

ment used for purposes other than weighing grain. The testing shall be performed—

(A) in accordance with such regulations as the Secretary may prescribe; and

(B) for a reasonable fee established by regulation or contractual agreement and sufficient to cover, as nearly as practicable, the estimated costs of the testing performed.

(2) Testing performed under paragraph (1) may not conflict with or impede the objectives specified in section 74 of this title.

**(h) Testing of grain inspection instruments**

(1) Subject to paragraph (2), the Secretary may provide for the testing of grain inspection instruments used for commercial inspection. The testing shall be performed—

(A) in accordance with such regulations as the Secretary may prescribe; and

(B) for a reasonable fee established by regulation or contractual agreement and sufficient to cover, as nearly as practicable, the estimated costs of the testing performed.

(2) Testing performed under paragraph (1) may not conflict with or impede the objectives specified in section 74 of this title.

**(i) Additional for fee services**

(1) In accordance with such regulations as the Secretary may provide, the Secretary may perform such other services as the Secretary considers to be appropriate.

(2) In addition to the fees authorized by sections 79, 79a, 79b, and 87f-1 of this title, and this section, the Secretary shall collect reasonable fees to cover the estimated costs of services performed under paragraph (1) other than standardization and foreign monitoring activities.

(3) To the extent practicable, the fees collected under paragraph (2), together with any proceeds from the sale of any samples, shall cover the costs, including administrative and supervisory costs, of services performed under paragraph (1).

**(j) Deposit of fees**

Fees collected under subsections (g), (h), and (i) shall be deposited into the fund created under section 79(j) of this title.

**(k) Official courtesies**

The Secretary may extend appropriate courtesies to official representatives of foreign countries in order to establish and maintain relationships to carry out the policy stated in section 74 of this title. No gift offered or accepted pursuant to this subsection shall exceed \$20 in value.

(Aug. 11, 1916, ch. 313, pt. B, §16, as added Pub. L. 90-487, §1, Aug. 15, 1968, 82 Stat. 768; amended Pub. L. 94-582, §18, Oct. 21, 1976, 90 Stat. 2884; Pub. L. 95-113, title XVI, §§1604(k), 1606(i), Sept. 29, 1977, 91 Stat. 1029, 1030; Pub. L. 102-237, title X, §1007(2), Dec. 13, 1991, 105 Stat. 1897; Pub. L. 103-156, §9, Nov. 24, 1993, 107 Stat. 1527; Pub. L. 103-354, title II, §293(a)(7), Oct. 13, 1994, 108 Stat. 3237.)

AMENDMENTS

1994—Subsecs. (a) to (c), (e) to (i), (k). Pub. L. 103-354 substituted “Secretary” for “Administrator” wherever appearing.

1993—Subsec. (b). Pub. L. 103-156, §9(1), struck out at end “The Administrator shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate at the end of every three-month period with respect to investigative action taken on complaints, during the immediately preceding three-month period.”

Subsecs. (g) to (k). Pub. L. 103-156, §9(2), added subsecs. (g) to (k).

1991—Subsec. (a). Pub. L. 102-237 substituted “Administrator” for “Administrtor” at end of second sentence.

1977—Subsec. (a). Pub. L. 95-113, §1604(k)(1), rearranged existing provisions and inserted references to the installation of handling and weighing equipment and to warehouses and other grain storage or handling facilities.

Subsec. (b). Pub. L. 95-113, §1606(i), substituted “Committee on Agriculture, Nutrition, and Forestry” for “Committee on Agriculture and Forestry”.

Subsec. (f). Pub. L. 95-113, §1604(k)(2), struck out “additional” before “inspection and weighing requirements”.

1976—Subsec. (a). Pub. L. 94-582 substituted authorizations of “Administrator” for authorizations of “Secretary”, “official agency” for “official inspection agency”, and “other person” for “any person” respecting reporting requirement, required reports from State agencies delegated authority under this chapter and from licensees, inserted items (1) to (3) relating to conditions for official inspection, authorized issuance of instructions, and struck out reference to section 86 of this title, including proceedings for refusal of official inspection service not required by section 77 of this title, as not being subject to administrative procedure provisions.

Subsecs. (b) to (f). Pub. L. 94-582 added subsecs. (b) to (f).

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-113 effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as a note under section 1307 of this title.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-582 effective 30 days after Oct. 21, 1976, see section 27 of Pub. L. 94-582, as amended, set out as a note under section 74 of this title.

EFFECTIVE DATE

For effective date of section, see section 2 of Pub. L. 90-487, set out as an Effective Date of 1968 Amendment note under section 78 of this title.

TEMPORARY EXERCISE BY SECRETARY OF AGRICULTURE OF POWERS, DUTIES, AND AUTHORIZATIONS OF ADMINISTRATOR PENDING APPOINTMENT OF ADMINISTRATOR

Powers, duties, and authorizations of the Administrator of the Federal Grain Inspection Service to be exercised by the Secretary of Agriculture pending the appointment of the Administrator, see section 25 of Pub. L. 94-582, set out as a note under section 75a of this title.

**§ 87e-1. Repealed. Pub. L. 106-472, title I, § 110(b), Nov. 9, 2000, 114 Stat. 2061**

Section, Pub. L. 94-582, §23, Oct. 21, 1976, 90 Stat. 2888, authorized purchase or lease of inspection equipment.

**§ 87f. Enforcement provisions**

**(a) Subpena power**

For the purposes of this chapter, the Secretary shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person with respect to whom such authority is exer-