

- 729.402 Report on marketing card.  
 729.403 Report of marketing green peanuts.  
 729.404 Report of acquisition of seed peanuts.  
 729.405 Report of production and disposition.  
 729.406 Persons engaged in more than one business.  
 729.407 Penalty for failure to keep records and make reports.  
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 729.409 Length of time records and reports are to be kept.

AUTHORITY: 7 U.S.C. 1301.1357 *et. seq.*, 1372, 1373, 1375; 7 U.S.C. 7271; and 15 U.S.C. 714b and 714c.

SOURCE: 56 FR 16211, Apr. 19, 1991, unless otherwise noted.

### Subpart A—General Provisions

#### § 729.101 Paperwork Reduction Act assigned number.

The information collection requirements contained in 7 CFR part 729 have been approved by the Office of Management and Budget (OMB) in accordance with the provisions of 44 U.S.C. chapter 35 and have been assigned OMB control number 0560-0006.

#### § 729.102 Applicability.

The regulations contained in 7 CFR part 729 are issued in accordance with the Agricultural Adjustment Act of 1938, as amended, and are applicable to the 1996 through 2002 crops of peanuts. They govern the establishment of farm poundage quotas, the issuance of marketing cards, the identification of marketings of peanuts, the collection and refund of penalties, the keeping of records, and the making of reports incident thereto. The peanut marketing quota and disposition requirements for peanuts for the 1991 through 1995 crops shall, as applicable, continue to be governed by the regulations codified at 7 CFR part 729, as of April 1, 1996.

[56 FR 16211, Apr. 19, 1991, as amended at 61 FR 36999, July 16, 1996]

#### § 729.103 Definitions.

(a) *Applicability.* The definitions set forth in this section shall be applicable for all purposes of program administration for peanuts except as may otherwise be indicated. The definitions in, and provisions of, parts 718, 719, and 720 of this chapter and 1446 of this title are

hereby made applicable to these regulations unless the context or subject matter or the provisions of these regulations require otherwise.

(b) *Terms.* The following terms shall be defined as set forth in this paragraph.

*Act.* The Agricultural Adjustment Act of 1938, as amended.

*Additional peanuts.* Any peanuts which are marketed from a farm other than peanuts marketed or considered marketed as quota peanuts.

*Base period.* The 3 crop years immediately preceding the current year for which a basic quota is being established.

*Basic penalty rate.* The per pound amount determined by multiplying the national support level per ton for quota peanuts, as announced by the Secretary for the applicable marketing year, by 1.4 and dividing the result by 2000.

*Basic quota.* A farm's share of the peanut poundage quota allocated to a State. The basic quota for the current year is the preliminary quota as adjusted pursuant to this part for any:

(i) Increase or decrease in the State poundage quota from the poundage quota allocated to the State for the preceding year;

(ii) Reduction in the quota due to nonproduction;

(iii) Reduction for permanent release of quota from the farm in the current year;

(iv) Permanent transfers of quota to or from the farm for the current year; and

(v) Reallocation of quota to the farm from quotas;

(A) Reduced for nonproduction.

(B) Permanently released.

*Buyer.* A person, who also may be known as a handler, who:

(i) Buys or otherwise acquires peanuts in any form;

(ii) Markets, as a commission merchant, broker, cooperative, agent, or in any other capacity, any peanuts for the account of a producer and is responsible to the producer for the amount received for the peanuts; or

(iii) Receives peanuts as collateral for, or in settlement of, a price support loan.