

embodied therein, stamped thereon, or attached thereto a signed statement which shall be evidence to connecting carriers that the proper shipper's certificate, as required by § 325.5, § 325.6, or § 325.7, is on file with the initial carrier. No connecting carrier shall receive for transportation or transport in the course of importation or otherwise in commerce any product unless the waybill, transfer bill, running slip, conductor's card, or other papers accompanying the same includes the signed statement in the following form:

\_\_\_\_\_  
 (Name of transportation company)  
 U.S. inspected and passed, as evidenced by  
 shipper's certificate on file with initial car-  
 rier.  
 (signed) \_\_\_\_\_  
 Agent

(b) Signatures of agents to statements required under this section shall be written in full.

[47 FR 17276, Apr. 22, 1982]

**§ 325.16 Official seals; forms, use, and breaking.**

(a) The official seals required by this part shall be those prescribed in § 312.5(a) of this subchapter.

(b) Except as provided in § 325.18(b), official seal affixed under this part shall be affixed or broken only by Program employees, and no person other than a Program employee shall affix, detach, break, change, or tamper with any such seal in any way whatever. Commission of any such acts contrary to this regulation is a criminal offense.

**§ 325.17 Loading or unloading products in sealed railroad cars, trucks, etc., en route prohibited; exception.**

Unloading any product from an officially sealed railroad car, truck, or other means of conveyance containing any unmarked product or loading any product or any other commodity in the means of conveyance while en route from one official establishment to another official establishment is not permitted, except that product transported under § 325.5 from one official establishment to another for further processing may be unloaded and stored in transit at any approved warehouse which is operated under the identifica-

tion service provided under the regulations in part 350 of subchapter B of this chapter and which has railroad facilities or a receiving dock for unloading the product directly into such warehouse: *Provided*, That the product is stored in rooms which are of such size and type as will not result in adulteration or misbranding of the product: *And provided further*, That the product is transported to and from such warehouse, and under official seal as provided in § 325.5 and stored in such rooms at such warehouse.

**§ 325.18 Diverting of shipments, breaking of seals, and reloading by carrier in emergency; reporting to Regional Director.**

(a) Shipments of inspected and passed product that bear the inspection legend may be diverted from the original destination without a reinspection of the articles, provided the waybills, transfer bills, running slips, conductor's card, or other papers accompanying the shipments are marked, stamped, or have attached thereto signed statements in accordance with § 325.15.

(b) In case of wreck or similar extraordinary emergency, the Department seals on a railroad car or other means of conveyance containing any inspected and passed product may be broken by the carrier, and if necessary, the articles may be reloaded into another means of conveyance, or the shipment may be diverted from the original destination, without another shipper's certificate; but in all such cases the carrier shall immediately report the facts by telephone or telegraph to the Regional Director in the area in which the emergency occurs. Such report shall include the following information:

- (1) Nature of the emergency.
- (2) Place where seals were broken.
- (3) Original points of shipment and destination.
- (4) Number and initial of the original car or truck.
- (5) Number and initials of the car or truck into which the articles are reloaded.
- (6) New destination of the shipment.
- (7) Kind and amount of articles.

[35 FR 15605, Oct. 3, 1970, as amended at 42 FR 39087, Aug. 2, 1977]