

each such recommendation, the committee shall also submit to the Secretary the supporting data and information upon which it acted in making such recommendation. The committee shall submit in support of its recommendations such other data and information as may be requested by the Secretary, and shall promptly give adequate notice to all handlers and growers of each such recommendation.

(b) *Establishment.* Whenever the Secretary finds, from the recommendations and information submitted by the committee, or from other available information, that to prohibit the shipment of potatoes below certain specified minimum grades, or smaller than certain specified minimum sizes, or both, would be in the public interest and would tend to effectuate the declared policy of the act, he shall so prohibit the shipment of such potatoes. The Secretary shall immediately notify the committee of the issuance of each such regulation, and the committee shall promptly give adequate notice thereof to handlers and growers.

(c) *Modification or suspension.* (1) The committee may recommend to the Secretary the modification, suspension, or termination of orders relating to minimum standards provided for or established pursuant to this subpart. If the Secretary finds, upon the basis of such recommendation and information, or upon the basis of other available information, that to modify, suspend, or terminate such orders relating to minimum standards of quality will tend to effectuate the declared policy of the act, he shall so modify or suspend such standards for (i) a specified period of time, or (ii) for an indefinite period of time.

(2) The Secretary shall immediately notify the committee and the committee shall promptly give notice to growers and handlers, of any order issued by the Secretary modifying, suspending, or terminating any orders relating to minimum standards of quality established pursuant to, or provided for, in this subpart.

§ 953.44 Limitation of regulations.

(a) Nothing contained in this subpart shall authorize any limitation of the

shipment of potatoes for any of the following purposes:

(1) Potatoes shipped for consumption by charitable institutions or for distribution by relief agencies;

(2) Potatoes shipped for manufacturing or conversion into byproducts, except for manufacturing or conversion into specified products recommended by the committee for regulation and approved by the Secretary therefor; and

(3) Upon recommendation of the committee and approval of the Secretary, potatoes shipped for livestock feed, export, or for other specified purposes.

(b) The Secretary shall give prompt notice to the committee of any approval issued by him under the provisions of this section. The committee may prescribe adequate safeguards to prevent potatoes shipped for the purposes stated above from entering the current of interstate commerce or directly burdening, obstructing, or affecting such commerce contrary to the provisions of this subpart, which safeguards may include (1) a requirement by the committee that growers and handlers who ship potatoes pursuant to this section shall file applications to do so with the committee and (2) Federal-State inspection provided by § 953.50 and the payment of a pro rata share of expenses provided by § 953.34: *Provided,* That such inspection and payment of expenses may be required at different times than otherwise specified by the aforesaid sections. The committee may issue certificates of privilege for shipments of potatoes affected or to be affected under the provisions of this section and shall make a weekly report to the Secretary showing the number of certificates applied for, the number of bushels of potatoes covered by such applications, the number of certificates denied and granted, the number of bushels of potatoes shipped under duly issued certificates, and such other information as may be requested by the Secretary. The Secretary shall have the right to modify, change, alter, or rescind any safeguards prescribed and any certificates issued by the committee pursuant to the provisions of this section.