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(c) The Division will periodically bill producers or the voluntary agents designated by producers for the cost of classification. A discount of 5 cents per sample will be granted for services provided under this section when billing is made to voluntary agents.

[46 FR 48115, Oct. 1, 1981, as amended at 48 FR 30938, July 6, 1983; 48 FR 44452, Sept. 29, 1983; 51 FR 22063, June 23, 1992; 58 FR 41993, Aug. 6, 1993; 60 FR 21034, May 1, 1995; 61 FR 19512, May 2, 1996; 62 FR 25800, May 12, 1997]

CLASSIFICATION

§ 28.910 Classification of samples and issuance of classification data.

(a) The samples submitted as provided in the subpart shall be classified by employees of the Division and classification memoranda showing the official quality determination of each sample according to the official cotton standards of the United States shall be issued by any one of the following methods at no additional charge:

(1) Computer punchcards,

(2) Computer diskettes,

(3) Computer tapes, or

(4) Telecommunications, with all long distance telephone line charges paid by the receiver of data.

If the issuance of data to growers or to their agents is made by more than one method, the fee for each bale issued by each additional method shall be five cents. If provided as additional method of data transfer, the minimum fee for each tape or diskette issued shall be $10.00.

(b) Owners of cotton, other than producers, may receive classification data showing the official quality determination of each sample by means of telecommunications from a central data base to be maintained by the Division. The fee for this service shall be five cents per bale, with all long distance telephone line charges paid by the receiver of data. The minimum charge assessed for services obtained from the central database shall be $5.00 per monthly billing period.

(c) Upon request of an owner of cotton for which classification memoranda have been issued under the subpart, a new memorandum shall be issued for the business convenience of such owner without the reclassification of the cotton. Such rewritten memorandum shall bear the date of its issuance and the date or inclusive dates of the original classification. The fee for a new memorandum shall be 15 cents per bale or a minimum of $5.00 per sheet.

[56 FR 24674, May 31, 1991, as amended at 57 FR 27892, June 23, 1992; 58 FR 41993, Aug. 6, 1993; 61 FR 19512, May 2, 1996]

§ 28.911 Review classification.

(a) A producer may request one review classification for each bale of eligible cotton. The fee for review classification is $1.40 per bale.

(b) Samples for review classification must be drawn by gins or warehouses licensed pursuant to §§ 28.20 through 28.22, or by employees of the United States Department of Agriculture. Each sample for review classification shall be taken, handled, and submitted according to § 28.908 and to supplemental instructions issued by the Director or an authorized representative of the Director. Costs incident to sampling, tagging, identification, containers, and shipment for samples for review classification shall be assumed by the producer. After classification, the samples shall become the property of the Government unless the producer requests the return of the samples. The proceeds from the sale of samples that become Government property shall be used to defray the costs of providing the services under this subpart. Producers who request return of their samples after classing will pay a fee of 40 cents per sample in addition to the fee established above in this section.

[57 FR 27893, June 23, 1992, as amended at 59 FR 26410, May 20, 1994; 60 FR 21034, May 1, 1995; 61 FR 19512, May 2, 1996; 62 FR 25800, May 12, 1997]

LIMITATION OF SERVICES

§ 28.917 Limitation of services.

The Director, or an authorized representative, may suspend, terminate, or withhold cotton classing and market news services to any producer upon any failure of the producer to comply with the act or these regulations. Failure to