apples in packages which are not accompanied by a certificate issued under authority of the Secretary of Agriculture showing that such apples are of a Federal or State grade which meets the minimum of quality established by the Secretary for shipment in export. The Secretary is authorized to prescribe, by regulations, the requirements, other than those of grade, which the fruit must meet before certificates are issued. The Secretary shall provide opportunity, by public hearing or otherwise, for interested persons to examine and make recommendation with respect to any standard of export proposed to be established or designated, or regulation prescribed, by the Secretary for the purposes of this chapter.

(June 10, 1933, ch. 59, § 1, 48 Stat. 123; Pub. L. 106–96, § 1(c), Nov. 12, 1999, 113 Stat. 1321.)

AMENDMENTS

1999—Pub. L. 106–96 struck out ''and/or pears'' after ''any apples'' and ''or pears'' after ''such apples''.

SHORT TITLE

Act June 10, 1933, ch. 59, § 11, as added by Pub. L. 106–96, § 1(a), Nov. 12, 1999, 113 Stat. 1321, provided that: ''This Act [enacting this chapter] may be cited as the 'Export Apple Act'.''.

§ 582. Notice of establishment of standards; shipments under contracts made before adoption of standards

The Secretary shall give reasonable notice through one or more trade papers of the effective date of standards of export established or designated by him under this chapter: *Provided*, That any apples may be certified and shipped for export in fulfillment of any contract made within six months prior to the date of 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.

(June 10, 1933, ch. 59, § 2, 48 Stat. 123; Pub. L. 106–96, § 1(c)(2), Nov. 12, 1999, 113 Stat. 1321.)

AMENDMENTS

1999—Pub. L. 106–96 struck out ''or pears'' after ''any apples''.

§ 583. 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 apples, 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.

(June 10, 1933, ch. 59, § 3, 48 Stat. 124; Pub. L. 106–96, § 1(c)(2), Nov. 12, 1999, 113 Stat. 1321.)

AMENDMENTS

1999—Pub. L. 106–96 struck out ''or pears'' after ''of apples''.

§ 584. Shipments of less than carload lots; exemptions

Apples in less than carload lots as defined by the Secretary may, in his discretion, be shipped to any foreign country without complying with the provisions of this chapter.

(June 10, 1933, ch. 59, § 4, 48 Stat. 124; Pub. L. 106–96, § 1(c)(2), Nov. 12, 1999, 113 Stat. 1321.)

AMENDMENTS

1999—Pub. L. 106–96 struck out ''or pears'' after ''Apples''.

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

For inspecting and certifying the grade, quality, and/or condition of apples, 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.

(June 10, 1933, ch. 59, § 5, 48 Stat. 124; Pub. L. 106–96, § 1(c)(1), Nov. 12, 1999, 113 Stat. 1321.)

AMENDMENTS

1999—Pub. L. 106–96 struck out ''and/or pears'' after ''of apples''.

TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, § 1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

§ 586. Refusal of certificates for violations of laws; 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 apples in foreign commerce in violation of any of the provisions of this chapter. Any person or any common carrier or any transportation agency knowingly 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.

(June 10, 1933, ch. 59, § 6, 48 Stat. 124; Pub. L. 106–96, § 1(c)(1), Nov. 12, 1999, 113 Stat. 1321.)

AMENDMENTS

1999—Pub. L. 106–96 struck out ''and/or pears'' after ''any apples''.

§ 587. 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 as may be necessary to carry