

SUBCHAPTER D—EXPORT AND DOMESTIC CONSUMPTION PROGRAMS

PART 80—FRESH IRISH POTATOES

Subpart A—Fresh Irish Potato—Diversion Program

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Subpart B [Reserved]

AUTHORITY: 7 U.S.C. 612c.

SOURCE: 58 FR 29098, May 19, 1993, unless otherwise noted.

Subpart A—Fresh Irish Potato—Diversion Program

SOURCE: 62 FR 29650, June 2, 1997, unless otherwise noted.

§ 80.1 Applicability.

In order to encourage the domestic consumption of the 1996 crop of fresh Irish potatoes by diverting them from normal channels of trade and commerce, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c) (Section 32), will make payment to producers who divert fresh Irish potatoes that they produced by donating them to charitable institutions for human consumption or by using such fresh Irish potatoes as livestock feed in accordance with the terms and conditions set forth herein.

§ 80.2 Administration.

The program will be administered under the general direction and supervision of the Director, Fruit and Vegetable Division, Agricultural Marketing

Service (AMS), United States Department of Agriculture (USDA), and will be implemented by the Farm Service Agency (FSA). AMS, FSA, or their authorized representatives do not have authority to modify or waive any of the provisions of this subpart.

§ 80.3 Definitions.

Application means Form FSA-117.

Charitable institutions means those organizations which offer food, housing, and other necessities to low income, homeless, or other persons in need of assistance in obtaining basic sustenance.

Diversion means the delivery of potatoes to an eligible outlet.

Eligible outlet means charitable institutions or livestock feeding operations.

Fresh Irish potatoes means the 1996 crop of all types and varieties of potatoes (except sweet potatoes) fit for human consumption and produced and stored in the United States.

Invoice and certificate of inspection and diversion means Form FSA-118.

Producer means an individual, partnership, association, or corporation located in the United States who grows potatoes for market and is in possession of such potatoes as of the date of May 29, 1997, and whose Form FSA-117 has been approved by USDA.

§ 80.4 Length of program.

This program will be effective May 29, 1997, and will continue until August 27, 1997. Producers diverting potatoes to charitable institutions must file an application at the FSA office responsible for the county in which the farm is located for FSA purposes within the first ten Federal Government business days following the effective date of this program. Producers diverting potatoes to livestock feed must file an application at such office no later than August 27, 1997. Application for charitable diversions, as well as for livestock feed, will be accepted until August 27, 1997.

[62 FR 29650, June 2, 1997, as amended at 62 FR 40730, July 30, 1997]