

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY

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AMENDMENT NO. 12 to CIRCULAR NO. 70.

By virtue of the authority vested in the Secretary of Agriculture by the United States grain standards Act of August 11, 1916, (39 United States Statutes at Large, page 482), I, D. F. Houston, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following amendments to the rules and regulations of the Secretary of Agriculture, dated November 6, 1916, under said Act, said amendments to be effective immediately.

In regulation 3, sections 7, 13, 15, 22, 23, 24, 26, 27 and 29, and in regulation 7, section 5, paragraph 1, strike out the words "grade memorandum" wherever they appear, and in lieu thereof insert the words "Federal Appeal Grade Certificate".

In regulation 4, sections 12, 14, 21, 22, 23, 25 and 26, strike out the words "grade memorandum" wherever they appear, and in lieu thereof insert the words "Federal Dispute Grade Certificate".

In regulation 7, section 5, amend paragraph 2 to read as follows:

No Federal Appeal Grade Certificate or Federal Dispute Grade Certificate shall represent the grade of the lot or parcel of grain described therein after it shall have been superseded under these rules and regulations by a final Federal Appeal Grade Certificate or a final Federal Dispute Grade Certificate.

Amend regulation 3, section 28, to read as follows:

A copy of each notice and order shall be served upon each party. A copy of the findings of the Secretary of Agriculture will be furnished to interested parties

upon request.

Amend regulation 4, section 27, to read as follows:

A copy of each notice and order shall be served upon each party. A copy of the findings of the Secretary of Agriculture will be furnished to interested parties upon request.

Amend regulation 6, section 3, paragraph 1, by adding the following:

Unless otherwise stated in the findings in any appeal, the regular fees as prescribed by this regulation, and no further charges, shall be deemed to be fixed, assessed and charged.

Amend regulation 6, section 3, paragraph 2, by striking out the words "and be set forth in the findings".

Amend regulation 6, section 3, paragraph 4, to read as follows:

Any part of such advance deposit which may remain after payment of the fee assessed shall be returned to the party or parties depositing the same. In case an appeal be sustained, the amount of the fee assessed shall be refunded. An advance deposit made in a dispute referred by filing a complaint shall be applied to the payment of such fee as may be assessed against the complainant and may also be held as security for, and unless otherwise paid within 15 days after notice to the parties of the assessment of the fee, may be applied to the payment of such fee as may be assessed against the respondent. An advance deposit made in a dispute referred by filing a stipulation shall be applied to the payment of all fees in the dispute.

Amend regulation 6, section 3, paragraph 5, to read as follows:

All fees not covered by advance deposits shall be payable immediately upon notice of the assessment of the fee, and shall be paid by check, certified if required by the Chief of the Bureau of Markets, or a post-office or exoress money order, drawn to the order of "Disbursing Clerk, Department of Agriculture", or in cash to the Disbursing Clerk.

Amend regulation 6, section 3, paragraph 6, to read as follows:

The Disbursing Clerk of the Department of Agriculture shall hold each advance deposit in his custody until the fee is assessed and he is furnished by the Bureau of Markets with a certificate stating the amount thereof, and against whom assessed, and in case of an appeal whether the appeal is sustained as determined by the Secretary of Agriculture. In case an appeal is not sustained, and in case of a dispute, all sums assessed as fees against such advance deposits and all sums collected and received by the Disbursing Clerk in payment of fees shall be deposited and covered into the Treasury of the United States as miscellaneous receipts.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia this 23rd day of October, nineteen hundred and nineteen.

(Signed)

D. F. HOUSTON.
Secretary of Agriculture.

