

fee which shall, as nearly as may be, cover the cost of the service rendered: *Provided*, That when cooperative arrangements satisfactory to the Secretary, or his designated representative, for carrying out the purposes of this chapter cannot be made the fees collected hereunder in such cases shall be available until expended to defray the cost of the service rendered, and in such cases the limitations on the amounts expended for the purchase and maintenance of motor-propelled passenger-carrying vehicles shall not be applicable: *Provided further*, That certificates issued by the authorized agents of the United States Department of Agriculture shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

(Pub. L. 86-687, § 5, Sept. 2, 1960, 74 Stat. 734.)

**§ 596. Refusal of certificates for violations of law; penalties for violations**

After opportunity for hearing the Secretary is authorized to refuse the issuance of certificates under this chapter for periods not exceeding ninety days to any person who ships or offers for shipment any grapes or plums in foreign commerce in violation of any of the provisions of this chapter. Any person or any common carrier or any transportation agency violating any of the provisions of this chapter shall be fined not less than \$100 nor more than \$10,000 by a court of competent jurisdiction.

(Pub. L. 86-687, § 6, Sept. 2, 1960, 74 Stat. 734.)

**§ 597. Rules and regulations; cooperation with other agencies; compensation of officers and employees; effect on other laws**

The Secretary may make such rules, regulations, and orders, and require such reports, as may be necessary to carry out the provisions of this chapter, and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, whether operating in one or more jurisdictions; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, binding, telegrams, telephones, law books, books of reference, publications, furniture, stationery, office equipment, travel, and other supplies and expenses including reporting services, as shall be necessary to the administration of this chapter in the District of Columbia and elsewhere, and as may be appropriated for by Congress. This chapter shall not abrogate nor nullify any other statute, whether State or Federal, dealing with the same subjects as this chapter; but it is intended that all such statutes shall remain in full force and effect except insofar as they are inconsistent herewith or repugnant hereto.

(Pub. L. 86-687, § 7, Sept. 2, 1960, 74 Stat. 735.)

**§ 598. Separability**

If any provision of the chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the

chapter and of the application of such provision to other persons and circumstances shall not be affected thereby.

(Pub. L. 86-687, § 8, Sept. 2, 1960, 74 Stat. 735.)

**§ 599. Definitions**

When used in this chapter—

(1) The term “person” includes individuals, partnerships, corporations, and associations.

(2) The term “Secretary” means the Secretary of Agriculture.

(3) Except as provided herein, the term “foreign commerce” means commerce between any State, or the District of Columbia, and any place outside of the United States or its possessions.

(4) The term “grapes” means vinifera species table grapes, European type, whether or not they have been in storage.

(5) The term “plums” means both European and Japanese type, whether or not they have been in storage, but does not mean Italian-type prunes, nor damson-type plums.

(Pub. L. 86-687, § 9, Sept. 2, 1960, 74 Stat. 735.)

**CHAPTER 26—AGRICULTURAL ADJUSTMENT**

**SUBCHAPTER I—DECLARATION OF CONDITIONS AND POLICY**

- Sec.
- 601. Declaration of conditions.
- 602. Declaration of policy; establishment of price basing period; marketing standards; orderly supply flow; circumstances for continued regulation.

**SUBCHAPTER II—COTTON OPTION CONTRACTS**

- 603. Government owned cotton; transfer to Secretary of Agriculture; powers of Secretary.
- 604. Borrowing money; expenditures; authority of Secretary.
- 605, 606. Repealed.
- 607. Sale by Secretary; additional options; validation of assignments; publication of information.

**SUBCHAPTER III—COMMODITY BENEFITS**

- 608. Powers of Secretary.
  - (1) Investigations; proclamation of findings.
  - (2) Agreements for adjustment of acreage or production and for rental or benefit payments.
  - (3) Payments by Secretary.
  - (4) Additional investigation; suspension of exercise of powers.
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- 608-1. Omitted.
- 608a. Enforcement of chapter.
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Sec.		Sec.	
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608b.	Marketing agreements; exemption from anti-trust laws; inspection requirements for handlers not subject to agreements.	612c.	Appropriation to encourage exportation and domestic consumption of agricultural products.
608c.	Orders regulating handling of commodity.	612c-1.	Authorization for appropriations to increase domestic consumption of surplus farm commodities.
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	(12) Approval of cooperative association as approval of producers.	617.	Refund on goods exported; bond to suspend tax on commodity intended for export.
	(13) Retailer and producer exemption.	618.	Existing contracts; imposition of tax on vendee; collection.
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	(17) Provisions applicable to amendments.	621.	Machinery belting processed from cotton; exemption from tax.
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	(19) Producer or processor referendum for approving order.	623.	Actions relating to tax; legalization of prior taxes.
608c-1.	Repealed.		(a) Action to restrain collection of tax or obtain declaratory judgment forbidden.
608d.	Books and records.		(b) Taxes imposed prior to August 24, 1935, legalized and ratified.
608e.	Repealed.		(c) Rental and benefit payments, agreements, and programs made prior to August 24, 1935, legalized and ratified.
608e-1.	Import prohibitions on specified foreign produce.	624.	Limitation on imports; authority of President.
	(a) Import prohibitions on tomatoes, avocados, limes, etc.	625.	Review of Burley tobacco imports by Secretary of Agriculture; price-support levels; excessive stocks.
	(b) Extension of time for marketing order; factors; review.	626.	Import inventory.
	(c) Notification of United States Trade Representative of import restrictions; advisement of Secretary of Agriculture.		(a) Compilation and report on imports.
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608f.	Repealed.		(c) Issuing of data.
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610.	Administration.		(a) Pilot program required.
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	(b) State and local committees or associations of producers; handlers' share of expenses of authority or agency.		(c) Milk covered by pilot program.
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	(d) Regulations of Secretary of the Treasury.		(e) Study and report on effect of pilot program.
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	(f) Geographical application.		
	(g) Officers; dealing or speculating in agricultural products; penalties.		
	(h) Adoption of Federal Trade Commission Act; hearings; report of violations to Attorney General.		
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611.	"Basic agricultural commodity" defined; exclusion of commodities.		
612.	Appropriation; use of revenues; administrative expenses.		

## SUBCHAPTER IV—REFUNDS

641 to 659. Omitted.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 499b-1, 671, 672, 673, 1446, 7958 of this title; title 12 section 1150a; title 16 section 2005b; title 18 section 433; title 41 section 22.

## SUBCHAPTER I—DECLARATION OF CONDITIONS AND POLICY

## § 601. Declaration of conditions

It is declared that the disruption of the orderly exchange of commodities in interstate