

§ 714.45

sent initially to the State committee, it shall be referred to the appropriate county committee for recommendation as provided in § 714.43 prior to action being taken by the State committee. Any necessary investigation shall be made. The State committee shall recommend approval or disapproval of the claim, attaching a statement giving the reasons for their action, which shall be signed by a representative of the State committee. After recommending approval or disapproval, the claim shall be promptly sent to the Deputy Administrator.

§ 714.45 Approval by Deputy Administrator.

The Deputy Administrator shall review each claim forwarded to him by the State committee to determine whether, (a) the penalty was erroneously, illegally, or wrongfully collected, (b) the claimant bore the burden of the payment of the penalty, (c) the claim was timely filed, and (d) under the applicable law and regulations the claimant is entitled to a refund. If a claim is filed initially with the Deputy Administrator, he shall obtain the recommendations of the county committee and the State committee if he deems such action necessary in arriving at a proper determination of the claim. The claimant shall be advised in writing of the action taken by the Deputy Administrator. If disapproved, the claimant shall be notified with an explanation of the reasons for such disapproval.

§ 714.46 Certification for payment.

An officer or employee of the Department of Agriculture authorized to certify public vouchers for payment shall, for and on behalf of the Secretary of Agriculture, certify to the Secretary of the Treasury of the United States for payment all claims for refund which have been approved.

PART 718—PROVISIONS APPLICABLE TO MULTIPLE PROGRAMS

Subpart A—General Provisions

Sec.

- 718.1 Applicability.
- 718.2 Definitions.
- 718.3 State committee responsibilities.

7 CFR Ch. VII (1–1–16 Edition)

- 718.4 Authority for farm entry and providing information.
- 718.5 Rule of fractions.
- 718.6 Controlled substance.
- 718.7 Furnishing maps.
- 718.8 Administrative county.
- 718.9 Signature requirements.
- 718.10 Time limitations.
- 718.11 Disqualification due to federal crop insurance fraud.

Subpart B—Determination of Acreage and Compliance

- 718.101 Measurements.
- 718.102 Acreage reports.
- 718.103 Prevented planted and failed acreage.
- 718.104 Late-filed and revised acreage reports.
- 718.105 Tolerances, variances, and adjustments.
- 718.106 Non-compliance and false acreage reports.
- 718.107 Acreages.
- 718.108 Measuring acreage including skip row acreage.
- 718.109 Deductions.
- 718.110 Adjustments.
- 718.111 Notice of measured acreage.
- 718.112 Redetermination.

Subpart C—Reconstitution of Farms, Allotments, Quotas, and Base Acres

- 718.201 Farm constitution.
- 718.202 Determining the land constituting a farm.
- 718.203 County committee action to reconstitute a farm.
- 718.204 Reconstitution of base acres.
- 718.205 Substantive change in farming operation, and changes in related legal entities.
- 718.206 Determining farms, tracts, and base acres when reconstitution is made by division.
- 718.207 Determining base acres when reconstitution is made by combination.

Subpart D—Equitable Relief From Ineligibility

- 718.301 Applicability.
- 718.302 Definitions and abbreviations.
- 718.303 Reliance on incorrect actions or information.
- 718.304 Failure to fully comply.
- 718.305 Forms of relief.
- 718.306 Finality.
- 718.307 Special relief approval authority for State Executive Directors.

AUTHORITY: 7 U.S.C. 1501–1524, 1921–2008r, 7201–7334, 7901–8002 and 9011–9097, 15 U.S.C. 714b and c, and 16 U.S.C. 3801–3847.