

SUMMARY OF OUTLAYS—Continued

Program	Outlays (\$ Million)
Crambe and sesame seed eligi- bility	1.4
Loan Rate Changes	210
Treatment of Popcorn	69
Total	2,530

List of Subjects

7 CFR Part 1412

Direct and counter-cyclical payments, Grains, Peanuts, Oilseeds, Reporting and recordkeeping requirements.

7 CFR part 1421

Agricultural commodities, Feed grains, Grains, Loan programs—agriculture, Oilseeds, Price support programs.

7 CFR part 1439

Animal feeds, Disaster assistance, Livestock, Pasture, Reporting and recordkeeping requirements.

7 CFR Part 1480

Agricultural commodities, Disaster assistance, Emergency assistance, Reporting and recordkeeping requirements.

■ For the reasons set out in the preamble, Title 7, Chapter XIV, of the Code of Federal Regulations is amended as set forth below.

PART 1412—DIRECT AND COUNTER-CYCLICAL PROGRAM AND PEANUT QUOTA BUYOUT PROGRAM

■ 1. The authority citation for part 1412 continues to read as follows:

Authority: 7 U.S.C. 7911–7918, 7951–7956; 15 U.S.C. 714b and 714c.

■ 2. Revise § 1412.101 to read as follows:

§ 1412.101 Applicability.

This part governs:

(a) How crop acreage bases and farm program payment yields are established or updated by owners of a farm for the purpose of calculating direct and counter-cyclical payments for wheat, corn, grain sorghum, barley, oats, upland cotton, rice, peanuts, soybeans, sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, and other oilseeds, as determined and announced by the Commodity Credit Corporation (CCC), for the years 2002 through 2007;

(b) The month in which producers on a farm may enter into annual Direct and Counter-cyclical Program (DCP) contracts with CCC for each of the years 2002 through 2007;

(c) The month in which peanut producers may establish such bases and yields in order to receive 2002 direct and counter-cyclical payments; and

(d) The month in which peanut producers may assign such bases and yields to a farm for each of the years 2003 through 2007.

■ 3. Amend § 1412.103 by revising the definitions of “Covered commodity” and “Other oilseeds” to read as follows:

§ 1412.103 Definitions.

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Covered commodity means wheat, corn, grain sorghum, barley, oats, upland cotton, rice, soybeans, sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, and other oilseeds as determined by the Secretary.

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Other oilseeds means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or, if determined and announced by CCC, another oilseed.

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■ 4. Amend § 1412.201 by adding paragraph (f) to read as follows:

§ 1412.201 Election of base acres.

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(f) For the purposes of this section, acreage planted, or prevented from being planted, to popcorn shall be considered as acreage planted to corn.

■ 5. Amend § 1412.301 by adding paragraph (b) to read as follows:

§ 1412.301 Direct payment yields for covered commodities, except soybeans and other oilseeds.

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(b) For the purposes of this section popcorn shall be considered as corn.

■ 6. Amend § 1412.401 by revising paragraph (d) to read as follows:

§ 1412.401 Direct and counter-cyclical program contract.

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(d) A transfer or change in the interest of a producer in base acres on the farm subject to a contract shall result in the termination of the contract with respect to such interest, and a refund of applicable direct and counter-cyclical payments issued for the farm. The contract termination shall be effective on the date of the transfer or change. Successors-in-interest on a farm subject to a contract may assume all obligations under the contract no later than September 30 of the contract year, and receive payment under the contract only after applicable direct and counter-cyclical payments previously issued to the predecessor for the farm have been

refunded to CCC, or a debt for any amount not refunded to CCC has been established for the predecessor.

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■ 7. Amend § 1412.406 by revising paragraph (e)(1) to read as follows:

§ 1412.406 Succession-in-interest to a direct and counter-cyclical program contract.

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(e)(1) In any case in which either a direct or counter-cyclical payment has previously been made to a predecessor, such payment shall not be paid to the successor unless payment has been refunded by the predecessor, or a debt for any amount not refunded to CCC has been established for the predecessor.

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■ 8. In § 1412.407(e), revise the counties listed under Mississippi to read as follows:

§ 1412.407 Planting flexibility.

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Mississippi

Calhoun, Carroll, Coahoma, Covington, DeSoto, George, Humphreys, Jefferson Davis, Lowndes, Madison, Marshall, Monroe, Montgomery, Prentiss and Rankin.

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■ 9. Add § 1412.408 to read as follows:

§ 1412.408 Redistributing base acreage.

(a)(1) Subject to the limitation in paragraph (a)(3) of this section, the redistribution of a farm's base acreage shall be allowed when all owners of the farm execute and submit a written request on a CCC-approved form for such redistribution to the FSA county office where the records for the farm are administratively maintained.

(2) If the land of the farm is subject to a deed of trust, lien, or mortgage, the holder of the deed of trust, lien, or mortgage must agree to the redistribution of base acreage.

(3) Redistribution of a farm's base acreage to negate or reduce a program violation is prohibited.

■ 10. Amend § 1412.703 by revising paragraph (f) to read as follows:

§ 1412.703 Assignment of average peanut yields and average peanut acreages to farms.

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(f) The total number of acres assigned by historic peanut producers under paragraph (b) of this section to a farm shall be considered to be the farm's base acres for peanuts for the purpose of making direct payments and counter-cyclical payments under this part, beginning with crop year 2003.