

and words "Department of Commerce or agency or bureau thereof" were substituted for "Bureau of the Census", to conform with 1950 Reorganization Plan No. 5, §§1, 2, effective May 24, 1950, 15 F.R. 3174, 64 Stat. 1263. See Revision Note to section 4 of this title.

Changes were made in phraseology.

#### § 45. Simultaneous publication of cotton reports

The reports of cotton ginned to the dates as of which the Department of Agriculture is also required to issue cotton crop reports shall be issued simultaneously with the cotton crop reports of that department, the two reports to be issued from the same place at 3 o'clock postmeridian on or before the 12th day of the month to which the respective reports relate.

(Aug. 31, 1954, ch. 1158, 68 Stat. 1017; Pub. L. 92-331, §3, June 30, 1972, 86 Stat. 400.)

#### HISTORICAL AND REVISION NOTES

Based on title 13, U.S.C., 1952 ed., §76 (Apr. 2, 1924, ch. 80, §6, 43 Stat. 32; June 18, 1929, ch. 28, §21, 46 Stat. 26; June 28, 1949, ch. 256, §2, 63 Stat. 278).

#### Editorial Notes

##### AMENDMENTS

1972—Pub. L. 92-331 substituted provisions requiring the two reports to be issued from the same place at 3 o'clock postmeridian on or before the 12th day of the month to which the respective reports relate for provisions requiring the two reports to be issued from the same place at 11 o'clock antemeridian on the 8th day following that on which the respective reports relate, and struck out provisions setting forth the date of release in the event the original release date falls on a Sunday, legal holiday, or other nonworkday in the Department of Commerce at Washington.

#### SUBCHAPTER II—OILSEEDS, NUTS, AND KERNELS; FATS, OILS, AND GREASES

#### § 61. Collection and publication

(a) The Secretary shall collect, collate, and publish monthly statistics concerning—

(1) the quantities of—

(A) cotton seed, soybeans, peanuts, flaxseed, corn germs, copra, sesame seed, bassu nuts and kernels, and other oilseeds, nuts, and kernels received, crushed, and on hand at oil mills;

(B) crude and refined oils, cakes, and meals, and other primary products, by type or kind, of the seeds, nuts, and kernels referred to in clause (A) of this paragraph, manufactured, shipped out, and on hand at oil mills and processing establishments;

(C) crude and refined vegetable oils, by type or kind, used by class of product and held by manufacturers of vegetable shortening, margarine, soap, and other principal products using large quantities of vegetable oils;

(D) crude and refined vegetable oils, by type or kind, held in warehouses and in transit to consuming establishments; and

(2) the quantities, by types or kinds, of—

(A) animal fats and oils and greases produced;

(B) animal fats and oils and greases shipped and held by producers;

(C) animal fats and oils and greases, fish and marine mammal oils used by class of

product and held by manufacturers of shortening, margarine, soap, and other principal products which require the use of large quantities of animal fats and oils and greases, fish and marine mammal oils;

(D) animal fats and oils and greases, fish and marine mammal oils held in warehouses, cold storage, and in transit to consuming establishments.

(b) The Secretary shall not be required to collect, more frequently than he deems necessary to provide reliable statistical reports, information from any person who produces, holds, or consumes fats and oils in inconsequential quantities.

(Aug. 31, 1954, ch. 1158, 68 Stat. 1017.)

#### HISTORICAL AND REVISION NOTES

Based on title 13, U.S.C., 1952 ed., §81 (Aug. 7, 1916, ch. 274, §1, 39 Stat. 436; July 25, 1947, ch. 331, 61 Stat. 457).

References to the Secretary (of Commerce) were substituted for references to the Director of the Census, to conform with 1950 Reorganization Plan No. 5, §§1, 2, effective May 24, 1950, 15 F.R. 3174, 64 Stat. 1263. See Revision Note to section 4 of this title.

Changes were made in phraseology and arrangement.

#### § 62. Additional statistics

This subchapter does not restrict or limit the Secretary in the collection and publication, under the general authority of the Secretary, of such statistics on fats and oils or products thereof not specifically required in this subchapter, as he deems to be in the public interest.

(Aug. 31, 1954, ch. 1158, 68 Stat. 1018.)

#### HISTORICAL AND REVISION NOTES

Based on title 13, U.S.C., 1952 ed., §85 (Aug. 7, 1916, ch. 274, §5, as added July 25, 1947, ch. 331, 61 Stat. 457).

References to the Secretary (of Commerce) were substituted for reference to the Director of the Census and for reference to the Bureau (of the Census), to conform with 1950 Reorganization Plan No. 5, §§1, 2, effective May 24, 1950, 15 F.R. 3174, 64 Stat. 1263. See Revision Note to section 4 of this title.

Changes were made in phraseology.

#### § 63. Duplicate collection of statistics prohibited; access to available statistics

Statistics required under Federal law, as of the effective date of this title, to be collected by any other Federal department or agency in a manner comparable both as to form and period of time to the collection of statistics provided for by this subchapter shall not be collected by the Secretary under the authority of this subchapter. Immediately upon his request, the Secretary shall have access to any such statistics and shall include them in the publication required by this subchapter.

(Aug. 31, 1954, ch. 1158, 68 Stat. 1018.)

#### HISTORICAL AND REVISION NOTES

Based on title 13, U.S.C., 1952 ed., §86 (Aug. 7, 1916, ch. 274, §6, as added July 25, 1947, ch. 331, 61 Stat. 457).

References to the Secretary (of Commerce) were substituted for references to the Director of the Census to conform with 1950 Reorganization Plan No. 5, §§1, 2, effective May 24, 1950, 15 F.R. 3174, 64 Stat. 1263. See Revision Note to section 4 of this title.

Words "as of the effective date of this title," were inserted in the first sentence for the purpose of clarity.

Changes were made in phraseology.

#### Editorial Notes

##### REFERENCES IN TEXT

The effective date of this title, referred to in text, is Jan. 1, 1955.

### SUBCHAPTER III—APPAREL AND TEXTILES

#### § 81. Statistics on apparel and textile industries

The Secretary shall collect and publish quarterly statistics relating to domestic apparel and textile industries.

(Added Pub. L. 99-467, §1(a), Oct. 14, 1986, 100 Stat. 1192.)

### SUBCHAPTER IV—QUARTERLY FINANCIAL STATISTICS

#### Editorial Notes

##### AMENDMENTS

1986—Pub. L. 99-467, §1(a), Oct. 14, 1986, 100 Stat. 1192, substituted “IV” for “III” as subchapter designation.

#### § 91. Collection and publication

(a) The Secretary shall collect and publish quarterly financial statistics of business operations, organization, practices, management, and relation to other businesses, including data on sales, expenses, profits, assets, liabilities, stockholders' equity, and related accounts generally used by businesses in income statements, balance sheets, and other measures of financial condition.

(b) Except to the extent determined otherwise by the Secretary on the basis of changed circumstances, the nature of statistics collected and published under this section, and the manner of the collection and publication of such statistics, shall conform to the quarterly financial reporting program carried out by the Federal Trade Commission before the effective date of this section under section 6(b) of the Federal Trade Commission Act.

(c) For purposes of section 6103(j)(1) of the Internal Revenue Code of 1986, the conducting of the quarterly financial report program under this section shall be considered as the conducting of a related statistical activity authorized by law.

(d)(1) The Secretary shall not select an organization or entity for participation in a survey, if—

- (A) the organization or entity—
  - (i) has assets of less than \$50,000,000;
  - (ii) completed participation in a prior survey in the preceding 10-year period, as determined by the Secretary; and
  - (iii) was selected for that prior survey participation after September 30, 1990; or
- (B) the organization or entity—
  - (i) has assets of more than \$50,000,000 and less than \$100,000,000;
  - (ii) completed participation in a prior survey in the preceding 2-year period, as determined by the Secretary; and
  - (iii) was selected for that prior survey participation after September 30, 1995.

(2)(A) The Secretary shall furnish advice and similar assistance to ease the burden of a small business concern which is attempting to compile and furnish the business information required of organizations and entities participating in the survey.

(B) To facilitate the provision of the assistance under subparagraph (A), the Secretary shall establish a toll-free telephone number.

(C) The Secretary shall expand the use of statistical sampling techniques to select organizations and entities having assets less than \$100,000,000 to participate in the survey.

(3) The Secretary may undertake such additional paperwork burden reduction initiatives with respect to the conduct of the survey as may be deemed appropriate by the Secretary.

(4) For purposes of this subsection:

(A) The term “small business concern” means a business concern that meets the requirements of section 3(a) of the Small Business Act and the regulations promulgated pursuant thereto.

(B) The term “survey” means the collection of information by the Secretary pursuant to this section for the purpose of preparing the publication entitled “Quarterly Financial Report for Manufacturing, Mining, and Trade Corporations”.

(Added Pub. L. 97-454, §1(a)(2), Jan. 12, 1983, 96 Stat. 2494; amended Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 104-13, §3, May 22, 1995, 109 Stat. 184.)

#### TERMINATION OF SECTION

*For termination of section by section 4(b) of Pub. L. 97-454, see Effective and Termination Date note below.*

#### Editorial Notes

##### REFERENCES IN TEXT

The effective date of this section, referred to in subsec. (b), is Jan. 12, 1983, see Effective and Termination Date note set out below.

Section 6(b) of the Federal Trade Commission Act, referred to in subsec. (b), is classified to section 46(b) of Title 15, Commerce and Trade.

Section 6103(j)(1) of the Internal Revenue Code of 1986, referred to in subsec. (c), is classified to section 6103(j)(1) of Title 26, Internal Revenue Code.

Section 3(a) of the Small Business Act, referred to in subsec. (d)(4)(A), is classified to section 632(a) of Title 15, Commerce and Trade.

##### AMENDMENTS

1995—Subsec. (d). Pub. L. 104-13 added subsec. (d).  
1986—Subsec. (c). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-13 effective Oct. 1, 1995, see section 4(a) of Pub. L. 104-13, set out as an Effective Date note under section 3501 of Title 44, Public Printing and Documents.

##### EFFECTIVE AND TERMINATION DATE; REPORT TO CONGRESS

Pub. L. 97-454, §4, Jan. 12, 1983, 96 Stat. 2495, as amended by Pub. L. 101-227, §1, Dec. 12, 1989, 103 Stat.