

**§ 28.178**

cotton which the applicant desires classified or compared separately. The same applicant shall not file more than one request for the classification or comparison of the same cotton within any 30-day period except for a review classification or comparison as provided in § 28.181. All requests for classification or comparison in the United States shall be filed with the Classing Office which serves the territory in which the samples are located. If the cotton is stored outside the United States the request shall be filed with the Classing Office designated by the Director. The Area Director of any Classing Office may refer any request and the samples submitted to another office or to the Quality Control Section for classification or comparison.

[52 FR 30884, Aug. 18, 1987]

**§ 28.178 Submission of cotton samples.**

Samples of cotton submitted to a Classing Office for classification and/or comparison shall be drawn from both sides of the bale and shall be delivered to the Classing Office with which the request was filed, as soon as possible after the filing of such request. 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 in each wrapper, and such other information as may be necessary in accordance with the instructions of the Area Director. All transportation charges incident to the submission of samples shall be prepaid by the party making the request or the requester's agent.

[52 FR 30884, Aug. 18, 1987]

**§ 28.179 Methods of cotton classification and comparison.**

The classification of samples from cotton produced outside the continental United States shall be on the basis of the official cotton standards of the United States in effect at the time of classification. When a comparison of such cotton samples with other actual samples or with a type is requested, the procedure and methods shall be as outlined in §§ 28.45 through 28.47.

**7 CFR Ch. I (1-1-01 Edition)**

**§ 28.180 Issuance of cotton classification memoranda.**

As soon as practicable after the classification or comparison of cotton has been completed by a Classing Office, there shall be issued a cotton classification memorandum which shall embody within its written or printed terms:

(a) The results of the classification or comparison.

(b) The name of the country in which the cotton was produced.

(c) The source from which the samples were received for classification.

(d) A statement that any classification made has been on the basis of the official cotton standards of the United States in effect at the time of such classification.

(e) The signature of the Area Director of the Classing Office, the location of the office, and the date of issuance of the memorandum.

[22 FR 10930, Dec. 28, 1957, as amended at 52 FR 30884, Aug. 18, 1987]

**§ 28.181 Review of cotton classification.**

A review of any classification or comparison made pursuant to this subpart may be requested by the owner or custodian of the cotton from which the sample was drawn within 30 days after the issuance of the original memorandum. Such request, accompanied by the original memorandum, may be filed with either the Classing Office which issued the original memorandum or the Quality Control Section. Redrawn samples shall be required except in cases where the original samples have remained, identity preserved, in the custody of the Classing Office which issued the original memorandum. As evidence of any review determination, a classification memorandum marked to indicate that it represents a review determination shall be issued to the applicant requesting the review.

[52 FR 30884, Aug. 18, 1987]

**§ 28.182 Surrender of memoranda.**

For good cause, any memorandum issued under this subpart shall be surrendered to the Area Director which

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issued it, upon the Area Director's request or upon the request of the Director, and a new memorandum complying with this subpart issued in substitution therefor. If the memorandum be not surrendered upon such request, it shall nevertheless be invalid for the purpose of this subpart.

[52 FR 30884, Aug. 18, 1987]

**§ 28.183 Fees and costs; payment.**

The provisions of §§28.115 through 28.126 relating to fees, costs, and method of payment shall apply to services performed with respect to cotton produced outside the continental United States.

**Subpart C—Standards**

**OFFICIAL COTTON STANDARDS OF THE UNITED STATES FOR LENGTH OF STAPLE**

AUTHORITY: Sections 28.301 to 28.307 issued under Sec. 10, 42 Stat. 1519; 7 U.S.C. 61. Interpret or apply sec. 6, 42 Stat. 1518, as amended, sec. 4854, 68A Stat. 580; 7 U.S.C. 56, 26 U.S.C. 4854.

**§ 28.301 Measurement: humidity; temperature.**

The length of staple of any cotton shall be the normal length by measurement, without regard to quality or

value, of a typical portion of its fibers under a relative humidity of the atmosphere of 65 percent and a temperature of 70° F.

**§ 28.302 Terms of designation.**

The length of staple of any cotton shall be designated by that one of the following terms which expresses its measurement in inches and fractions of an inch in accordance with §28.301:

“Below  $\frac{13}{16}$ ;  $\frac{7}{8}$ ;  $\frac{29}{32}$ ;  $\frac{15}{16}$ ;  $\frac{31}{32}$ ; 1;  $\frac{1}{32}$ ;  $\frac{1}{16}$ ;  $\frac{1}{32}$ ;  $\frac{1}{8}$ ;  $\frac{15}{32}$ ;  $\frac{3}{16}$ ;  $\frac{17}{32}$ ;  $\frac{1}{4}$ ;  $\frac{19}{32}$ ;  $\frac{1}{16}$ ;  $\frac{11}{32}$ ;  $\frac{3}{8}$ ;  $\frac{13}{32}$ ;  $\frac{1}{16}$ ;  $\frac{119}{32}$ ;  $\frac{1}{2}$ ;  $\frac{117}{32}$ ;  $\frac{19}{16}$ ;  $\frac{119}{32}$ ;  $\frac{15}{8}$ ;  $\frac{121}{32}$ ;  $\frac{11}{16}$ ;  $\frac{123}{32}$ ;  $\frac{3}{4}$ ; and upward in like manner in gradations of thirty-seconds, disregarding any fraction less than a thirty-second.”

**§ 28.303 Standards for length of staple for American upland cotton.**

(a) Effective July 12, 1985, standards for the lengths of staple of American upland cotton shall be measurements as determined by the Suter-Webb Duplex Cotton Fiber Sorter in accordance with the test method prescribed in paragraph (c) of this section. Ranges for each official staple length are shown in the table below. Staple standards exceeding  $\frac{1}{4}$  inches, in gradations of thirty-second inches, will be expressed in increments of .041 inches.

[In inches]

Staple length	Upper quartile length range
$\frac{13}{16}$ .....	.827-.847
$\frac{7}{8}$ .....	.909-.929
$\frac{29}{32}$ .....	.950-.970
$\frac{15}{16}$ .....	.990-1.010
$\frac{31}{32}$ .....	1.031-1.051
1 .....	1.072-1.092
$\frac{1}{32}$ .....	1.113-1.133
$\frac{1}{16}$ .....	1.154-1.174
$\frac{1}{32}$ .....	1.195-1.215
$\frac{1}{8}$ .....	1.236-1.256
$\frac{15}{32}$ .....	1.277-1.297
$\frac{3}{16}$ .....	1.318-1.338
$\frac{17}{32}$ .....	1.359-1.379
$\frac{1}{4}$ .....	1.400-1.420

(b) Cotton selected for the preparation of practical forms of staple standards shall, to the extent practicable, measure at the mid-point of the appropriate staple range indicated in paragraph (a) of this section.

(c) Length measurements shall be performed in accordance with the

“Standard Test Method for Length and Length Distribution of Cotton Fibers (Array Method), ANSI/ASTM D 1440-77 (1982), which is incorporated by reference pursuant to the provisions of 5 U.S.C. 552(a). This standard test method has been adopted by the American Society for Testing and Materials