

PART 1520—AVAILABILITY OF INFORMATION TO THE PUBLIC

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AUTHORITY: 5 U.S.C. 552.

SOURCE: 40 FR 27008, June 26, 1975, unless otherwise noted.

Subpart A—General

§ 1520.1 General statement.

This part is issued in accordance with the regulations of the Secretary of Agriculture part 1, subpart A of subtitle A, of this title (7 CFR 1.1 to 1.16 and appendix A thereto), implementing the Freedom of Information Act (5 U.S.C. 552). The Secretary's Regulations, as implemented by the regulations in this part govern the availability of records of the Foreign Agricultural Service (FAS) to the public.

§ 1520.2 Organizational description.

The description of the organization of FAS is published as a notice in the FEDERAL REGISTER and may be revised from time to time in like manner. Such description contains a listing of FAS organizational units and their functions.

Subpart B—Availability of Program Information Staff Manuals, and Related Material

§ 1520.3 Public inspection and copying.

5 U.S.C. 552(a)(2) requires that certain materials be made available for public inspection and copying. Members of the public may request access to such materials through the Information Division, FAS, Room 5074, South

Building, Department of Agriculture, 14th Street and Independence Avenue, SW., Washington, DC 20250-1004. The office will be open from 8:30 a.m. to 5 p.m. Monday through Friday, except legal holidays.

[61 FR 2898, Jan. 30, 1996]

§ 1520.4 Indexes.

5 U.S.C. 552(a)(2) required that each agency publish or otherwise make available a current index of all materials required to be made available for public inspection and copying. Copies of the FAS Index may be obtained free of charge by telephoning (202) 720-7115 or writing to the Freedom of Information Officer, Information Division, FAS, Ag Box 1004, Department of Agriculture, 14th Street and Independence Avenue, SW., Washington, DC 20250-1004.

[61 FR 2898, Jan. 30, 1996]

Subpart C—Availability of Identifiable Records

§ 1520.5 Request for records.

(a) Requests for records under 5 U.S.C. 552(a)(3) shall be made in accordance with 7 CFR 1.3(a) and addressed to the Freedom of Information Officer, Information Division, Foreign Agricultural Service, Ag Box 1004, Department of Agriculture, 14th Street and Independence Avenue, SW., Washington, DC 20250-1004.

(b) Processing of a request for information can be facilitated if "FOIA REQUEST" is placed in capital letters on the front of the envelope and at the top of the letter. Additional information may be obtained by telephoning the FAS Information Division on (202) 720-7115.

[61 FR 2868, Jan. 30, 1996]

§ 1520.6 Appeals.

(a) Any person whose request under § 1520.5 is denied shall have the right to appeal such denial. This appeal shall be submitted in accordance with 7 CFR 1.3(e) and addressed to the Administrator, Foreign Agricultural Service, Department of Agriculture, 14th and Independence Avenue, SW., Washington, DC 20250-1001.

(b) In the event the request is denied and the requestor wishes to appeal such decision, it will facilitate processing such appeal by placing the words "FOIA APPEAL" in capital letters on the front of the envelope and at the top of the appeal letter. Additional information may be obtained by telephoning the FAS Information Division on (202) 720-7115.

[40 FR 27008, June 26, 1975, as amended at 61 FR 2898, Jan. 30, 1996]

PART 1530—THE REFINED SUGAR RE-EXPORT PROGRAM, THE SUGAR CONTAINING PRODUCTS RE-EXPORT PROGRAM, AND THE POLYHYDRIC ALCOHOL PROGRAM

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AUTHORITY: Additional U.S. note 6 to chapter 17 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202); 19 U.S.C. 3314; Proc. 6641, 58 FR 66867, 3 CFR, 1994 Comp., p. 172; Proc. 6763, 60 FR 1007, 3 CFR, 1995 Comp., p. 146.

SOURCE: 64 FR 7062, Feb. 12, 1999, unless otherwise noted.

§ 1530.100 General statement.

This part provides regulations for the Refined Sugar Re-Export Program, the Sugar Containing Products Re-Export Program, and the Polyhydric Alcohol Program. Under these provisions, refiners may enter raw sugar unrestricted by the quantitative limit established for the raw sugar tariff-rate quota or the requirements of certificates of quota eligibility provided for in 15 CFR

part 2011, as long as licensees under the programs export an equivalent quantity of refined sugar, either as refined sugar or as an ingredient in sugar containing products, or use the refined sugar in the production of certain polyhydric alcohols.

§ 1530.101 Definitions.

Affiliated persons means two or more persons where one or more of said persons directly or indirectly controls or has the power to control the other(s), or, a third person controls or has the power to control the others. Indications of control include, but are not limited to: interlocking management or ownership, identity of interests among family members, shared facilities and equipment, and common use of employees.

Agent means a person who represents the licensee in any program transaction. An agent shall not, at any time, own any of the product produced by the program licensee. Agents may include brokers, shippers, freight forwarders, expeditors, and co-packers.

Bond or letter of credit means an insurance agreement pledging surety for the entry of foreign sugar without the required re-export within the program guidelines.

Certain polyhydric alcohols means any polyhydric alcohol, except polyhydric alcohol produced by distillation or polyhydric alcohol used as a substitute for sugar as a sweetener in human food.

Co-packer means a person who adds value to a licensed manufacturer's product, or produces a product for export by a licensed manufacturer.

Date of entry means the date raw sugar enters the U.S. Customs Territory.

Date of export means the date refined sugar or sugar containing products are exported from the U.S. Customs Territory, or, if exported to a restricted foreign trade zone, the date shown on the U.S. Customs Service form designating the product as restricted for export.

Date of transfer means the date that ownership of program sugar is conveyed from a refiner to a manufacturer or producer licensee.

Day means calendar day. When the day for complying with an obligation under this part falls on a weekend or