

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal 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.

SHORT TITLE

Act Apr. 25, 1936, which was classified to this chapter, was popularly known as the “Tobacco Control Act”.

SAVINGS PROVISION

Pub. L. 108-357, title VI, § 614, Oct. 22, 2004, 118 Stat. 1524, provided that: “The amendments made by this subtitle [subtitle A (§§ 611-614) of title VI of Pub. L. 108-357, amending sections 609, 1282, 1301, 1303, 1314h, 1361, 1371, 1373, 1375, 1378, 1379, 1428, 1433c-1, and 1441 of this title and section 714c of Title 15, Commerce and Trade, repealing sections 511r, 515 to 515k, 625, 1311 to 1314, 1314-1, 1314b, 1314b-1, 1314b-2, 1314c to 1314j, 1315, 1316, 1445, 1445-1, and 1445-2 of this title, and repealing provisions set out as a note under section 1314c of this title] shall not affect the liability of any person under any provision of law so amended with respect to the 2004 or an earlier crop of each kind of tobacco.”

§§ 516, 517. Repealed. Pub. L. 102-237, title X, § 1019, Dec. 13, 1991, 105 Stat. 1906

Section 516, act June 5, 1940, ch. 232, § 1, 54 Stat. 231, prohibited exportation of seeds or plants without permit.

Section 517, act June 5, 1940, ch. 232, § 2, 54 Stat. 231, provided penalty for violations.

CHAPTER 21C—TOBACCO REFORM**SUBCHAPTER I—TRANSITIONAL PAYMENTS TO TOBACCO QUOTA HOLDERS AND PRODUCERS OF TOBACCO**

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SUBCHAPTER I—TRANSITIONAL PAYMENTS TO TOBACCO QUOTA HOLDERS AND PRODUCERS OF TOBACCO**§ 518. Definitions**

In this subchapter and subchapter II:

(1) Agricultural Act of 1949

The term “Agricultural Act of 1949” means the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), as in effect on the day before October 22, 2004.

(2) Agricultural Adjustment Act of 1938

The term “Agricultural Adjustment Act of 1938” means the Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.), as in effect on the day before October 22, 2004.

(3) Considered planted

The term “considered planted” means tobacco that was planted, but failed to be pro-

duced as a result of a natural disaster, as determined by the Secretary.

(4) Contract

The term “contract” means a contract entered into under section 518a or 518b of this title.

(5) Contract payment

The term “contract payment” means a payment made under section 518a or 518b of this title pursuant to a contract.

(6) Producer of quota tobacco

The term “producer of quota tobacco” means an owner, operator, landlord, tenant, or sharecropper that shared in the risk of producing tobacco on a farm where tobacco was produced or considered planted pursuant to a tobacco farm poundage quota or farm acreage allotment established under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.).

(7) Quota tobacco

The term “quota tobacco”¹ means a kind of tobacco that is subject to a farm marketing quota or farm acreage allotment for the 2004 tobacco marketing year under a marketing quota or allotment program established under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.).

(8) Tobacco

The term “tobacco” means each of the following kinds of tobacco:

- (A) Flue-cured tobacco, comprising types 11, 12, 13, and 14.
- (B) Fire-cured tobacco, comprising types 22 and 23.
- (C) Dark air-cured tobacco, comprising types 35 and 36.
- (D) Virginia sun-cured tobacco, comprising type 37.
- (E) Virginia fire-cured tobacco, comprising type 21.
- (F) Burley tobacco, comprising type 31.
- (G) Cigar-filler and cigar-binder tobacco, comprising types 42, 43, 44, 53, 54, and 55.

(9) Tobacco quota holder

The term “tobacco quota holder” means a person that was an owner of a farm, as of October 22, 2004, for which a basic tobacco farm marketing quota or farm acreage allotment for quota tobacco was established for the 2004 tobacco marketing year.

(10) Tobacco Trust Fund

The term “Tobacco Trust Fund” means the Tobacco Trust Fund established under section 518e of this title.

(11) Secretary

The term “Secretary” means the Secretary of Agriculture.

(Pub. L. 108-357, title VI, § 621, Oct. 22, 2004, 118 Stat. 1524.)

Editorial Notes

REFERENCES IN TEXT

The Agricultural Act of 1949, referred to in par. (1), is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, which is classified

¹ So in original.