

2014—Subsec. (a)(2)(B). Pub. L. 113-79, §3013(a), struck out “, using recommendations included in the report entitled ‘Micronutrient Compliance Review of Fortified Public Law 480 Commodities’, published in October 2001, with implementation by independent entities with proven experience and expertise in food aid commodity quality enhancements” before period at end.

Subsec. (c). Pub. L. 113-79, §3013(b), substituted “2018” for “2012”.

2008—Subsec. (a)(1). Pub. L. 110-246, §3023(1)(A), substituted “2008” for “2003”.

Subsec. (a)(2). Pub. L. 110-246, §3023(1)(B), in subpar. (A), inserted “and” at end, added subpar. (B), and struck out former subpars. (B) and (C) which read as follows:

“(B) encourage the development of technologies for the fortification of grains and other commodities that are readily transferable to developing countries; and

“(C) assess and apply technologies and systems to improve and ensure the quality, shelf life, bioavailability, and safety of fortified food aid commodities, and products of those commodities, that are provided to developing countries, by using the same mechanism that was used to assess the micronutrient fortification program in the report entitled ‘Micronutrient Compliance Review of Fortified P.L. 480 Commodities’, published October 2001 with funds from the Bureau for Humanitarian Response of the United States Agency for International Development.”

Subsecs. (b) to (d). Pub. L. 110-246, §3023(2), (3), redesignated subsecs. (c) and (d) as (b) and (c), respectively, in subsec. (c), substituted “2012” for “2007”, and struck out former subsec. (b). Prior to amendment, text read as follows: “From among the countries eligible for assistance under this chapter, the Secretary may select not more than 5 developing countries to participate in a program under this section.”

2002—Pub. L. 107-171, §3013(1), substituted “programs” for “pilot program” in section catchline.

Subsec. (a). Pub. L. 107-171, §3013(2), designated first sentence as par. (1), inserted heading, and substituted “Not later than September 30, 2003, the Administrator, in consultation with the Secretary, shall establish micronutrient fortification programs.” for “Subject to the availability of practical technology and to cost effectiveness, not later than September 30, 1997, the Secretary, in consultation with the Administrator, shall establish a micronutrient fortification pilot program under this chapter.”, designated second sentence as par. (2), inserted heading, and substituted “The purpose of a program” for “The purpose of the program”, redesignated former pars. (1) and (2) as subpars. (A) and (B) of par. (2), respectively, struck out “and” at end of subpar. (A), struck out “whole” before “grains and other commodities” and substituted “; and” for period at end of subpar. (B), and added subpar. (C).

Subsec. (b). Pub. L. 107-171, §3013(3), substituted “a program under this section” for “the pilot program”.

Subsec. (c). Pub. L. 107-171, §3013(4), substituted “a program, grains” for “the pilot program, whole grains”, “a program may be fortified” for “the pilot program may be fortified”, and “(such as vitamin A, iron, iodine, and folic acid)” for “(including vitamin A, iron, and iodine)”.

Subsec. (d). Pub. L. 107-171, §3013(5), substituted “programs” for “the pilot program” and “2007” for “2002”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

§ 1736g-3. Use of certain local currency

Local currency payments received by the United States pursuant to agreements entered into under subchapter II (as in effect on Novem-

ber 27, 1990) may be utilized by the Secretary in accordance with section 1708 of this title (as in effect on November 27, 1990).

(July 10, 1954, ch. 469, title IV, §416, as added Pub. L. 104-127, title II, §223, Apr. 4, 1996, 110 Stat. 958.)

Editorial Notes

REFERENCES IN TEXT

Section 1708 of this title (as in effect on November 27, 1990), referred to in text, was omitted in the general amendment of this chapter by Pub. L. 101-624, title XV, §1512, Nov. 28, 1990, 104 Stat. 3633.

§ 1736h. Congressional consultation on bilateral commodity supply agreements

As soon as practicable before the Government of the United States enters into any bilateral international agreement, other than a treaty, involving a commitment on the part of the United States to assure access by a foreign country or instrumentality thereof to United States agricultural commodities or products thereof on a commercial basis, the President is encouraged to notify and consult with the appropriate committees of Congress for the purpose of setting forth in detail the terms of and reasons for negotiating such agreement.

(Pub. L. 97-98, title XII, §1202, Dec. 22, 1981, 95 Stat. 1275.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Agriculture and Food Act of 1981, and not as part of the Food for Peace Act which comprises this chapter.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§§ 1736i to 1736k. Repealed. Pub. L. 101-624, title XV, § 1573, Nov. 28, 1990, 104 Stat. 3702

Section 1736i, Pub. L. 97-98, title XII, §1203, Dec. 22, 1981, 95 Stat. 1275, provided for a special standby export subsidy program.

Section 1736j, Pub. L. 97-98, title XII, §1204, Dec. 22, 1981, 95 Stat. 1276; Pub. L. 99-198, title XI, §1133(b), Dec. 23, 1985, 99 Stat. 1489, provided for protection against agricultural embargo. See section 5672 of this title.

Section 1736k, Pub. L. 97-98, title XII, §1205, Dec. 22, 1981, 95 Stat. 1277, provided for development of plans, recommendations, and programs to alleviate the adverse impact of export embargoes on agricultural commodities. See section 5672 of this title.

§ 1736l. Consultation on grain marketing

Congress encourages the Secretary of Agriculture, in coordination with other appropriate Federal departments and agencies, to continue to consult with representatives of other major grain exporting nations toward the goal of establishing more orderly marketing of grain and achieving higher farm income for producers of grain.

(Pub. L. 97-98, title XII, §1206, Dec. 22, 1981, 95 Stat. 1278.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Agriculture and Food Act of 1981, and not as part of the Food for Peace Act which comprises this chapter.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§§ 1736m, 1736n. Repealed. Pub. L. 104-127, title II, §§ 226, 266, Apr. 4, 1996, 110 Stat. 962, 974

Section 1736m, Pub. L. 97-98, title XII, §1207, Dec. 22, 1981, 95 Stat. 1278; Pub. L. 99-198, title XI, §1126(c), Dec. 23, 1985, 99 Stat. 1482, related to expansion of international markets for United States agricultural commodities and products.

Section 1736n, Pub. L. 97-98, title XII, §1208, Dec. 22, 1981, 95 Stat. 1280; Pub. L. 101-624, title XV, §1515(a), Nov. 28, 1990, 104 Stat. 3663, directed Secretary of Agriculture to continue investigating potential for increased usage of protein byproducts derived from alcohol fuel production and report results to Congress.

§ 1736o. Food for progress**(a) Short title**

This section may be cited as the “Food for Progress Act of 1985”.

(b) Definitions

In this section:

(1) Cooperative

The term “cooperative” has the meaning given the term in section 402 of the Food for Peace Act (7 U.S.C. 1732).

(2) Corporation

The term “Corporation” means the Commodity Credit Corporation.

(3) Developing country

The term “developing country” has the meaning given the term in section 402 of the Food for Peace Act (7 U.S.C. 1732).

(4) Eligible commodity

The term “eligible commodity” means an agricultural commodity, or a product of an agricultural commodity, in inventories of the Corporation or acquired by the Secretary or the Corporation for disposition through commercial purchases under a program authorized under this section.

(5) Eligible entity

The term “eligible entity” means—

- (A) the government of an emerging agricultural country;
- (B) an intergovernmental organization;
- (C) a private voluntary organization;
- (D) a nonprofit agricultural organization or cooperative;
- (E) a nongovernmental organization;
- (F) a college or university (as such terms are defined in section 3103(4) of this title); and
- (G) any other private entity.

(6) Food security

The term “food security” means access by all people at all times to sufficient food and nutrition for a healthy and productive life.

(7) Nongovernmental organization

The term “nongovernmental organization” has the meaning given the term in section 402 of the Food for Peace Act (7 U.S.C. 1732).

(8) Private voluntary organization

The term “private voluntary organization” has the meaning given the term in section 402 of the Food for Peace Act (7 U.S.C. 1732).

(9) Program

The term “program” means a food assistance or development initiative proposed by an eligible entity and approved by the Secretary under this section.

(10) Rate of return

For purposes of applying subsection (j)(3), the rate of return for an eligible commodity shall be equal to the proportion that—

- (A) the proceeds eligible entities generate through monetization of such commodity, bears to
- (B) the cost to the Federal Government to procure and ship the commodity to the country where it is monetized.

(11) Secretary

The term “Secretary” means the Secretary of Agriculture.

(c) Program

In order to use the food resources of the United States more effectively in support of developing countries, and countries that are emerging democracies that have made commitments to introduce or expand free enterprise elements in their agricultural economies through changes in commodity pricing, marketing, input availability, distribution, and private sector involvement, the Secretary shall enter into agreements with eligible entities to furnish to the countries eligible commodities made available under subsections (e) and (f).

(d) Consideration for agreements

In determining whether to enter into an agreement under this section, the Secretary shall consider whether a potential recipient country is committed to carry out, or is carrying out, policies that promote economic freedom, private, domestic production of eligible commodities for domestic consumption, and the creation and expansion of efficient domestic markets for the purchase and sale of such eligible commodities. Such policies may provide for, among other things—

- (1) access, on the part of farmers in the country, to private, competitive markets for their product;
- (2) market pricing of eligible commodities to foster adequate private sector incentives to individual farmers to produce food on a regular basis for the country’s domestic needs;
- (3) establishment of market-determined foreign exchange rates;
- (4) timely availability of production inputs (such as seed, fertilizer, or pesticides) to farmers;
- (5) access to technologies appropriate to the level of agricultural development in the country; and
- (6) construction of facilities and distribution systems necessary to handle perishable products.