

**(e) Replacement of removed grain**

Whenever any quantity of grain stored in the processor grain reserve under this section is removed from storage by a processor, the processor may be required to replace such grain with an equal quantity, within such period of time as the Secretary shall prescribe by regulation, or repay that portion of the loan represented by the quantity of grain removed from storage.

**(f) Purposes for which grain to be used**

Grain on which an eligible processor has received a loan under this section may not be used for any purpose other than the manufacture of alcohol for use as a fuel, and the Secretary shall establish such safeguards as the Secretary deems necessary to assure that such grain is not used for any other purpose and is not used in any manner that would unduly depress, manipulate, or curtail the free market in such grain.

**(g) Terms and conditions of loan; security; non-recourse loans**

Loans made under this section shall be made subject to such terms and conditions and subject to such security as the Secretary deems appropriate, except that such loans may not be made as nonrecourse loans.

**(h) Payment for cost of storage; repayment of loans**

In carrying out the processor grain reserve program under this section, the Secretary may—

(1) provide for the payment to processors of such amounts as the Secretary determines appropriate to cover the cost of storing grain held in the processor grain reserve, except that in no event may the rate of the payment paid under this clause for any period exceed the rate paid by the Secretary under the producer storage program for the same period; and

(2) prescribe conditions under which the Secretary may require processors to repay loans made under this section, plus accrued interest thereon, refund amounts paid to the processors for storage, and require the processors to pay such additional interest and other charges as may be required by regulation in the event any processor fails to abide by the terms and conditions of the loan or any regulation prescribed under this section.

**(i) Announcement of terms and conditions of program**

The Secretary shall announce the terms and conditions of the processor grain reserve program as far in advance of making loans as practicable.

**(j) Use of Commodity Credit Corporation facilities**

The Secretary may use the facilities of the Commodity Credit Corporation to carry out this section.

**(k) Authorization of appropriations; appropriation acts as determining amount and extent of loans; expiration of authority to make loans**

There are authorized to be appropriated such sums as may be necessary to carry out this sec-

tion. Any loans made under this section shall be made to such extent and such amounts as provided in appropriation Acts. The authority to make loans under this section shall expire five years after December 3, 1980.

(Pub. L. 96-494, title II, § 209, Dec. 3, 1980, 94 Stat. 2575.)

## REFERENCES IN TEXT

The producer storage program provided for under section 1445e of this title, referred to in subsec. (a)(4), refers to section 1445e prior to the general amendment of such section by Pub. L. 101-624, title XI, § 1123, Nov. 28, 1990, 104 Stat. 3503. As amended, section 1445e now provides for a farmer owned reserve program.

**§ 4003. Study of potential for expansion of United States agricultural export markets; report to President and Congress**

(a) The Secretary of Agriculture, in consultation with the United States Trade Representative and any other appropriate agency of the United States Government as determined by the Secretary, shall perform a study of the potential for expansion of United States agricultural export markets and the use of agricultural exports in obtaining natural resources or other commodities and products needed by the United States. The Secretary shall complete the study and submit to the President and Congress a report on the study before June 30, 1981.

(b) In performing the study, the Secretary shall determine for the next five years—

- (1) world food, feed, and fiber needs;
- (2) estimated United States and world food, feed, and fiber production capabilities;
- (3) potential new or expanded foreign markets for United States agricultural products;
- (4) the potential for the development of international agreements for the exchange of United States agricultural products for natural resources, including energy sources, or other commodities and products needed by the United States; and

(5) the steps that the United States must take to (A) increase agricultural export trade, and (B) obtain needed natural resources or other commodities and products in exchange for agricultural products, to the maximum extent feasible.

(Pub. L. 96-494, title II, § 210, Dec. 3, 1980, 94 Stat. 2576.)

**§ 4004. Food bank special nutrition projects****(a) Distribution of agricultural commodities to community food banks for emergency distribution; availability of agricultural commodities; use of currently used distributorship systems; selection of food banks**

The Secretary of Agriculture shall carry out special nutrition projects to provide agricultural commodities and other foods that might not otherwise be used, or might be more effectively used by organizations assisted under this section, to community food banks for emergency food box distribution to needy individuals and families. Notwithstanding any other provisions of law, the Secretary shall make available for purposes of such special nutrition projects, agricultural commodities and other foods avail-

able to the Secretary under section 1431 of this title, section 1446a-1 of this title, and section 612c of this title. For purpose of distributing agricultural commodities and other foods to community food banks under this section, the Secretary may, in consultation with State agencies, use food distribution systems currently used to distribute agricultural commodities and other foods under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.] and Child Nutrition Act of 1966 [42 U.S.C. 1771 et seq.]. The Secretary shall select food banks, in consultation with the Director of the Community Services Administration, for participation in the special nutrition projects under this section. Food banks shall be selected for participation so as to ensure adequate geographic distribution of emergency food box programs in at least two but not more than seven Department of Agriculture regions.

**(b) Application by food bank; recordkeeping and internal procedures**

(1) No food bank may participate in the special nutrition projects conducted under this section unless an application therefor is submitted to and approved by the Secretary. Such application shall be submitted in such form and manner and shall contain such information as the Secretary shall prescribe.

(2) Each food bank participating in the special nutrition projects under this section shall establish a recordkeeping system and internal procedures to monitor the use of agricultural commodities and other foods provided under this section. The Secretary shall develop standards by which the feasibility and effectiveness of the projects shall be measured, and shall conduct an ongoing review of the effectiveness of the projects.

**(c) Quantities and types of agricultural commodities; regulations for designation of eligible participants**

The Secretary shall determine the quantities and types of agricultural commodities and other foods to be made available under this section. The Secretary may prescribe regulations regarding the designation of eligible participants in the projects and any other regulations necessary to carry out this section.

**(d) Report to Congress; contents; recommendations**

The Secretary shall submit to Congress a progress report on July 1, 1983, and a final report on January 1, 1984, regarding the special nutrition projects carried out under this section. Such report shall include an analysis and evaluation of Federal participation in food bank emergency food programs, the effectiveness of such participation, and the feasibility of continuing such participation. The Secretary shall also include in such report any recommendations regarding improvements in Federal assistance to community food banks, including assistance for administrative expenses and transportation.

**(e) Sale of food prohibited; fines and penalties**

The sale of food provided under this section shall be prohibited and any person who receives

any remuneration in exchange for food provided under this section shall be subject to a fine of not more than \$1,000 or imprisonment for not more than six months, or both.

**(f) Paperwork minimization and encouragement of participation**

The Secretary shall minimize paperwork requirements placed on food banks which participate in the special nutrition projects established under this section and shall otherwise encourage food banks to participate in such projects.

**(g) Authorization of appropriations**

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

(Pub. L. 96-494, title II, § 211, Dec. 3, 1980, 94 Stat. 2577; Pub. L. 97-98, title XI, § 1114(b), Dec. 22, 1981, 95 Stat. 1269; Pub. L. 106-78, title VII, § 752(b)(4), Oct. 22, 1999, 113 Stat. 1169.)

REFERENCES IN TEXT

The Richard B. Russell National School Lunch Act, referred to in subsec. (a), is act June 4, 1946, ch. 281, 60 Stat. 230, as amended, which is classified generally to chapter 13 (§1751 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1751 of Title 42 and Tables.

The Child Nutrition Act of 1966, referred to in subsec. (a), is Pub. L. 89-642, Oct. 11, 1966, 80 Stat. 885, as amended, which is classified generally to chapter 13A (§1771 et seq.) of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 1771 of Title 42 and Tables.

AMENDMENTS

1999—Subsec. (a). Pub. L. 106-78 substituted “Richard B. Russell National School Lunch Act” for “National School Lunch Act”.

1981—Subsecs. (a), (b). Pub. L. 97-98, §1114(b)(1), substituted “special nutrition projects” for “demonstration projects” wherever appearing.

Subsec. (d). Pub. L. 97-98, §1114(b)(2), (3), substituted “to Congress a progress report on July 1, 1983, and a final report on January 1, 1984” for “a report to Congress on October 1, 1982” and “special nutrition projects” for “demonstration projects”.

Subsecs. (f), (g). Pub. L. 97-98, §1114(b)(4), (5), added subsec. (f), redesignated former subsec. (f) as (g), and substituted “such sums as may be necessary to carry out this section” for “to carry out this section \$356,000”.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

COMMUNITY SERVICES ADMINISTRATION

Community Services Administration, which was established by section 601 of Economic Opportunity Act of 1964, as amended (42 U.S.C. 2941), terminated when Economic Opportunity Act of 1964, Pub. L. 88-452, Aug. 20, 1964, 78 Stat. 508, as amended, was repealed, except for titles VIII and X, effective Oct. 1, 1981, by section 683(a) of Pub. L. 97-35, title VI, Aug. 13, 1981, 95 Stat. 519, which is classified to 42 U.S.C. 9912(a). An Office of Community Services, headed by a Director, was established in the Department of Health and Human Services by section 676 of Pub. L. 97-35, which is classified to 42 U.S.C. 9905.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1431e, 4004a of this title.

**§ 4004a. Applicability of food stamp requirements**

Section 2013(b) of this title shall not apply with respect to distribution of surplus commodities under section 4004 of this title.

(Pub. L. 97-98, title XI, §1114(d), Dec. 22, 1981, 95 Stat. 1269.)

CODIFICATION

Section was enacted as part of the Agriculture and Food Act of 1981, and not as part of the Agricultural Act of 1980 which comprises this chapter.

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.

**§ 4005. “Fuel conversion price” defined**

As used in this chapter, the phrase “fuel conversion price” means the price for an agricultural commodity determined by the Secretary of Agriculture that will permit gasoline-alcohol mixtures using alcohol produced from the commodity to be competitive in price with unleaded gasoline priced at the point it leaves the refinery, adjusted for differences in octane rating, taking into consideration the energy value of the commodity and other appropriate values designed to represent, on a national average basis, the value of byproducts also recoverable from the commodity; the direct costs and capital recovery costs for a grain alcohol distillery capable of producing forty million gallons of alcohol and recovering byproducts annually; and Federal tax and other Federal incentives applicable to alcohol used for fuel.

(Pub. L. 96-494, title II, §212, Dec. 3, 1980, 94 Stat. 2578.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title II of Pub. L. 96-494, Dec. 3, 1980, 94 Stat. 2570, as amended, which enacted this chapter and section 1445h of this title, amended sections 1444c, 1445b, 1445e, and 1446 of this title, and enacted provisions set out as notes under sections 1445e, and 1445h and 4001 of this title and section 714c of Title 15, Commerce and Trade. For complete classification of title II to the Code, see Short Title note set out under section 4001 of this title and Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4001 of this title.

**CHAPTER 72—NATIONAL AGRICULTURAL COST OF PRODUCTION STANDARDS REVIEW BOARD**

**§§ 4101 to 4110. Omitted**

CODIFICATION

Sections 4101 to 4110 were omitted pursuant to section 4110 which provided that the National Agricultural Cost of Production Standards Review Board established by this chapter ceased to exist on Sept. 30, 1995.

Section 4101, Pub. L. 97-98, title X, §1005, Dec. 22, 1981, 95 Stat. 1261, established Board.

Section 4102, Pub. L. 97-98, title X, §1006, Dec. 22, 1981, 95 Stat. 1261; Pub. L. 99-198, title X, §1023(a), Dec. 23, 1985, 99 Stat. 1460; Pub. L. 101-624, title XI, §1145(a), Nov. 28, 1990, 104 Stat. 3516, provided for membership of Board, duration of terms of appointment, number of terms, and Chairman and Vice Chairman.

Section 4103, Pub. L. 97-98, title X, §1007, Dec. 22, 1981, 95 Stat. 1261, outlined functions of Board.

Section 4104, Pub. L. 97-98, title X, §1008, Dec. 22, 1981, 95 Stat. 1262, provided for meetings of Board.

Section 4105, Pub. L. 97-98, title X, §1009, Dec. 22, 1981, 95 Stat. 1262, related to Board recommendations to Secretary.

Section 4106, Pub. L. 97-98, title X, §1010, Dec. 22, 1981, 95 Stat. 1262, provided for reports by Board to Secretary and Congress.

Section 4107, Pub. L. 97-98, title X, §1011, Dec. 22, 1981, 95 Stat. 1262, provided for support and clerical services to assist Board.

Section 4108, Pub. L. 97-98, title X, §1012, Dec. 22, 1981, 95 Stat. 1262, provided for compensation and travel expenses for Board members.

Section 4109, Pub. L. 97-98, title X, §1013, Dec. 22, 1981, 95 Stat. 1262, authorized appropriations for this chapter.

Section 4110, Pub. L. 97-98, title X, §1014, Dec. 22, 1981, 95 Stat. 1263; Pub. L. 99-198, title X, §1023(b), Dec. 23, 1985, 99 Stat. 1460; Pub. L. 101-624, title XI, §1145(b), Nov. 28, 1990, 104 Stat. 3516, provided that Board would cease to exist on Sept. 30, 1995.

**CHAPTER 73—FARMLAND PROTECTION POLICY**

Sec.

- 4201. General provisions.
  - (a) Congressional statement of findings.
  - (b) Statement of purpose.
  - (c) Definitions.
- 4202. Identifying effects of Federal programs on conversion of farmland to nonagricultural uses.
  - (a) Development of criteria to identify.
  - (b) Use of criteria to identify.
  - (c) Availability of restorative, etc., information.
- 4203. Existing policies and procedures; review, etc.
- 4204. Technical assistance.
- 4205. Farmland resource information.
- 4206. Grants, contracts, etc., authority.
- 4207. Reporting requirement.
- 4208. Limitations.
- 4209. Prohibition on maintenance of actions.

**§ 4201. General provisions**

**(a) Congressional statement of findings**

Congress finds that—

(1) the Nation’s farmland is a unique natural resource and provides food and fiber necessary for the continued welfare of the people of the United States;

(2) each year, a large amount of the Nation’s farmland is irrevocably converted from actual or potential agricultural use to non-agricultural use;

(3) continued decrease in the Nation’s farmland base may threaten the ability of the United States to produce food and fiber in sufficient quantities to meet domestic needs and the demands of our export markets;

(4) the extensive use of farmland for non-agricultural purposes undermines the economic base of many rural areas;

(5) Federal actions, in many cases, result in the conversion of farmland to nonagricultural uses where alternative actions would be preferred;

(6) the Department of Agriculture is the agency primarily responsible for the implementation of Federal policy with respect to United States farmland, assuring the maintenance of the agricultural production capacity