

Section 1380j, act Feb. 16, 1938, ch. 30, title III, § 380j, as added May 28, 1956, ch. 327, title V, § 501(3), 70 Stat. 210, related to exemptions from provisions of this part.

Section 1380k, act Feb. 16, 1938, ch. 30, title III, § 380k, as added May 28, 1956, ch. 327, title V, § 501(3), 70 Stat. 210, related to rice processing restrictions.

Section 1380l, act Feb. 16, 1938, ch. 30, title III, § 380l, as added May 28, 1956, ch. 327, title V, § 501(3), 70 Stat. 211, related to rice import restrictions.

Section 1380m, act Feb. 16, 1938, ch. 30, title III, § 380m, as added May 28, 1956, ch. 327, title V, § 501(3), 70 Stat. 211, directed the Secretary to prescribe regulations governing the issuance, redemption, acquisition, use, transfer, and disposition of certificates.

Section 1380n, act Feb. 16, 1938, ch. 30, title III, § 380n, as added May 28, 1956, ch. 327, title V, § 501(3), 70 Stat. 211, related to penalties for violations of import and processing restrictions of this part or regulations prescribed by the Secretary for enforcing such provisions.

Section 1380o, act Feb. 16, 1938, ch. 30, title III, § 380o, as added May 28, 1956, ch. 327, title V, § 501(3), 70 Stat. 211, related to reports and records.

Section 1380p, act Feb. 16, 1938, ch. 30, title III, § 380p, as added May 28, 1956, ch. 327, title V, § 501(3), 70 Stat. 211, defined "cooperator", "processing of rough rice", "processed rice", "United States", "exporter", "rough rice equivalent", and "import", for purposes of this part.

PART F—MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

Editorial Notes

CODIFICATION

Pub. L. 87-703, title III, § 324(1), Sept. 27, 1962, 76 Stat. 626, redesignated part E as F.

Act May 28, 1956, ch. 327, title V, § 501(2), 70 Stat. 208, redesignated part D as E.

SUBPART I—MISCELLANEOUS

§§ 1381 to 1382. Omitted

Editorial Notes

CODIFICATION

Section 1381, acts Feb. 16, 1938, ch. 30, title III, § 381, 52 Stat. 66; Apr. 7, 1938, ch. 107, § 12, 52 Stat. 204, related to cotton price adjustment payments with respect to 1937 cotton crop, and to transfer of pledged cotton of 1937 crop to Commodity Credit Corporation. Subsec. (c) of section 1381, which authorized sale of pledged cotton by Commodity Credit Corporation, was repealed by act July 3, 1948, ch. 827, title II, § 202(b), 62 Stat. 1255.

Section 1381a, act June 16, 1938, ch. 464, title I, 52 Stat. 745, which was not a part of the Agricultural Adjustment Act of 1938, related only to payments for 1937 crops.

Section 1382, act Feb. 16, 1938, ch. 30, title III, § 382, 52 Stat. 67, required the Commodity Credit Corporation to provide for the extension, from July 31, 1938, to July 31, 1939, of 1937 cotton loan.

§ 1383. Insurance of cotton; reconcentration

(a) The Commodity Credit Corporation shall place all insurance of every nature taken out by it on cotton, and all renewals, extensions, or continuations of existing insurance, with insurance agents who are bonafide residents of and doing business in the State where the cotton is warehoused: *Provided*, That such insurance may be secured at a cost not greater than similar insurance offered on said cotton elsewhere.

(b) Cotton held as security for any loan heretofore or hereafter made or arranged for by the Commodity Credit Corporation shall not here-

after be reconcentrated without the written consent of the producer or borrower.

(Feb. 16, 1938, ch. 30, title III, § 383, 52 Stat. 67.)

Executive Documents

TRANSFER OF FUNCTIONS

Administration of program of Commodity Credit Corporation transferred to Secretary of Agriculture by 1946 Reorg. Plan No. 3, § 501, eff. July 16, 1946, 11 F.R. 7877, 60 Stat. 1100, set out in the Appendix to Title 5, Government Organization and Employees.

EXCEPTIONS FROM TRANSFER OF FUNCTIONS

Functions of Corporations of Department of Agriculture, boards of directors and officers of such corporations; Advisory Board of Commodity Credit Corporation; and Farm Credit Administration or any agency, officer, or entity of, under, or subject to supervision of said Administration excepted from functions of officers, agencies, and employees transferred to Secretary of Agriculture by 1953 Reorg. Plan No. 2, § 1, effective June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

§ 1383a. Written consent for reconcentration of cotton

In the administration of section 1383(b) of this title the written consent of the producer or borrower to the reconcentration of any cotton held as security for any loan heretofore or hereafter made or arranged for by the Commodity Credit Corporation shall not be deemed to have been given unless such consent shall have been given in an instrument made solely for that purpose. Notwithstanding any provision of any loan agreement heretofore made, no cotton held under any such agreement as security for any such loan shall be moved from one warehouse to another unless the written consent of the producer or borrower shall have been obtained in a separate instrument given solely for that purpose, as required by this section. The giving of written consent for the reconcentration of cotton shall not be made a condition upon the making of any loan hereafter made or arranged for by the Commodity Credit Corporation: *Provided, however*, That in cases where there is congestion and lack of storage facilities, and the local warehouse certifies such fact and requests the Commodity Credit Corporation to move the cotton for reconcentration to some other point, or when the Commodity Credit Corporation determines such loan cotton is improperly warehoused and subject to damage, or if uninsured, or if any of the terms of the loan agreement are violated, or if carrying charges are substantially in excess of the average of carrying charges available elsewhere, and the local warehouse, after notice, declines to reduce such charges, such written consent as provided in this section need not be obtained; and consent to movement under any of the conditions of this proviso may be required in future loan agreements.

(June 16, 1938, ch. 480, 52 Stat. 762.)

Editorial Notes

CODIFICATION

Section was not enacted as part of the Agricultural Adjustment Act of 1938 which comprises this chapter.

Executive Documents**TRANSFER OF FUNCTIONS**

Administration of program of Commodity Credit Corporation transferred to Secretary of Agriculture by 1946 Reorg. Plan No. 3, §501, eff. July 16, 1946, 11 F.R. 7877, 60 Stat. 1100, set out in the Appendix to Title 5, Government Organization and Employees.

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§ 1384. Repealed. Aug. 7, 1946, ch. 770, § 1(3), 60 Stat. 866

Section, act Feb. 16, 1938, ch. 30, title III, §384, 52 Stat. 68, related to reports to Congress by the Secretary of Agriculture.

§ 1385. Finality of payments and loans; substitution of beneficiaries

The facts constituting the basis for any chapter 3B of title 16 payment, any payment under the wheat, feed grain, upland cotton, extra long staple cotton, and rice programs authorized by chapter 35A of this title and this chapter, any loan, or price support operation, or the amount thereof, when officially determined in conformity with the applicable regulations prescribed by the Secretary or by the Commodity Credit Corporation, shall be final and conclusive and shall not be reviewable by any other officer or agency of the Government. In case any person who is entitled to any such payment dies, becomes incompetent, or disappears before receiving such payment, or is succeeded by another who renders or completes the required performance, the payment shall, without regard to any other provisions of law, be made as the Secretary of Agriculture may determine to be fair and reasonable in all the circumstances and provide by regulations. This section also shall be applicable to payments provided for under section 1348 of this title.

(Feb. 16, 1938, ch. 30, title III, §385, 52 Stat. 68; July 2, 1940, ch. 521, §7, 54 Stat. 728; July 3, 1948, ch. 827, title II, §207(e), 62 Stat. 1257; Pub. L. 87-703, title III, §322, Sept. 27, 1962, 76 Stat. 626; Pub. L. 88-297, title I, §102, Apr. 11, 1964, 78 Stat. 174; Pub. L. 91-524, title IV, §404(5), title VI, §605(3), Nov. 30, 1970, 84 Stat. 1366, 1378; Pub. L. 94-214, title III, §302, Feb. 16, 1976, 90 Stat. 187; Pub. L. 95-113, title IV, §405, Sept. 29, 1977, 91 Stat. 927; Pub. L. 97-98, title XI, §1102, Dec. 22, 1981, 95 Stat. 1263; Pub. L. 99-198, title X, §1017(a), Dec. 23, 1985, 99 Stat. 1459.)

Editorial Notes**REFERENCES IN TEXT**

Chapter 3B [§590a et seq.] of title 16, referred to in text, was in the original a reference to the Soil Conservation Act, probably meaning the Soil Conservation and Domestic Allotment Act.

Chapter 35A [§1421 et seq.] of this title, referred to in text, was in the original a reference to the Agricultural Act of 1949.

AMENDMENTS

1985—Pub. L. 99-198 inserted “extra long staple cotton,” after “upland cotton,” in first sentence.

1981—Pub. L. 97-98 amended first sentence generally.

1977—Pub. L. 95-113 temporarily amended first sentence generally. See Effective and Termination Dates of 1977 Amendment note below.

1976—Pub. L. 94-214 temporarily inserted reference to payments under the rice program authorized by section 1441(g) of this title. See Effective and Termination Dates of 1976 Amendment note below.

1970—Pub. L. 91-524 temporarily inserted references to payments under the cotton set-aside program and to payments (including certificates) under the wheat and feed grain set-aside programs. See Effective and Termination Dates of 1970 Amendment note below.

1964—Pub. L. 88-297 provided for application of this section to payments in kind to equalize cost of cotton to domestic and foreign users.

1962—Pub. L. 87-703 inserted “payment under section 1339 of this title,” after “parity payment.”

1948—Act July 3, 1948, substituted “loan, or price support operation” for “or loan”.

1940—Act July 2, 1940, inserted last sentence.

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 1981 AMENDMENT**

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE AND TERMINATION DATES OF 1977 AMENDMENT

Pub. L. 95-113, title IV, §405, Sept. 29, 1977, 91 Stat. 927, provided that the amendment made by section 405 is effective only for the 1978 through 1981 crops.

EFFECTIVE AND TERMINATION DATES OF 1976 AMENDMENT

Pub. L. 94-214, title III, §302, Feb. 16, 1976, 90 Stat. 187, provided that the amendment made by section 302 is effective only with respect to the 1976 and 1977 crops of rice.

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.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87-703 effective only with respect to programs applicable to crops planted for harvest in calendar year 1964 or any subsequent year and marketing years beginning in calendar year 1964, or any subsequent year, see section 323 of Pub. L. 87-703, set out as a note under section 1301 of this title.

EFFECTIVE DATE OF 1948 AMENDMENT

Amendment by act July 3, 1948, effective Jan. 1, 1950, see section 303 of act July 3, 1948, set out as a note under section 1301 of this title.

DETERMINATION OF RATE OF LOANS, PAYMENTS, AND PURCHASES UNDER PRICE SUPPORT PROGRAM; NOTICE AND PUBLIC PARTICIPATION IN RULEMAKING NOT REQUIRED

Pub. L. 99-198, title X, §1017(b), Dec. 23, 1985, 99 Stat. 1459, as amended by Pub. L. 101-624, title XI, §1144, Nov. 28, 1990, 104 Stat. 3516, provided that the Secretary of Agriculture was to determine the rate of loans, pay-