

Agricultural Marketing Service, USDA

§ 947.66

regulations pursuant to this section, or of any approval issued by him under the provisions of this section.

[35 FR 10743, July 2, 1970]

§ 947.55 Safeguards.

(a) The committee, with the approval of the Secretary, may prescribe adequate safeguards to prevent shipments pursuant to § 947.54 from entering channels of trade and other outlets for other than the specific purpose authorized therefor.

(b) Safeguards provided by this section may include, but shall not be limited to, requirements that handlers:

(1) Shall obtain the inspection required by § 947.60 or pay the assessment provided by § 947.41 or both, in connection with the potato shipments effected in accordance with § 947.54, and

(2) Shall obtain a Special Purpose Certificate from the committee for shipments of potatoes effected or to be effected under provisions of § 947.54.

(c) The committee, with the approval of the Secretary, shall prescribe rules governing the issuance and the contents of Special Purpose Certificates.

(d) The committee may rescind, or deny to any handler, the Special Purpose Certificate if proof satisfactory to the committee is obtained that potatoes shipped by him for the purpose stated in the certificate were handled contrary to the provisions of the certificate and this section.

(e) The committee shall make reports to the Secretary, as requested, showing the number of applications for such certificates, the quantity of potatoes covered by such applications for such certificates, the number of such applications denied, and certificates granted, the quantity of potatoes shipped under duly issued certificates, and such other information as may be requested by the Secretary.

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INSPECTION AND CERTIFICATION

§ 947.60 Inspection and certification.

(a) During any period in which the handling of potatoes is regulated pursuant to § 947.42, § 947.52, or § 947.54, or any combination thereof, no handler shall handle potatoes unless such pota-

atoes are inspected by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, and are covered by a valid inspection certificate, except when relieved from such requirements pursuant to § 947.53 or § 947.54 or both.

(b) Regrading, resorting, or repacking any lot of potatoes shall invalidate any prior inspection certificates insofar as the requirements of this section are concerned. No handler shall handle potatoes after they have been regraded, resorted, repacked, or in any way further prepared for market, unless such potatoes are inspected by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate: *Provided*, That such inspection requirements on regraded, resorted, or repacked potatoes may be modified, suspended, or terminated under rules and regulations recommended by the committee, and approved by the Secretary.

(c) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the committee with the approval of the Secretary.

(d) When potatoes are inspected in accordance with the requirements of this section, a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

EXEMPTIONS

§ 947.65 Procedure.

The committee may adopt, subject to approval of the Secretary, the procedures pursuant to which certificates of exemption will be issued to producers or handlers.

§ 947.66 Granting exemptions.

(a) The committee may issue certificates of exemption to any producer who applies for such exemption and furnishes adequate evidence to the committee: (1) That by reason of a regulation issued pursuant to § 947.52 he will be prevented from handling as large a proportion of his production as the average proportion of production