

part shall be suspended 30 calendar days following the date Canada eliminates its end-use certificate requirement, as determined by the Secretary.

(b) The provisions of the regulations in this part may be suspended if the Secretary, after consulting with domestic producers, determines that the program has directly resulted in the:

- (1) Reduction of income to U.S. producers of agricultural commodities, or
- (2) Reduction of the competitiveness of U.S. agricultural commodities in world export markets.

§ 782.12 Filing FSA-750, End-Use Certificate for Wheat.

(a) Each entity that imports wheat originating in Canada shall, for each entry into the U.S., obtain form FSA-750, End-Use Certificate for Wheat, from Kansas City Commodity Office, Warehouse License and Contract Division, P.O. Box 419205, Kansas City, MO 64141-6205, and submit the completed original form FSA-750 to KCCO within 15 workdays following the date of entry. Each form FSA-750 shall set forth, among other things, the:

- (1) Name, address, and telephone number of the importer,
- (2) Customs entry number,
- (3) Date of entry,
- (4) Importer number,
- (5) Class of wheat being imported,
- (6) Quantity imported, in net metric tons, rounded to the nearest hundredth of a metric ton, per conveyance,
- (7) Storage location of the wheat,
- (8) Mode of transportation and the name of the transportation company used to import the wheat, and
- (9) A certification that the identity of the Canadian-produced wheat will be preserved until such time as the wheat is either delivered to a subsequent buyer or end-user, or loaded onto a conveyance for direct delivery to an end user.

(b) Importers may provide computer generated form FSA-750, provided such computer generated forms:

- (1) Are approved in advance by KCCO,
- (2) Contain a KCCO-assigned serial number, and
- (3) Contain all of the information required in paragraphs (a)(1) through (a)(9).

(c) KCCO will accept form FSA-750 submitted through the following methods:

- (1) Mail service, including express mail,
- (2) Facsimile machine, and
- (3) Other electronic transmissions, provided such transmissions are approved in advance by KCCO. The importer remains responsible for ensuring that electronically transmitted forms are received in accordance with paragraph (a).

(d) The original form FSA-750 and one copy of form FSA-750 shall be signed and dated by the importer.

(e) Distribution of form FSA-750 will be as follows:

(1) If form FSA-750 is submitted to KCCO in accordance with paragraph (c)(1);

(i) The original shall be forwarded to Kansas City Commodity Office, Warehouse License and Contract Division, P.O. Box 419205, Kansas City, MO 64141-6205, by the importer,

(ii) One copy shall be retained by the importer.

(2) If form FSA-750 is submitted to KCCO in accordance with paragraphs (c)(2) or (c)(3), the original form FSA-750 that is signed and dated by the importer in accordance with paragraph (d) shall be maintained by the importer,

(3) The importer shall provide a photocopy to the end user or, if the wheat is purchased for purposes of resale, the subsequent buyer(s).

(f) The completion and filing of an end-use certificate does not relieve the importer of other legal requirements, such as those imposed by other U.S. agencies, pertaining to the importation.

[60 FR 5089, Jan. 26, 1995, as amended at 61 FR 32643, June 25, 1996]

§ 782.13 Importer responsibilities.

The importer shall:

(a) File form FSA-750 in accordance with § 782.12.

(b) Immediately notify each subsequent buyer, grain handler, or end user that the wheat being purchased or handled originated in Canada and may only be commingled with U.S.-produced wheat by the end user or when