

(b) *Notice of revised quotas.* A revised notice of farm poundage quota shall be issued for each farm affected by the transfer of farm poundage quota.

(c) *Cancellation of transfer.* (1) A transfer approved on the basis of incorrect information furnished by the parties to the transfer agreement, or approved due to error by the county committee, shall be void and canceled effective as of the date of approval. The cancellation shall not be effective for the current marketing year if:

(i) The transfer approval was made on the basis of incorrect information unknowingly furnished in good faith by the parties to the transfer agreement or the transfer approval was made in error by the county committee, and

(ii) The parties to the transfer agreement were not notified of the cancellation prior to the marketing of quota peanuts in excess of the revised effective farm poundage quota.

(2) Where cancellation of a transfer is required, the county committee shall issue revised notices of poundage quota showing the reasons for, and effect of, the cancellation.

§ 729.356 Withdrawal or minor revision.

Where the county committee determines that: (a) it is clearly in the best interest of all the producers, and (b) that effective operation of the peanut program will not be impaired, the county committee may permit withdrawal or minor revisions of a transfer upon written request by all parties to the transfer. A temporary transfer may be withdrawn or revised before peanuts are harvested during any year of the agreement.

§§ 729.357-729.366 (Reserved)

Temporary and Permanent Release and Temporary Reapportionment

§ 729.367 Temporary release and temporary reapportionment.

Temporary release and temporary reapportionment shall result from any voluntary temporary release and temporary reapportionment of farm poundage quotas as provided for in this subpart.

§ 729.368 Temporary release of farm poundage quota.

Except as provided in § 729.372, the farm operator may temporarily release part or all of the basic farm poundage quota to the State committee by filing a written release with the county committee.

§ 729.369 Permanent release of farm poundage quota; effect on quota and/or production history and on future quota determinations.

The farm poundage quota, except for undermarketings and quota temporarily transferred to the farm, may be permanently released by the owner and operator to the extent that the quota will not be produced on the farm. The farm poundage quota for the farm from which quota is permanently released shall be adjusted downward by the amount of the quota permanently released and the farm shall lose any production history which preceded any release to which this section applies.

§ 729.370 Permanent release from farm containing separate ownership tracts.

Where the farm consists of separately identifiable owned tracts, the owner of an individual tract may permanently release the quota contributed to the farm by the tract.

§ 729.371 Closing date for temporary or permanent releases of quotas and for requesting reapportionment of temporary released quotas.

The State committee shall establish and publicize the closing date(s) for temporary and permanent releases of farm poundage quota for the State or for areas consisting of one or more counties in the State taking into consideration the normal planting date(s) for the State. The closing date for such release and for requesting reapportionment of temporarily released poundage quota shall be the date established by the State committee in accordance with instructions issued by the Deputy Administrator.

§ 729.372 Signature requirements for temporary releases.

If a farm's quota was temporarily released in one or more of the crop years preceding the current year, the document setting forth the release of the farm poundage quota for the current year shall be signed by both the owner and the operator of the farm. The farm poundage quota may not be temporarily released for the current year if the owner of the farm files an objection with the county committee in writing before the released quota is transmitted to the State committee for reapportionment.

§ 729.373 Signature requirements for permanent releases.

The signature of both the owner and

operator are required for a permanent release of quota.

§ 729.374 Reapportionment of farm poundage quota temporarily released.

Poundage quotas which have been temporarily released may be reapportioned by the State committee to other farms in the State, upon application by the operator of such other farms in such manner as determined by the State committee in accordance with instructions issued by the Deputy Administrator.

§ 729.375 Closing date for reapportionment of temporarily released quota.

The final date for requesting a reapportionment pursuant to § 729.374 shall be the date established by the State committee in accordance with instructions issued by the Deputy Administrator. Such date shall be in advance of the final date for spring transfers for the relevant State.

§ 729.376 Credit for a voluntary temporary release of quota or for reapportioned poundage quota.

If a farm's quota has been temporarily released, the farm poundage quota shall be considered produced only to the extent permitted by this subpart. Any increase in a farm poundage quota resulting from reapportionment of quotas which have been temporarily released shall not be a basis for a grant of a quota for the receiving farm for any subsequent year.

§ 729.377 Withdrawal or minor revision of released quota.

A withdrawal or downward revision in the pounds temporarily or permanently released may be made upon a written request filed with the county committee, and such withdrawal or minor revision may be approved by the county committee provided that the notification of the release of quota has not at the time of the filing been transmitted to the State committee for reallocation.

§ 729.378 Notification of State committees of permanent or temporary release of quotas.

Notification of the permanent or temporary release of quotas shall be transmitted to the State committee by the relevant county committee. The final date for such transmission shall be established by the State committee, subject to review by the Deputy Administrator.