

Agricultural Marketing Service, USDA

§ 160.1

SALES AND SHIPMENTS

- 160.84 Identification of shipments.
- 160.85 Sale of mixed turpentine not lawful.
- 160.86 Prohibited use of United States Standards.
- 160.87 Prohibited use of word "turpentine" or derivatives thereof.
- 160.88 Permitted use of words "turpentine" and "rosin."
- 160.89 Medicinal preparations.

LABELING, ADVERTISING AND PACKING

- 160.90 False, misleading, or deceitful practices.
- 160.91 Meaning of words "pine" and "pine tree."
- 160.92 Meaning of word "gallon."
- 160.93 Powdered rosin.
- 160.94 Spirits of turpentine for medicinal use.

PROCEEDINGS IN CASE OF VIOLATION

- 160.95 Proceedings prior to reporting violations of the act.
- 160.96 Report of violations for prosecution.
- 160.97 Publication.

SPECIFIC FEES PAYABLE FOR SERVICES RENDERED

- 160.201 Fees generally for field inspection and certification of naval stores and drum containers of rosin.
- 160.202 Fees generally for laboratory analysis and testing.
- 160.203 Fees for inspection and certification of other naval stores material.
- 160.204 Fees for extra cost and hourly rate service.
- 160.205 Permit fees for eligible processing plants under licensed inspection.

AUTHORITY: 7 U.S.C. 94, 1624.

SOURCE: 11 FR 14665, Dec. 27, 1946; 17 FR 221, Jan. 9, 1952; 20 FR 6433, Sept. 1, 1955, unless otherwise noted.

GENERAL

§ 160.1 Definitions of general terms.

The terms as defined in section 2 of the Naval Stores Act shall apply with equal force and effect when used in the provisions in this part. In addition, unless the context requires otherwise, the terms hereinafter set forth shall be defined respectively as follows:

(a) *Act*. The Naval Stores Act of March 3, 1923 (42 Stat. 1435; 7 U.S.C. 91-99).

(b) *Department*. The United States Department of Agriculture.

(c) *Administrator*. The Administrator of the Agricultural Marketing Service

of the Department, 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.

(d) *Official inspector*. Any person designated or licensed by the Secretary to sample, examine, analyze, classify or grade naval stores.

(e) *Licensed inspector*. A person licensed by the Administrator upon recommendation of an accredited processor to act as an official inspector with respect to naval stores produced at an eligible processing plant of such processor.

(f) *Eligible processing plant*. A plant which on examination by the Administrator has been found to be designed, operated, and staffed so as to permit proper samplings and inspections of the naval stores produced thereat, and where a substantial proportion of the output comes from oleoresin obtained from trees growing on land not owned or leased by the processor himself, or from oleoresin contained within felled trees or stumps removed from such land.

(g) *Accredited processor*. Any person owning or having charge of or jurisdiction over the operation of an eligible processing plant, to whom a permit has been issued under these regulations to have inspections of naval stores made by a licensed inspector.

(h) *Interested person*. Any person who is a party to a factual or prospective transaction in a specific lot of naval stores, whether as producer, seller, shipper, dealer, or purchaser thereof; or any person who in the opinion of the Administrator has sufficient and proper interest in the analysis, classification, grading, or sale of naval stores to merit the loan and use of duplicates of the United States Standards.

(i) *Dealer*. Any person who sells or ships in commerce any naval stores produced by a person other than himself.

(j) *Cooperative agreement*. A written agreement between the Department and any person specifying the conditions under which special inspection

§ 160.2

personnel may be designated and procedures established, not otherwise available under existing inspection programs, in order to make possible a continuous, day-by-day inspection of naval stores for such person, or to provide facilities for carrying out experimental studies on authentic naval stores related to the inspection and marketing thereof.

(k) *Standards.* The official Naval Stores Standards of the United States for classification and grading of spirits of turpentine and rosin.

(l) *Analysis.* Any examination by physical, chemical, or sensory methods.

(m) *Classification.* Designation as to kind of spirits of turpentine or rosin.

(n) *Grading.* Determination of the grade of turpentine or rosin by comparison with the standards.

(o) *Certificate.* The official certificate issued under the provisions of the act and the provisions in this part to show the results of any examination, analysis, classification, or grading of naval stores by an official inspector.

(p) *Label.* Any word, combination of words, coined or trade name, picturization of any natural scene or article, or any limitation thereof, applied to, superimposed upon, impressed into, or in any other manner attached to a container of naval stores or other article coming within the scope of the act, by which the nature, kind, quality, or quantity of the contents of such container may be indicated.

(q) *Container.* Any receptacle in which naval stores are placed for inspection or distribution in commerce; includes barrel, drum, tank, tank car, bag, bottle, can, or other receptacle.

[11 FR 14665, Dec. 27, 1946, as amended at 17 FR 221, Jan. 9, 1952; 20 FR 6433, Sept. 1, 1955; 46 FR 47055, Sept. 24, 1981; 47 FR 3344, Jan. 25, 1982]

§ 160.2 Spirits of turpentine defined.

Spirits of turpentine, also commonly known as turpentine, is the colorless or faintly colored volatile oil consisting principally of terpene hydrocarbons of the general empirical formula $C_{10}H_{16}$ and having a characteristic odor and taste. It occurs naturally in and may be recovered by distillation from the oleoresinous secretions obtained from

7 CFR Ch. I (1-1-11 Edition)

living trees of the family *Pinaceae*, or present in the cellular structure, or wood, of species thereof.

§ 160.3 Rosin defined.

Except as provided in § 160.15, rosin is the vitreous, well-strained, transparent, solid resin which (a) remains after the volatile terpene oils are distilled from (1) the oleoresin collected from living trees or (2) the oleoresin extracted from wood; or (b) remains after distillation of the fatty acids from tall oil recovered from wood in the course of its chemical disintegration to produce cellulose. In addition to the free resin acids, rosin may contain relatively small proportions of fatty acids, resin esters and other esters, unsaponifiable resenes, and non-resinous foreign matter naturally occurring therein.

§ 160.4 Reclaimed rosin.

Reclaimed rosin is rosin that has been recovered or reclaimed by any means from waste or deteriorated material: *Provided*, That such reclaimed product may be graded as rosin under the act and the provisions in this part only if the concentration of rosin acids therein has not been reduced below the concentration normal for rosin, and any residual or contaminating component remaining from the waste material itself or from any article used in the recovery process is not sufficient to cause the physical or chemical properties of the reclaimed product to differ substantially from the normal properties of rosin.

§ 160.5 Standards for naval stores.

In addition to the standards of identity for spirits of turpentine and rosin and the grade designations for rosin specified in the act, certain standards for naval stores have been promulgated by the Administrator pursuant to the act as indicated in § 160.301 *et seq.*

§ 160.6 Standard designations for turpentine.

Spirits of turpentine within the meaning of the act and the provisions in this part shall be designated as "gum spirits of turpentine," "steam distilled