

tive date of standards of export established or designated by him under this chapter: *Provided*, That any grapes or plums may be certified and shipped for export in fulfillment of any contract made within two 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.

(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.
- 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.
- 608-1. Omitted.
- 608a. Enforcement of chapter.
- 608a-1. Repealed.
- 608b. Marketing agreements; exemption from anti-trust laws; inspection requirements for handlers not subject to agreements.
- 608c. Orders.
- 608c-1. Repealed.
- 608d. Books and records.
- 608e. Repealed.
- 608e-1. Import prohibitions on specified foreign produce.
- 608f. Repealed.
- 609. Processing tax; methods of computation; rate; what constitutes processing; publicity as to tax to avoid profiteering.
- 610. Administration.
- 611. "Basic agricultural commodity" defined; exclusion of commodities.
- 612. Appropriation; use of revenues; administrative expenses.
- 612a, 612b. Omitted.
- 612c. Appropriation to encourage exportation and domestic consumption of agricultural products.
- 612c-1. Authorization for appropriations to increase domestic consumption of surplus farm commodities.
- 612c-2. Technical support to exporters and importers of United States agricultural products; scope of support provided by Department of Agriculture.
- 612c-3. Repealed.
- 612c-4. Purchase of specialty crops.
- 612c-5. Section 612c funds for purchase of fruits, vegetables, and nuts to support domestic nutrition assistance programs.
- 612c-6. Domestic food assistance programs.
- 613. Termination date; investigations and reports.
- 613a. Repealed.
- 614. Separability.
- 615. Refunds of tax; exemptions from tax; compensating tax; compensating tax on foreign goods; covering into Treasury.
- 616. Stock on hand when tax takes effect or terminates.
- 617. Refund on goods exported; bond to suspend tax on commodity intended for export.
- 618. Existing contracts; imposition of tax on vendee; collection.
- 619. Collection of tax; provisions of internal revenue laws applicable; returns.
- 619a. Cotton tax, time for payment.
- 620. Falsely ascribing deductions or charges to taxes; penalty.
- 621. Machinery belting processed from cotton; exemption from tax.

- Sec. 622. Omitted.
- 623. Actions relating to tax; legalization of prior taxes.
- 624. Limitation on imports; authority of President.
- 625. Repealed.
- 626. Import inventory.
- 627. Dairy forward pricing pilot program.

SUBCHAPTER IV—REFUNDS

641 to 659. Omitted.

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.)

CONSTITUTIONALITY

For information regarding constitutionality of act May 12, 1933, and act Aug. 24, 1935, cited throughout this chapter, see Congressional Research Service, The Constitution of the United States of America: Analysis and Interpretation, Appendix 1, Acts of Congress Held Unconstitutional in Whole or in Part by the Supreme Court of the United States.

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-215, §1, Apr. 11, 2006, 120 Stat. 328, provided that: "This Act [amending section 608c of this title and enacting provisions set out as notes under section 608c of this title] may be cited as the 'Milk Regulatory Equity Act of 2005'."

SHORT TITLE

Act June 16, 1933, ch. 90, title I, §8(a), 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]):