

Section inapplicable to 2008 through 2012 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning June 18, 2008, through Dec. 31, 2012, see section 8782(a)(3) of this title.

Section inapplicable to 2002 through 2007 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning May 13, 2002, through Dec. 31, 2007, see section 7992(a)(3) of this title.

Section inapplicable to 1996 through 2001 crops of loan commodities, peanuts, and sugar and inapplicable to milk during period beginning Apr. 4, 1996, and ending Dec. 31, 2002, see section 7301(a)(1)(H) of this title.

### § 1379b. Wheat marketing allocation; amount; national allocation percentage; commercial and noncommercial wheat-producing areas

During any marketing year for which a marketing quota is in effect for wheat, beginning with the marketing year for the 1964 crop, a wheat marketing allocation program shall be in effect as provided in this part. Whenever a wheat marketing allocation program is in effect for any marketing year the Secretary shall determine (1) the wheat marketing allocation for such year which shall be the amount of wheat which in determining the national marketing quota for such marketing year he estimated would be used during such year for food products for consumption in the United States, and that portion of the amount of wheat which in determining such quota he estimated would be exported in the form of wheat or products thereof during the marketing year on which the Secretary determines that marketing certificates shall be issued to producers in order to achieve, insofar as practicable, the price and income objectives of this part, and (2) the national allocation percentage which shall be the percentage which the national marketing allocation is of the national marketing quota. Each farm shall receive a wheat marketing allocation for such marketing year equal to the number of bushels obtained by multiplying the number of acres in the farm acreage allotment for wheat by the projected farm yield, and multiplying the resulting number of bushels by the national allocation percentage. If a noncommercial wheat-producing area is established for any marketing year, farms in such area shall be given wheat marketing allocations which are determined by the Secretary to be fair and reasonable in relation to the wheat marketing allocation given producers in the commercial wheat-producing area.

(Feb. 16, 1938, ch. 30, title III, § 379b, as added Pub. L. 87-703, title III, § 324(2), Sept. 27, 1962, 76 Stat. 626; amended Pub. L. 88-297, title II, § 202(10), (11), Apr. 11, 1964, 78 Stat. 179, 180; Pub. L. 89-321, title V, §§ 502, 503, Nov. 3, 1965, 79 Stat. 1202; Pub. L. 90-559, § 1(1), Oct. 11, 1968, 82 Stat. 996; Pub. L. 91-524, title IV, § 402(a), (b)(B), (C), Nov. 30, 1970, 84 Stat. 1362, as renumbered and amended Pub. L. 93-86, § 1(9), Aug. 10, 1973, 87 Stat. 225.)

#### Editorial Notes

##### AMENDMENTS

1973—Subsec. (c)(1). Pub. L. 91-524, § 402(b)(B)(i)-(vi), as added by Pub. L. 93-86, temporarily substituted