

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

AMENDMENT NO. 2 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, p. 482), I, David F. Houston, Secretary of Agriculture, do make, prescribe, publish, and give public notice of the following amendment to the rules and regulations of the Secretary of Agriculture, dated November 6, 1916, under said Act, said amendment to be effective June 20, 1917:

In Regulation 2, section 12, between "Sec. 12." and the word "No" insert "*Paragraph 1.*" Between the said section 12, as thus amended, and section 13 insert the following paragraph:

Paragraph 2. In case any licensed inspector is called upon to make an "in" inspection and grading of a carload of grain, in sacks or in bulk, which (a) is so heavily loaded as to make it possible to secure only a door probe, shallow probe, door sack probe, or interior surface sack probe sample of the lot or parcel, (b) appears not to have been irregularly loaded, and (c) the licensed inspector has no reason to believe is so loaded as intentionally to conceal evidently inferior grain, he may, if the Act and the rules and regulations thereunder be otherwise complied with, inspect and grade such lot or parcel of grain and issue a certificate of grade therefor, upon the conditions set forth below in subdivisions 1, 2 and 3 of this paragraph.

Subdivision (1). The inspection and grading of such grain must be based upon a sample which fairly represents all of the grain which may be reached in the exercise of care and diligence and the use of the customary probes in the drawing of samples from such grain.

Subdivision (2). There must be legibly and conspicuously stamped or printed on the face of such certificate the words:

HEAVILY LOADED CAR

SEE REVERSE SIDE OF THIS CERTIFICATE

The size and style of lettering shall be as follows: First line, 24 point Monotone Gothic capitals; the second line 12 point Monotone Gothic capitals (centered). A space of 18 points shall be left between the lines, the first line being 27 ems long, and the distance between the top of first line and bottom of second line being at least 4 ems.

On the reverse side of such certificate the following shall be legibly stamped or printed:

Car so heavily loaded that the following sample only could be obtained:

- (a) Door probe sample _____
- (b) Shallow probe sample _____
- (c) Door sack probe sample _____
- (d) Interior surface sack probe sample _____

Such sample is believed to be correct and representative of the entire lot or parcel of grain described in this certificate.

The kind of sample obtained shall be indicated by placing an indelible check mark in the square opposite the proper description.

Subdivision (3). The daily record prescribed in section 15 of this regulation shall show, with respect to such grain, that the car was "heavily loaded," or the abbreviation "h. l.," and, if the licensed inspector did not personally draw the sample of grain involved, the name of the person who drew such sample.

Subdivision (4). For the purpose of this paragraph the following terms shall mean:

Door probe sample: A sample taken with a probe from the grain in the vicinity of the door of a carload of bulk grain.

Door sack probe sample: A sample taken with a probe from the sacks of grain in the vicinity of the door of a carload of sacked grain.

Interior shallow probe sample: A sample taken with a probe from the upper portion, not confined to the vicinity of the door, of a carload of bulk grain.

Interior surface sack probe sample: A sample taken with a probe from the sacks in the upper portion, not confined to the vicinity of the door, of a carload of sacked grain.

Subdivision (5). No certificate of grade of the kind described in this paragraph shall represent the grade of the lot or parcel of grain described in the certificate after such lot or parcel shall have left the place of the inspection for which the certificate was issued.

Subdivision (6). Nothing in this paragraph shall prevent any person, otherwise entitled under the Act and the rules and regulations thereunder, from taking an appeal from an inspection and grading of the kind described in this section, if the sample or samples filed for the purpose of the appeal meet the requirements of regulation 5; nor shall anything in this paragraph prevent any person, if he so desire, from having the same lot or parcel of grain again inspected by the same or any other licensed inspector, in accordance with the Act and the rules and regulations thereunder.

Subdivision (7). If at any time it be discovered that any grain inspected and graded by a licensed inspector was irregularly loaded, or was so loaded as intentionally to conceal evidently inferior grain, or was improperly inspected and graded by any licensed inspector, any licensed inspector or employee of the Department of Agriculture having knowledge thereof shall, and any other person having knowledge thereof may, report the facts in regard thereto, and the shipment involved, to the Office of Federal Grain Supervision in any district in which the grain was inspected by a licensed inspector.



In testimony whereof, I have hereunto set my hand and the official seal of the Department of Agriculture, at Washington, D. C., this 20th day of June, 1917.

D. F. Houston

Secretary of Agriculture.

