

such shipment if the terms of such contract were in accordance with the grades and regulations of the Secretary in effect at the time the contract was made.

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

§ 593. Foreign standards; certification of compliance

Where the government of the country to which the shipment is to be made has standards or requirements as to condition of grapes and plums the Secretary may in addition to inspection and certification for compliance with the standards established or designated hereunder inspect and certify for determination as to compliance with the standards or requirements of such foreign government and may provide for special certificates in such cases.

(Pub. L. 86-687, §3, Sept. 2, 1960, 74 Stat. 734.)

§ 594. Exemption of minimum quantities

The Secretary may, by regulation, exempt from compliance with the provisions of this chapter (1) any variety or varieties of grapes and plums, and (2) the shipment of such minimum quantities of grapes and plums to any foreign country as he may prescribe.

(Pub. L. 86-687, §4, Sept. 2, 1960, 74 Stat. 734; Pub. L. 87-105, §2, July 26, 1961, 75 Stat. 220.)

AMENDMENTS

1961—Pub. L. 87-105 added cl. (1) and designated existing provisions as cl. (2).

§ 595. Fees for inspection and certification; certificates as prima facie evidence

For inspecting and certifying the grade, quality, or condition of grapes or plums the Secretary shall cause to be collected a reasonable 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.

Sec. 602.	Declaration of policy; establishment of price basing period; marketing standards; orderly supply flow; circumstances for continued regulation.	Sec. 608c-1.	Repealed.
		608d.	Books and records.
		608e.	Repealed.
		608e-1.	Import prohibitions on specified foreign produce.
			(a) Import prohibitions on tomatoes, avocados, limes, etc.
			(b) Extension of time for marketing order; factors; review.
			(c) Notification of United States Trade Representative of import restrictions; advisement of Secretary of Agriculture.
			(d) Proposed prohibition or regulation; authority of Secretary of Agriculture to proceed.
		608f.	Repealed.
		609.	Processing tax; methods of computation; rate; what constitutes processing; publicity as to tax to avoid profiteering.
		610.	Administration.
			(a) Appointment of officers and employees; impounding appropriations.
			(b) State and local committees or associations of producers; handlers' share of expenses of authority or agency.
			(c) Regulations; penalty for violation.
			(d) Regulations of Secretary of the Treasury.
			(e) Review of official acts.
			(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.
			(i) Cooperation with State authorities; imparting information.
			(j) Definitions.
608-1.	Omitted.	611.	"Basic agricultural commodity" defined; exclusion of commodities.
608a.	Enforcement of chapter.	612.	Appropriation; use of revenues; administrative expenses.
	(1) to (4) Omitted.	612a, 612b.	Omitted.
	(5) Forfeitures.	612c.	Appropriation to encourage exportation and domestic consumption of agricultural products.
	(6) Jurisdiction of district courts.	612c-1.	Authorization for appropriations to increase domestic consumption of surplus farm commodities.
	(7) Duties of United States attorneys; investigation of violations by Secretary; hearings.	612c-2.	Technical support to exporters and importers of United States agricultural products; scope of support provided by Department of Agriculture.
	(8) Cumulative remedies.	612c-3.	Repealed.
	(9) "Person" defined.	612c-4.	Purchase of specialty crops.
608a-1.	Repealed.		(a) General purchase authority.
608b.	Marketing agreements; exemption from anti-trust laws; inspection requirements for handlers not subject to agreements.		(b) Purchase authority.
			(c) Definitions.
608c.	Orders regulating handling of commodity.	613.	Termination date; investigations and reports.
	(1) Issuance by Secretary.	613a.	Repealed.
	(2) Commodities to which applicable; single commodities and separate agricultural commodities.	614.	Separability.
	(3) Notice and hearing.	615.	Refunds of tax; exemptions from tax; compensating tax; compensating tax on foreign goods; covering into Treasury.
	(4) Finding and issuance of order.	616.	Stock on hand when tax takes effect or terminates.
	(5) Milk and its products; terms and conditions of orders.	617.	Refund on goods exported; bond to suspend tax on commodity intended for export.
	(6) Other commodities; terms and conditions of orders.	618.	Existing contracts; imposition of tax on vendee; collection.
	(7) Terms common to all orders.	619.	Collection of tax; provisions of internal revenue laws applicable; returns.
	(8) Orders with marketing agreement.	619a.	Cotton tax, time for payment.
	(9) Orders with or without marketing agreement.	620.	Falsely ascribing deductions or charges to taxes; penalty.
	(10) Manner of regulation and applicability.	621.	Machinery belting processed from cotton; exemption from tax.
	(11) Regional application.		
	(12) Approval of cooperative association as approval of producers.		
	(13) Retailer and producer exemption.		
	(14) Violation of order; penalty.		
	(15) Petition by handler for modification of order or exemption; court review of ruling of Secretary.		
	(16) Termination of orders and marketing agreements.		
	(17) Provisions applicable to amendments.		
	(18) Milk prices.		
	(19) Producer or processor referendum for approving order.		

- Sec.
622. Omitted.
623. Actions relating to tax; legalization of prior taxes.
 (a) Action to restrain collection of tax or obtain declaratory judgment forbidden.
 (b) Taxes imposed prior to August 24, 1935, legalized and ratified.
 (c) Rental and benefit payments, agreements, and programs made prior to August 24, 1935, legalized and ratified.
624. Limitation on imports; authority of President.
625. Review of Burley tobacco imports by Secretary of Agriculture; price-support levels; excessive stocks.
626. Import inventory.
 (a) Compilation and report on imports.
 (b) Compilation and report on consumption.
 (c) Issuing of data.
627. Dairy forward pricing pilot program.
 (a) Pilot program required.
 (b) Minimum milk price requirements.
 (c) Milk covered by pilot program.
 (d) Duration.
 (e) Study and report on effect of pilot program.

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 3839bb; 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 commerce impairs the purchasing power of farmers and destroys the value of agricultural assets which support the national credit structure and that these conditions affect transactions in agricultural commodities with a national public interest, and burden and obstruct the normal channels of interstate commerce.

(May 12, 1933, ch. 25, title I, § 1, 48 Stat. 31; June 3, 1937, ch. 296, § 1, 2(a), 50 Stat. 246.)

SHORT TITLE

Section 8(a) of act June 16, 1933, ch. 90, 48 Stat. 199, provided in part that title I of act May 12, 1933, which is classified to this chapter, may for all purposes be referred to as the "Agricultural Adjustment Act."

VALIDITY OF CERTAIN SECTIONS AFFIRMED

Act June 3, 1937, ch. 296, § 1, 2, 50 Stat. 246, provided as follows: "The following provisions of the Agricultural Adjustment Act, as amended, not having been intended for the control of the production of agricultural commodities, and having been intended to be effective irrespective of the validity of any other provision of that Act are expressly affirmed and validated, and are reenacted without change except as provided in section 2:

"(a) Section 1 (relating to the declaration of emergency [this section]):

"(b) Section 2 (relating to declaration of policy [section 602 of this title]):

"(c) Section 8a(5), (6), (7), (8), and (9) (relating to violations and enforcement [section 608a(5), (6), (7), (8), and (9) of this title]):

"(d) Section 8b (relating to marketing agreements [section 608b of this title]):

"(e) Section 8c (relating to orders [section 608c of this title]):

"(f) Section 8d (relating to books and records [section 608d of this title]):

"(g) Section 8e (relating to determination of base period [former section 608e of this title]):

"(h) Section 10(a), (b)(2), (c), (f), (g), (h), and (i) (miscellaneous provisions [section 610(a), (b)(2), (c), (f), (g), (h), and (i) of this title]):

"(i) Section 12(a) and (c) (relating to appropriation and expenses [section 612(a) and (c) of this title]):

"(j) Section 14 (relating to separability [section 614 of this title]):

"(k) Section 22 (relating to imports [section 624 of this title]).

"SEC. 2. The following provisions, reenacted in section I of this act, are amended as follows: * * * [sections 601, 602(1), 608a(6), 608c(5)(B)(d), (6)(B), (6)(B)(18), (19), 610(c), (f), 612(a) of this title]."

Section 2 of act June 3, 1937, also added subsec. (j) to section 610.

Section 2 of act June 3, 1937, was amended by act Aug. 5, 1937, ch. 567, 50 Stat. 563, which amending act provided for amendments to subsecs. (2) and (6) of section 608c of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 671, 672, 673, 1392 of this title.

§ 602. Declaration of policy; establishment of price basing period; marketing standards; orderly supply flow; circumstances for continued regulation

It is declared to be the policy of Congress—

(1) Through the exercise of the powers conferred upon the Secretary of Agriculture under this chapter, to establish and maintain such orderly marketing conditions for agricultural commodities in interstate commerce as will establish, as the prices to farmers, parity prices as defined by section 1301(a)(1) of this title.

(2) To protect the interest of the consumer by (a) approaching the level of prices which it is declared to be the policy of Congress to establish in subsection (1) of this section by gradual correction of the current level at as rapid a rate as the Secretary of Agriculture deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and (b) authorizing no action under this chapter which has for its purpose the maintenance of prices to farmers above the level which it is declared to be the policy of Congress to establish in subsection (1) of this section.

(3) Through the exercise of the powers conferred upon the Secretary of Agriculture under this chapter, to establish and maintain such production research, marketing research, and development projects provided in section 608c(6)(I) of this title, such container and pack requirements provided in section 608c(6)(H) of this title¹ such minimum standards of quality and maturity and such grading and inspection requirements for agricultural commodities enumerated in section 608c (2) of this title, other than milk and its products, in interstate commerce as will effectuate such orderly mar-

¹ So in original. Probably should be followed by a comma.