

- Sec.
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§ 591. Standards of export; establishment; shipping without certificate forbidden; hearings

It shall be unlawful for any person to ship or offer for shipment or for any carrier, or any steamship company, or any person to transport or receive for transportation to any foreign destination, except as provided in this chapter, any grapes or plums of any variety in packages which are not accompanied by a certificate issued under authority of the Secretary showing that such grapes or plums are of a Federal or State grade which meets the minimum of quality established for such variety and destination by the Secretary for shipment in export to such destination. The Secretary is authorized to prescribe, by regulations, the requirements, other than those of grades, which the fruit must meet before certificates are issued. The Secretary shall provide opportunity, by public hearing or otherwise for interested persons to examine and make recommendation with respect to any standard of export proposed to be established or designated, or regulation prescribed, by the Secretary for the purposes of this chapter.

(Pub. L. 86-687, § 1, Sept. 2, 1960, 74 Stat. 734; Pub. L. 87-105, § 1, July 26, 1961, 75 Stat. 220; Pub. L. 93-606, Jan. 2, 1975, 88 Stat. 1966.)

Editorial Notes

AMENDMENTS

1975—Pub. L. 93-606 inserted “and destination” and “to such destination” after “such variety” and “for shipment in export”, respectively.

1961—Pub. L. 87-105 inserted “of any variety” and “for such variety” after “any grapes or plums” and “minimum of quality established”, respectively.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 86-687, as amended, which is classified to this chapter, is popularly known as the “Export Grape and Plum Act”.

§ 592. Notice of establishment of standards; shipments under contracts made before adoption of standards

The Secretary shall give reasonable notice through one or more trade papers of the effective 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.)

Editorial Notes

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