

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

AMENDMENT NO. 1 TO CIRCULAR NO. 137.

By virtue of the authority vested in the Secretary of Agriculture by the United States cotton futures Act of August 11, 1916 (39 U. S. Statutes at Large, page 476), as amended by the Act of March 4, 1919 (Public No. 348), I, David F. Houston, Secretary of Agriculture, do prescribe, publish, and give public notice of the following amendments, which shall be in force and effect immediately, to the Regulations of the Secretary of Agriculture, dated May 20, 1919, under said Act as amended.

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 sixth day of November, Nineteen Hundred and Nineteen.



D. F. Houston

Secretary of Agriculture.

In Regulation 2, at the end thereof, insert a new section, as follows:

SEC. 5. As far as applicable, these regulations shall have the same force and effect for the purposes of section 6A as for the purposes of section 5 of the Act.

In Regulation 12, at the end thereof, insert a new section, as follows:

SEC. 14. For the examination of samples and the opinion regarding the classification thereof in accordance with regulation 13, the person requesting the same shall pay a fee of 30 cents for each bale of cotton involved. Payment of such fee shall be made in accordance with section 13 of this regulation to such board of cotton examiners before the issuance of its opinion.

Immediately following the foregoing amendment add a new regulation, as follows:

REGULATION 13. PRELIMINARY INFORMAL SAMPLE CLASSIFICATION.

SECTION 1. Whenever the owner of any cotton has under consideration the advisability of tendering the same for delivery on a section 5 contract, but before finally determining his course of action desires the opinion of a board of cotton examiners as to the classification of samples of such cotton, the procedure shall be as outlined in this regulation. The fees for such service shall be paid in accordance with section 14 of regulation 12.

SEC. 2. The owner of the cotton shall, unless and until otherwise directed by the Chief of the Bureau of Markets, file his request for an opinion as to the

classification of such samples with the board of cotton examiners at the place where the exchange is located under the rules of which it is contemplated that such tender may be made. In order to relieve the boards of duplicated or unnecessary labor, no other request for the classification of samples of the same cotton shall be filed with either the same or a different board, and whenever the Chief of the Bureau of Markets shall find it necessary to reduce the amount of work imposed upon any board under this regulation any request and samples shall be filed with or transferred to another board in accordance with his directions.

SEC. 3. The request shall be in such form as may be prescribed for the purpose by the Chief of the Bureau of Markets. The request may be withdrawn by the applicant at any time before the examination of the samples by the board of cotton examiners has actually taken place, and may be rejected by the chairman of such board or the Chief of the Bureau of Markets for non-compliance by the owner of the cotton with these regulations or when such request shall appear to have been filed without good cause.

SEC. 4. The owner of the cotton shall cause to be drawn one sample from the top side of each bale and one from the bottom side. Each such sample shall weigh not less than two ounces, the two samples from each bale to weigh together as nearly as possible four ounces. The two samples from each bale shall be placed together, with a coupon or other written means of identification between them. The head of the bale shall be properly inspected and any conditions not fully indicated by the samples shall be specified in a written memorandum which shall accompany the samples to the board of cotton examiners.

SEC. 5. All such samples shall be enclosed in one or more wrappers, which shall be labeled or marked or both in such manner as to show the name and address of the owner, the lot number or marks if any, the number of bales represented by the samples contained in each wrapper, and such other information as may be necessary in accordance with the instructions of the chairman of the board of cotton examiners to which the samples are to be delivered, or of the Chief of the Bureau of Markets. Each sample of sandy or dusty cotton shall be enclosed in a separate wrapper.

SEC. 6. The owner of the cotton shall, at his own expense, cause such samples to be delivered at the classification room of the board of cotton examiners with which his request is filed, or at such other place as may be designated for the purpose by the chairman of the board or the Chief of the Bureau of Markets. If requested by such owner, the samples shall be returned to him at his expense when the opinion of the board as to the classification thereof is sent to him or when his request for such classification is withdrawn or rejected; otherwise such samples shall be disposed of in accordance with section 8 of regulation 12.

SEC. 7. The examination of samples pursuant to this regulation shall not be allowed to interfere with the regular performance by a board of cotton examiners of other duties imposed upon it by these regulations.

SEC. 8. When the examination of any lot of samples shall have been completed by a board of cotton examiners pursuant to this regulation, the chairman of such board shall send to the person who requested the same the opinion of such board as to the classification of such samples, in a written form prescribed for the purpose by the Chief of the Bureau of Markets. Such opinion shall apply only to the samples described therein and shall not be deemed to be a valid cotton class certificate for the purpose of delivery of such cotton on future contracts, nor shall the submission of such samples in accordance with this regulation in any way relieve the owner of such cotton from compliance with the Act and with regulations other than this regulation.

