

**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 Repealed.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”<sup>1</sup> 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

<sup>1</sup> So in original.