

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

AMENDMENT NO. 5 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 U. S. Statutes at Large, p. 482), I, David 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.

Amend regulation 5, section 7, paragraph 3, so as to read as follows:

Paragraph 3. In case of bulk grain in a canal boat, barge, ship, or other vessel, at least five probes, and as many more as may be necessary, in the discretion of the sampler, shall be drawn from the grain at different points through each hatch or opening in the deck, except that, when it is impractical to obtain a sample in accordance with the foregoing portion of this paragraph, it may be drawn from the grain stream while running from the spout or on the belt or other conveyor to or from the vessel, if taken in such a way as to secure a representative portion of the grain.

Amend regulation 6, section 3, paragraphs 3, 4, and 5, so as to read as follows:

Paragraph 3. Unless advance deposits have been made at or prior to the filing of a complaint or stipulation in any Office of Federal Grain Supervision, there shall be delivered to such office a check, certified if required by the Chief of the Bureau of Markets, or a post-office or express money order, payable to the order of "Disbursing Clerk, Department of Agriculture," for an amount sufficient to cover the fees, to be determined as follows:

The minimum deposit, in each appeal or dispute, shall be \$4. When the total in any appeal or dispute at the rates specified in paragraph 1 of this section would amount to more than \$4, the deposit shall be at said rates. Additional sums may be required by the official hearing the appeal or dispute when deemed necessary by him as advance deposits.

Paragraph 4. 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 service of a copy of the findings, 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.

Paragraph 5. All fees not covered by advance deposits shall be payable immediately upon service of a copy of the findings of the Secretary of Agriculture and shall be paid by check, certified if required by the Chief of the Bureau of Markets, or a post-office or express money order, drawn to the order of "Disbursing Clerk, Department of Agriculture," or in cash to the Disbursing Clerk.



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 twelfth day of June, nineteen hundred and eighteen.

D. F. Houston

Secretary of Agriculture.

