

## § 29.9210

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

### § 29.9210 Office of inspection.

A field office of the inspection service of the Tobacco Division.

#### POLICY STATEMENT

### § 29.9221 Policy statement.

Public Law 97-98 enacted on December 22, 1981, amended section 320 of the Agricultural Adjustment Act of 1938, to preserve the effectiveness of the tobacco program by discouraging the production of tobacco not under quota in states where tobacco farmers have elected to comply with marketing quotas. Under the amendment, any tobacco represented by the producer as nonquota which is produced in a state where producers have approved marketing quotas shall be determined to be subject to marketing quotas for the quota tobacco produced in that state having the highest price support, with the specific exemptions provided for in section 320(b) and set out in 7 CFR parts 724, 725, and 726 of these regulations. The regulations in this subpart set out procedures for requesting a Tobacco Classification Certificate which would certify that the inspected tobacco is readily and distinguishably different from all kinds of quota tobacco, as determined through application of the standards for inspection and identification of tobacco.

#### ADMINISTRATION

### § 29.9231 Administration.

The Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, DC, 20250, is charged with the supervision of the Division and the performance of all duties assigned thereto in the administration of the act. The conduct of all services and the licensing or employment of inspection/grading/sampling personnel under these regulations shall be accomplished without discrimination as to race, color, creed, sex, or national origin. Information concerning such administration may be obtained from the Director.

### § 29.9232 Where certification is available.

Nonquota tobacco may be inspected and certified by class or type, upon re-

quest of an interested party, when the tobacco is displayed at an approved receiving station where the tobacco is accessible to the inspector.

### § 29.9233 When certification will be made.

Certification services for the nonquota tobacco shall be made when inspectors are available and such sales will not interfere with scheduled sales on designated auction markets.

### § 29.9234 Who may obtain certification.

Certification of nonquota tobacco may be requested by an interested party (applicant) by filing an application in accordance with §§ 29.9236 and 29.9237.

### § 29.9235 How to make application.

Application for certification by class or type of nonquota tobacco shall be made to the office of inspection, not less than 14 days before the date of requested certification. The application shall be in writing and signed by the applicant.

### § 29.9236 Form of application.

Application for inspection and certification of class or type of nonquota tobacco shall include the following information;

- (a) The date of the application;
- (b) The producer's certification of the type of the tobacco, the crop year when produced, and where produced;
- (c) The name and post office address of the applicant;
- (d) The financial interest of the applicant in the tobacco;
- (e) The exact nature of the service desired;
- (f) A statement that the tobacco is (1) in commerce, as defined in the act, or (2) entering such commerce; and
- (g) Such other necessary information as the Director may require.

### § 29.9237 When application deemed filed.

An application shall be deemed filed when delivered to the office of inspection. When an application is filed, the date and time of filing shall be recorded by the official receiving it.