

out below), if the Secretary of Agriculture determines that any portion of the advance deficiency payment made to producers for such crop under section 1445b-2 of this title had to be refunded, such refund could not be required to be made prior to July 31, 1990.

#### PILOT PROJECT ON CLEAN GRAIN PREMIUMS

Pub. L. 100-518, §3, Oct. 24, 1988, 102 Stat. 2587, directed Secretary of Agriculture to conduct study of schedule of premiums and discounts applied to loans made in accordance with this chapter to determine how premiums and discounts could be used to encourage production, marketing, and exporting of high quality, clean grain, to submit, not later than May 1, 1989, to Congress report on results of such study, to include recommendations with respect to schedule of premiums and discounts in such report, and to establish pilot project for 1989 crops of wheat, soybeans, and feed grains to test effectiveness of such recommendations, and to submit report describing result of project, not later than 180 days after end of 1989 marketing year for feed grains.

#### EMERGENCY CROP LOSS ASSISTANCE

Pub. L. 102-229, title I, Dec. 12, 1991, 105 Stat. 1712, as amended by Pub. L. 102-368, title VI, Sept. 23, 1992, 106 Stat. 1130, appropriated an additional \$1,750,000,000, to remain available until expended, for losses associated with 1990 crops as authorized by Pub. L. 101-624, formerly set out below, and for losses associated with 1991 and 1992 crops under same terms and conditions.

Pub. L. 101-624, title XXII, §§2241-2272, Nov. 28, 1990, 104 Stat. 3962-3977, as amended by Pub. L. 101-508, title I, §1204(d), Nov. 5, 1990, 104 Stat. 1388-12; Pub. L. 102-237, title I, §114(a)(4)-(16), Dec. 13, 1991, 105 Stat. 1838, 1839, related to emergency crop loss assistance for the 1990 crop of wheat, feed grains, upland cotton, extra long staple cotton, and rice, for orchards, and for forest crops, prior to repeal by Pub. L. 103-354, title I, §119(c), Oct. 13, 1994, 108 Stat. 3208. Similar provisions for prior crop years were contained in:

Pub. L. 101-82, title I, Aug. 14, 1989, 103 Stat. 565, as amended by Pub. L. 101-134, §1, Oct. 30, 1989, 103 Stat. 780; Pub. L. 101-220, §9(a)-(c), Dec. 12, 1989, 103 Stat. 1882; Pub. L. 101-624, title XXII, §§2231, 2232, 2235(a), Nov. 28, 1990, 104 Stat. 3958, 3959; Pub. L. 102-237, title VI, §602(a), (c), Dec. 13, 1991, 105 Stat. 1878.

Pub. L. 100-387, title II, Aug. 11, 1988, 102 Stat. 933, as amended by Pub. L. 101-82, title VI, §602, Aug. 14, 1989, 103 Stat. 587; Pub. L. 101-239, title I, §1004(a), Dec. 19, 1989, 103 Stat. 2108.

#### SPECIAL STUDY AND PILOT PROJECTS ON FUTURES TRADING

Pub. L. 99-198, title XVII, subtitle E, §§1741-1743, Dec. 23, 1985, 99 Stat. 1643, 1644, as amended by Pub. L. 100-203, title I, §1502, Dec. 22, 1987, 101 Stat. 1330-27, directed Secretary of Agriculture to conduct study to determine manner in which commodity futures markets and commodity options markets might be used by producers of commodities traded on such markets to provide price stability and income protection, extent of price stability and income protection producers might reasonably expect to receive from such participation, and Federal budgetary impact of such participation compared with cost of applicable established price support programs, to report results of study to Congress on or before Dec. 31, 1989, and in connection with such study, to conduct pilot program with respect to crops of wheat, feed grains, soybean, and cotton.

#### FARM INCOME PROTECTION INSURANCE PROGRAM TASK FORCE, STUDY, AND REPORT

Pub. L. 97-98, title XI, §1112, Dec. 22, 1981, 95 Stat. 1267, directed Secretary of Agriculture to appoint a special task force to study and report to Congress, not later than 18 months after Dec. 22, 1981, as to whether farm income protection insurance would provide the basis for an acceptable alternative to the commodity

price support, income maintenance, and disaster assistance programs currently administered by the Department of Agriculture for the benefit of farmers.

#### STUDIES IN RICE PRICE SUPPORT; REPORT TO CONGRESS; TERMINATION DATE

Act Aug. 28, 1954, ch. 1041, title III, §315, 68 Stat. 905, directed Secretary of Agriculture to study various two-price systems of price support and marketing which could be made applicable to rice and to submit to Congress on or before Mar. 1, 1955, a detailed report thereon.

### Executive Documents

#### 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.

### § 1421a. Financial impact study

#### (a) Study

The Secretary of Agriculture shall conduct an annual study of the financial impact of the support levels established and announced by the Secretary under programs contained in the Agricultural Act of 1949 [7 U.S.C. 1421 et seq.] (hereafter in this section referred to as “programs”), including a study of the effect of the support levels on the ability of producers to meet their financial obligations (with special emphasis on borrowers from the Farmers Home Administration and the Farm Credit System).

#### (b) Report

The Secretary shall annually prepare a report containing the results of the study and submit the report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, not later than the date of the final announcement for the programs by the Secretary for any 1 year.

#### (c) Informational purposes

The study under this section (including the study of the effect of the support levels on the ability of producers to meet their financial obligations) shall be only for informational purposes and for Congressional oversight and shall not give rise to any cause of action, be a basis for, or be used as evidence in support of, any claim or right of any person, including farmers and borrowers, in any administrative or judicial proceeding.

(Pub. L. 101-624, title XI, §1147, Nov. 28, 1990, 104 Stat. 3516.)

### Editorial Notes

#### REFERENCES IN TEXT

The Agricultural Act of 1949, referred to in subsec. (a), is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, as amended, which is classified principally to this chapter (§1421 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

## CODIFICATION

Section was enacted as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Agricultural Act of 1949 which is classified principally to this chapter. For complete classification of the 1949 Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Section effective beginning with 1991 crop of an agricultural commodity, with provision for prior crops, see section 1171 of Pub. L. 101-624, set out as a note under section 1421 of this title.

**§ 1421b. Costs of production**

Congress finds that, to improve the accuracy of commodity program benefit forecasts, the Secretary of Agriculture should designate a single organization to manage its commodity program forecasting and establish a quality control program to—

- (1) systematically identify the source of forecasting errors;
- (2) maintain records of data used for supply and demand forecasts;
- (3) document its forecasting methods; and
- (4) correct weaknesses in its various forecasting components.

(Pub. L. 101-624, title XXV, § 2512, Nov. 28, 1990, 104 Stat. 4073; Pub. L. 104-66, title I, § 1011(b), Dec. 21, 1995, 109 Stat. 709.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Agricultural Act of 1949 which is classified principally to this chapter. For complete classification of the 1949 Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

## AMENDMENTS

1995—Pub. L. 104-66 struck out subsec. (a) designation and heading “Improving accuracy of commodity program budget forecasts” before “Congress finds that”, and struck out subsec. (b) “Return on assets” which read as follows: “The Secretary of Agriculture shall annually publish a report analyzing the return on assets resulting from the production of upland cotton, rice, wheat, corn, oats, barley, grain sorghum, soybeans, peanuts, sugar from sugar beets, and raw sugar from sugar cane. In conducting this analysis, the Secretary shall consider returns from agricultural price support programs, the effects of agricultural price support programs on cost of production, the factors currently used in Department of Agriculture cost of production data, current value of land, and any other information that he considers necessary to reflect accurately return on the production of such crops.”

**§ 1421c. Repealed. Pub. L. 104-66, title I, § 1011(c), Dec. 21, 1995, 109 Stat. 709**

Section, Pub. L. 101-624, title XXV, § 2513, Nov. 28, 1990, 104 Stat. 4074, directed Secretary of Agriculture to develop system for informing consumers of farm value of agricultural products and to submit annual reports on such information to Congress.

**§ 1421d. Commodity reports****(a) Crop reports**

The Secretary of Agriculture (hereafter in this section referred to as the “Secretary”) shall

gather data from producers to be used to develop crop reports to be distributed by the Secretary during the growing season. The report shall contain statements of the conditions of those crops by State, with such explanations, comparisons, and information as may be useful for illustrating such reports.

**(b) Special reports****(1) In general**

In addition to the reports compiled pursuant to subsection (a), the Secretary shall annually survey producers for information for reports regarding supply, acreage, production, disposition, and prices for the following commodities as determined by the Secretary:

- (A) 25 fresh market vegetables;
- (B) 3 processing vegetables;
- (C) 6 fruits and nuts;
- (D) 17 forage and turf seeds;
- (E) 50 vegetable seeds; and
- (F) maple syrup.

**(2) Administrative**

The Secretary shall annually prepare a report containing results of the surveys described in paragraph (1) in such States as determined by the Secretary. Such reports shall be submitted to and officially approved by the Secretary of Agriculture before being issued or published.

**(c) Tree inventories**

The Secretary shall survey producers for information for reports regarding fruit and nut tree inventories. Such surveys and reports shall be conducted, printed, and distributed on a regular basis every 3 to 5 years as determined by the Secretary. Reports shall be submitted to and officially approved by the Secretary before being issued or published.

**(d) Omitted****(e) Authorization**

There are authorized to be appropriated such sums as may be necessary to carry out this section.

(Pub. L. 101-624, title XXV, § 2514, Nov. 28, 1990, 104 Stat. 4074.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Agricultural Act of 1949 which is classified principally to this chapter. For complete classification of the 1949 Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

Section is comprised of section 2514 of Pub. L. 101-624. Subsec. (d) of section 2514 of Pub. L. 101-624 repealed section 411a of this title.

**§ 1422. Increase of price support levels**

(a) Notwithstanding any other provision of this Act, price support at a level in excess of the maximum level of price support otherwise prescribed in this Act may be made available for any agricultural commodity if the Secretary determines, after a public hearing of which reasonable notice has been given, that price support at