

(3) High moisture state defined

In this subsection, the term “high moisture state” means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 7931 of this title.

(b) Recourse loans available for seed cotton

For each of the 2002 through 2007 crops of upland cotton and extra long staple cotton, the Secretary shall make available recourse seed cotton loans, as determined by the Secretary, on any production.

(c) Repayment rates

Repayment of a recourse loan made under this section shall be at the loan rate established for the commodity by the Secretary, plus interest (determined in accordance with section 7283 of this title).

(d) Termination of superseded loan authority

Notwithstanding section 7237 of this title, recourse loans shall not be made for the 2002 crop of corn, grain sorghum, and seed cotton under such section.

(Pub. L. 107-171, title I, §1209, May 13, 2002, 116 Stat. 165.)

SUBCHAPTER III—PEANUTS

§ 7951. Definitions

In this subchapter:

(1) Base acres for peanuts

The term “base acres for peanuts” means the number of acres assigned to a farm by historic peanut producers pursuant to section 7952(b) of this title.

(2) Counter-cyclical payment

The term “counter-cyclical payment” means a payment made under section 7954 of this title.

(3) Effective price

The term “effective price” means the price calculated by the Secretary under section 7954 of this title for peanuts to determine whether counter-cyclical payments are required to be made under that section for a crop year.

(4) Direct payment

The term “direct payment” means a payment made under section 7953 of this title.

(5) Historic peanut producer

The term “historic peanut producer” means a producer on a farm in the United States that produced or was prevented from planting peanuts during any or all of the 1998 through 2001 crop years.

(6) Payment acres

The term “payment acres” means—

(A) for the 2002 crop of peanuts, 85 percent of the average acreage determined under section 7952(a)(2) of this title for an historic peanut producer; and

(B) for the 2003 through 2007 crops of peanuts, 85 percent of the base acres for peanuts assigned to a farm under section 7952(b) of this title.

(7) Payment yield

The term “payment yield” means the yield assigned to a farm by historic peanut producers pursuant to section 7952(b) of this title.

(8) Producer

The term “producer” means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop on a farm and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced. In determining whether a grower of hybrid seed is a producer, the Secretary shall not take into consideration the existence of a hybrid seed contract and shall ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this subchapter.

(9) Secretary

The term “Secretary” means the Secretary of Agriculture.

(10) State

The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

(11) Target price

The term “target price” means the price per ton of peanuts used to determine the payment rate for counter-cyclical payments.

(12) United States

The term “United States”, when used in a geographical sense, means all of the States.

(Pub. L. 107-171, title I, §1301, May 13, 2002, 116 Stat. 166.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this subtitle”, meaning subtitle C (§§1301-1310) of title I of Pub. L. 107-171, May 13, 2002, 116 Stat. 166, which enacted this subchapter, amended sections 1361, 1371, 1373, 1378, 1428, and 1441 of this title, and repealed sections 1357 to 1359a and 7271 of this title. For complete classification of subtitle C to the Code, see Tables.

§ 7952. Establishment of payment yield and base acres for peanuts for a farm**(a) Average yield and acreage average for historic peanut producers****(1) Determination of average yield****(A) In general**

The Secretary shall determine, for each historic peanut producer, the average yield for peanuts on each farm on which the historic peanut producer planted peanuts for harvest for the 1998 through 2001 crop years, excluding any crop year in which the producer did not plant or was prevented from planting peanuts.

(B) Assigned yields

For the purposes of determining the 4-year average yield for an historic peanut pro-