

§ 28.909

7 CFR Ch. I (1-1-00 Edition)

§ 28.909 Costs.

(a) Costs incident to sampling, tagging, and identification of samples and transporting samples to points of shipment shall be assumed by the producer, but tags and containers for the shipment of samples and shipping charges via U.S. Postal Service or duly authorized common carrier will be furnished by the Service. After classification the samples shall become the property of the Government. The proceeds of the sale of cotton samples shall be used to defray the costs of providing the services under this subpart.

(b) The cost of High Volume Instrument (HVI) cotton classification service to producers is \$1.35 per bale.

(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; 63 FR 33237, June 18, 1998; 64 FR 28884, May 28, 1999]

CLASSIFICATION

§ 28.910 Classification of samples and issuance of classification data.

(a) (1) 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:

- (i) Computer diskettes,
- (ii) Computer tapes, or
- (iii) Telecommunications, with all long distance telephone line charges paid by the receiver of data.

(2) When an additional copy of the classification memorandum is issued by any method listed in paragraph (a)(1), there will be a charge of five cents per bale. If provided as an additional method of data transfer, the minimum fee for each tape or diskette issued shall be \$10.00.

(3) Upon request, computer punch cards may be issued. The fee for this service shall be 10 cents per card.

(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; 63 FR 33237, June 18, 1998]

§ 28.911 Review classification.

(a) A producer may request one review classification for each bale of eligible cotton. The fee for review classification is \$1.35 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