

§ 739.1

7 CFR Ch. VII (1–1–99 Edition)

739.82 Bond for combination warehouse.
739.83 Amendments.

AUTHORITY: 7 U.S.C. 241 *et seq.*.

SOURCE: 10 FR 4964, May 4, 1945, unless otherwise noted. Redesignated at 50 FR 1814, Jan. 14, 1985.

EDITORIAL NOTE: Nomenclature changes to part 739 appear at 62 FR 33540, June 20, 1997.

DEFINITIONS

§ 739.1 Meaning of words.

Words used in the regulations in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 739.2 Terms defined.

When used in the regulations in this part, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) *Beans* means only dry edible beans used for human consumption.

(b) *The act* means the United States Warehouse Act, approved August 11, 1916 (39 Stat. 486; 7 U.S.C. 241–273), as amended.

(c) *Person* means an individual, corporation, partnership, or two or more persons having a joint or common interest.

(d) *Department* means the United States Department of Agriculture.

(e) *Secretary* means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(f) *Administrator* means the Administrator of the Service or any other officer or employee of the Service to whom authority has heretofore lawfully been delegated, or may hereafter lawfully be delegated, to act in his stead.

(g) *Designated representative* means the Administrator.

(h) *Service* means the Farm Service Agency of the U.S. Department of Agriculture.

(i) *Regulations* means rules and regulations made under the act by the Secretary.

(j) *Warehouse* means, unless otherwise clearly indicated by the context, any building, structure, or other protected inclosure in which beans are or

may be stored for interstate or foreign commerce, or, if located within any place under the exclusive jurisdiction of the United States, in which beans are or may be stored and for which a license has been issued under the act.

(k) *Warehouseman* means, unless otherwise clearly indicated by the context, any person lawfully engaged in the business of storing beans and holding a warehouse license.

(l) *License* means a license issued under the act by the Secretary.

(m) *Licensed warehouseman's bond* means a bond required to be given under the act by a licensed warehouseman.

(n) *Licensed inspector* means a person licensed under the act by the Secretary to sample, to inspect, and to grade and to certificate the condition for storage and the grade of beans.

(o) *Licensed weigher* means a person licensed under the act by the Secretary to weigh and to certificate the weight of beans stored or to be stored under the act.

(p) *Receipt* means a warehouse receipt as prescribed by the act and regulations.

(q) *Dockage*. See "Pick."

(r) *Pick* includes any material other than beans, together with undeveloped, shriveled, discolored, damaged, split, and small pieces of beans which are picked by hand or eliminated by mechanical means from the lot. The pick shall be calculated in terms of percentage based on the total weight of the beans including the material to be eliminated.

[10 FR 4964, May 4, 1945, as amended at 13 FR 8729, Dec. 30, 1948; 14 FR 681, Feb. 16, 1949. Redesignated and amended at 50 FR 1814, Jan. 14, 1985]

WAREHOUSE LICENSES

§ 739.3 Application forms.

Applications for licenses under sections 4 and 9 of the act and for amendments thereto shall be made to the Secretary upon forms prescribed for the purpose and furnished by the Service, shall be in English, shall truly state the information therein contained, and shall be signed by the applicant. The applicant shall at any