

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.)

Editorial Notes

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.)

Editorial Notes

AMENDMENTS

1999—Pub. L. 106-96 struck out “or pears” after “of apples”.

§ 584. Exemptions

(a) In general

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.

(b) Bulk containers

Apples may be shipped to Canada in bulk containers 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; Pub. L. 113-79, title X, § 10009(a), Feb. 7, 2014, 128 Stat. 949.)

Editorial Notes

AMENDMENTS

2014—Pub. L. 113-79 inserted section catchline, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1999—Pub. L. 106-96 struck out “or pears” after “Apples”.

Statutory Notes and Related Subsidiaries

REGULATIONS

Pub. L. 113-79, title X, § 10009(c), Feb. 7, 2014, 128 Stat. 949, provided that: “Not later than 60 days after the date of enactment of this Act [Feb. 7, 2014], the Secretary [of Agriculture] shall issue regulations to carry out the amendments made by this section [amending this section and section 589 of this title].”

§ 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.)

Editorial Notes

AMENDMENTS

1999—Pub. L. 106-96 struck out “and/or pears” after “of apples”.

Executive Documents

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.)

Editorial Notes

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 out the provisions of this chapter, and may cooperate with any department or agency of the Government, any State, Territory, District, or