

vious year by more than the percentage increase in the Implicit Price Deflator for Gross National Product as indexed during the most recent twelve-month period for which official statistics are available, and (2) the uniform per bale classification fee shall not be increased for any year if the accumulated reserve exceeds 20 per centum of the cost of the classification program in the previous year”, and in third sentence substituted “clauses (1), (2), and (3)” for “clauses (1) and (2)”.

1984—Pub. L. 98-403 substituted provisions requiring the Secretary to make classification service available to producers and to set and collect fees for provisions establishing similar requirements effective for fiscal years ending Sept. 30, 1982, 1983, and 1984.

1981—Pub. L. 97-35 substituted provisions effective for fiscal years ending Sept. 30, 1982, 1983, and 1984, requiring the Secretary to make classification services available to producers, and to set and collect fees, for provisions authorizing the Secretary to determine and make available classification procedures.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

EFFECTIVE AND TERMINATION DATES OF 1991 AMENDMENT

Pub. L. 102-237, title I, §120(e), Dec. 13, 1991, 105 Stat. 1842, provided that subsections (a), (b), and (c) of that section, and the amendments made by subsections (a), (b), and (c) to this section, were effective for the period beginning on Dec. 13, 1991, and ending on September 30, 1996, prior to repeal by Pub. L. 107-171, title X, §10801(b)(3), May 13, 2002, 116 Stat. 525.

EFFECTIVE AND TERMINATION DATES OF 1987 AMENDMENT

That part of Pub. L. 100-108, §2, Aug. 20, 1987, 101 Stat. 728, which provided that the amendment made by Pub. L. 100-108 was effective for the period beginning Aug. 20, 1987, and ending Sept. 30, 1992, was repealed by Pub. L. 107-171, title X, §10801(b)(2), May 13, 2002, 116 Stat. 525.

EFFECTIVE AND TERMINATION DATES OF 1984 AMENDMENT

That part of Pub. L. 98-403, [§1], Aug. 28, 1984, 98 Stat. 1479, which provided that the amendment made by Pub. L. 98-403 was effective for the period beginning Oct. 1, 1984, and ending Sept. 30, 1988, was repealed by Pub. L. 107-171, title X, §10801(b)(1), May 13, 2002, 116 Stat. 525.

EFFECTIVE AND TERMINATION DATES OF 1981 AMENDMENT

Pub. L. 97-35, title I, §156(b), Aug. 13, 1981, 95 Stat. 373, provided that the amendment made by that section is effective only for the fiscal years ending Sept. 30, 1982, Sept. 30, 1983, and Sept. 30, 1984.

[Provisions of section 156 of Pub. L. 97-35 effective Oct. 1, 1981, see section 156(e) of Pub. L. 97-35, set out as an Effective Date note under section 61a of this title.]

SHORT TITLE

Act Apr. 13, 1937, which enacted sections 473a to 473c of this title, is popularly known as the “Cotton Classification Act”.

STUDY ON PROCESSING CERTAIN COTTON GRADES

Pub. L. 100-108, §3, Aug. 20, 1987, 101 Stat. 729, which directed Secretary of Agriculture to conduct a study of differences between processing efficiency and product quality for Light Spotted and White grade cottons and also conduct a survey and research to determine why an increasing proportion of cotton crop was being clas-

sified as Light Spotted, with an initial report describing results of studies to be submitted not later than Oct. 1, 1988, to Committee on Agriculture of House of Representatives and Committee on Agriculture, Nutrition, and Forestry of Senate, and a final report to be submitted to such committees as soon as practicable after submission of initial report, was repealed by Pub. L. 102-237, title I, §120(d), Dec. 13, 1991, 105 Stat. 1843.

§ 473b. Market supply, demand, condition and prices; collection and publication of information

The Secretary of Agriculture is also authorized and directed to collect, authenticate, publish, and distribute, by telegraph, radio, mail, or otherwise, timely information on the market supply, demand, location, condition, and market prices for cotton, and to cause to be prepared regularly and distributed for posting at gins, in post offices, or in other public or conspicuous places in cotton-growing communities, information on prices for the various grades and staple lengths of cotton.

(Mar. 3, 1927, ch. 337, §3b, as added Apr. 13, 1937, ch. 75, 50 Stat. 62.)

§ 473c. Rules and regulations

The Secretary of Agriculture is further authorized to make such rules and regulations as he may deem necessary to effectuate the purposes of this chapter.

(Mar. 3, 1927, ch. 337, §3c, as added Apr. 13, 1937, ch. 75, 50 Stat. 62.)

§ 473c-1. Offenses in relation to sampling of cotton for classification

It shall be unlawful—

(a) for any person sampling cotton for classification under this chapter knowingly to sample cotton improperly, or to identify cotton samples improperly, or to accept money or other consideration, directly or indirectly, for any neglect or improper performance of duty as a sampler;

(b) for any person to influence improperly or to attempt to influence improperly or to forcibly assault, resist, impede, or interfere with any sampler in the taking of samples for classification under this chapter;

(c) for any person knowingly to alter or cause to be altered a sample taken for classification under this chapter by any means such as trimming, peeling, or dressing the sample, or by removing any leaf, trash, dust, or other material from the sample for the purpose of misrepresenting the actual quality of the bale from which the sample was taken;

(d) for any person knowingly to cause, or attempt to cause, the issuance of a false or misleading certificate or memorandum of classification under this chapter by deceptive baling, handling, or sampling of cotton, or by any other means, or by submitting samples of such cotton for classification knowing that the cotton has been so baled, handled, or sampled;

(e) for any person knowingly to submit more than one sample from the same bale of cotton for classification under this chapter, except a second sample submitted for review classification;

(f) for any person knowingly to operate or adjust a mechanical cotton sampler in such a manner that a representative sample is not drawn from each bale; and

(g) for any person knowingly to violate any regulation of the Secretary of Agriculture relating to the sampling of cotton made pursuant to section 473c of this title.

(Mar. 3, 1927, ch. 337, §3c-1, as added Pub. L. 86-588, July 5, 1960, 74 Stat. 328.)

§ 473c-2. Penalties for offenses relating to sampling of cotton

Any person violating any provision of section 473c-1 of this title shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000, or imprisoned not more than one year, or both.

(Mar. 3, 1927, ch. 337, §3c-2, as added Pub. L. 86-588, July 5, 1960, 74 Stat. 329.)

§ 473c-3. Liability of principal for act of agent

In construing and enforcing the provisions of this chapter, the act, omission, or failure of any agent, officer, or other person acting for or employed by an individual, association, partnership, corporation, or firm, within the scope of his employment or office, shall be deemed to be the act, omission, or failure of the individual, association, partnership, corporation, or firm, as well as that of the person.

(Mar. 3, 1927, ch. 337, §3c-3, as added Pub. L. 86-588, July 5, 1960, 74 Stat. 329.)

§ 473d. Quality tests and analyses by Secretary for breeders and others; fees

The Secretary of Agriculture is authorized to make analyses of fiber properties, spinning tests, and other tests of the quality of cotton samples submitted to him by cotton breeders and other persons, subject to such terms and conditions and to the payment by such cotton breeders and other persons of such fees as he may prescribe by regulations under this chapter. The fees to be assessed hereunder shall be reasonable, and, as nearly as may be, to cover the cost of the service rendered.

(Mar. 3, 1927, ch. 337, §3d, as added Apr. 7, 1941, ch. 42, 55 Stat. 131.)

§ 474. Powers of Secretary of Agriculture; appropriation

The Secretary of Agriculture 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; 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 the purchase of samples of cotton, for rent outside the District of Columbia, printing, telegrams, telephones, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this chapter in the District of Columbia and elsewhere and there are authorized to be appro-

riated, out of any moneys in the Treasury not otherwise appropriated such sums as may be necessary for such purposes. The Secretary of Agriculture shall maintain until at least January 1, 1999, all cotton classing office locations in the State of Missouri that existed on January 1, 1996.

(Mar. 3, 1927, ch. 337, §4, 44 Stat. 1373; Pub. L. 104-127, title IX, §912(b), Apr. 4, 1996, 110 Stat. 1185.)

AMENDMENTS

1996—Pub. L. 104-127 inserted at end “The Secretary of Agriculture shall maintain until at least January 1, 1999, all cotton classing office locations in the State of Missouri that existed on January 1, 1996.”

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.

§ 475. Repealed. Pub. L. 104-127, title VIII, § 870, Apr. 4, 1996, 110 Stat. 1175

Section, acts May 3, 1924, ch. 149, §1, 43 Stat. 115; Mar. 3, 1927, ch. 337, §5, 44 Stat. 1373; Aug. 8, 1946, ch. 909, 60 Stat. 940; May 29, 1958, Pub. L. 85-430, §2, 72 Stat. 149; June 30, 1972, Pub. L. 92-331, §1, 86 Stat. 400, directed Secretary of Agriculture to issue cotton crop reports at certain times during growing and harvesting season.

§ 476. Acreage reports

The Secretary of Agriculture shall cause to be issued a report on or before the 12th day of July of each year showing by States and in toto the estimated acreage of cotton planted, to be followed on or before the 12th day of August with an estimate of the acreage for harvest and on or before the 12th day of December with an estimate of the harvested acreage.

(May 27, 1912, ch. 135, §1, 37 Stat. 118; Mar. 3, 1927, ch. 337, §6, 44 Stat. 1374; Pub. L. 85-430, §1, May 29, 1958, 72 Stat. 149; Pub. L. 92-331, §2, June 30, 1972, 86 Stat. 400.)

CODIFICATION

Section was not enacted as part of the Cotton Statistics and Estimates Act which enacted sections 471 to 474 of this title and amended sections 475 and 476 of this title.

Section was formerly classified to section 412 of this title.

AMENDMENTS

1972—Pub. L. 92-331 substituted “12th” for “10th”, “on or before the 12th day of August” for “on August 1”, and “on or before the 12th day of December” for “on December 1”.

1958—Pub. L. 85-430 substituted provisions requiring report to show estimated acreage of cotton planted, to be followed with an estimate of acreage for harvest and an estimate of harvested acreage for provisions which required report to show number of acres of cotton in cultivation on July 1 of each year, followed with an estimate of acreage of cotton abandoned since July 1.

1927—Act Mar. 3, 1927, struck out “Bureau of Statistics of the Department of Agriculture”, substituted “on or before the 10th day of July” for “on or about the first Monday in July” and inserted “on July 1, to be followed on September 1 and December 1 with an estimate of the acreage of cotton abandoned since July 1” after “cultivation”.