

§ 736.64 Duties of inspector and weigher.

Each inspector and each weigher whose license remains in effect shall, without discrimination, as soon as practicable, and upon reasonable terms, inspect and grade or weigh and certificate the grade or weight of grain, stored or to be stored in a warehouse, for which he holds a license, if such grain be offered to him under such conditions as permit proper inspection and weighing and the determination of the grade or weight thereof. No inspector shall issue a certificate of grade for any grain unless the inspection and grading thereof be based upon a correct and representative sample of the grain.

§ 736.65 Inspection certificate; form.

(a) Except as provided in paragraph (b) of this section, each inspection certificate issued under the act by an inspector shall be in a form approved for the purpose by the Department, and shall embody the following information within its written or printed terms:

(1) The caption "United States Warehouse Act, Grain Inspection Certificate",

(2) Whether it is an original, a duplicate, or other copy, and that it is not negotiable,

(3) The name and location of the warehouse in which the grain is or is to be stored,

(4) A statement showing whether the inspection covers grain moving into or out of the warehouse,

(5) The date of the certificate,

(6) The consecutive number of the certificate,

(7) The approximate amount of grain covered by the certificate,

(8) The kind of grain covered by the certificate,

(9) The grade of the grain, as determined by such duly licensed inspector, in accordance with § 736.76, and, in the case of grain for which no official standards of the United States are in effect, the standards or description in accordance with which such grain is graded.

(10) A statement that the certificate is issued by an inspector licensed under the United States Warehouse Act and the regulations thereunder,

(11) A statement conspicuously placed to the effect that the certificate is not valid for the purposes of the United States Grain Standards Act, and

(12) The signature of the inspector who inspected and graded the grain.

In addition, the inspection certificate may include any other matter not inconsistent with the Act or the regulations in this part, provided the approval of the Service is first secured.

(b) In lieu of an inspection certificate in the form prescribed in paragraph (a) of this section an official inspection certificate issued pursuant to the provisions of the United States Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*) or the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 *et seq.*) on grain which is stored or to be stored in a warehouse licensed under the U.S. Warehouse Act will be acceptable for purposes of the Act and the regulations in this part.

[29 FR 15730, Nov. 24, 1964, as amended at 42 FR 12143, Mar. 3, 1977; 45 FR 5662, Jan. 24, 1980. Redesignated at 50 FR 1814, Jan. 14, 1985]

§ 736.66 Copies of certificate to be accessible.

Each inspector shall, as soon as possible after grading any grain and not later than the close of business on the next following business day, make accessible to the parties interested in a transaction in which the grain is involved at the place designated in § 736.63 a true copy of the inspection certificate issued by him for such grain, or a record of each lot or parcel of grain inspected and graded by such licensed inspector showing the information contained on such inspection certificate.

§ 736.67 Weight certificate.

(a) Each weight certificate issued under the Act by a weigher shall be in a form approved for the purpose by the Service, and shall embody the following information within its written or printed terms:

(1) The caption "United States Warehouse Act, Grain Weight Certificate",

(2) Whether it is an original, a duplicate, or other copy, and that it is not negotiable,