

**§ 29.6131**

**7 CFR Ch. I (1-1-05 Edition)**

**§ 29.6131 Scrap (S Group).**

A byproduct of unstemmed and stemmed tobacco. Scrap accumulates

from handling tobacco in farm buildings, warehouses, packing and conditioning plants, and stemmeries.

U.S. grades	Grade names and specifications
S .....	Loose, tangled, whole, or broken unstemmed leaves, or the web portion of tobacco leaves reduced to scrap by any process.

**SUMMARY OF STANDARD GRADES**

**§ 29.6155 Summary of standard grades.**

Three grades of binder	Three grades of stripper
B1 .....	C1
B2 .....	C2
B3 .....	C3
Three grades of straight stripped	Three grades of farm filler
X1 .....	Y1
X2 .....	Y2
X3 .....	Y3
Two grades of nondescript	One grades of scrap
N1 .....	S
N2 .....	

Tobacco not covered by standard grades is designated as "No-G."

**KEY TO STANDARD GRADEMARKS**

**§ 29.6161 Key to standard grademarks.**

Groups	Qualities
B—Binder .....	1—Fine.
C—Stripper .....	2—Fair.
X—Straight Stripped .....	3—Low.
Y—Farm Filler	
N—Nondescript	
S—Scrap	

**Subpart D—Orders of Designation of Tobacco Markets**

AUTHORITY: Sec. 5, 49 Stat. 732, as amended by sec. 157(a)(1), 95 Stat. 374 (7 U.S.C. 511d).

**§ 29.8001 Designation of tobacco markets.**

The Act of Congress approved August 23, 1935 (49 Stat. 731; 7 U.S.C., Chapter 21A) entitled "The Tobacco Inspection Act" contains the following provisions:

Sec. 2. That transactions in tobacco involving the sale thereof at auction as commonly conducted at auction markets are affected with a public interest; that such

transactions are carried on by tobacco producers generally and by persons engaged in the business of buying and selling tobacco in commerce; that the classification of tobacco according to type, grade, and other characteristics affects the prices received therefor by producers; that without uniform standards of classification and inspection the evaluation of tobacco is susceptible to speculation, manipulation, and control, and unreasonable fluctuations in prices and quality determinations occur which are detrimental to producers and persons handling tobacco in commerce; that such fluctuations constitute a burden upon commerce and make the use of uniform standards of classification and inspection imperative for the protection of producers and others engaged in commerce and the public interested therein. \* \* \*

Sec. 5. That the Secretary is authorized to designate those auction markets where tobacco bought and sold thereon at auction, or the products customarily manufactured therefrom, moves in commerce. Before any market is designated by the Secretary under this section he shall determine by referendum the desire of tobacco growers who sold tobacco at auction on such market during the preceding marketing season. The Secretary may at his discretion hold one referendum for two or more markets or for all markets in a type area. No market or group of markets shall be designated by the Secretary unless two-thirds of the growers voting favor it. The Secretary shall have access to the tobacco records of the Collector of Internal Revenue and of the several collectors of internal revenue for the purpose of obtaining the names and addresses of growers who sold tobacco on any auction market, and the Secretary shall determine from said records the eligibility of such grower to vote in such referendum, and no grower shall be eligible to vote in more than one referendum. After public notice of not less than thirty days that any auction market has been so designated by the Secretary, no tobacco shall be offered for sale at auction on such market until it shall have been inspected and certified by an authorized representative of the Secretary according to the standards established under this Act, except that the Secretary may temporarily suspend the requirement of inspection and certification at any designated market whenever he finds it impracticable to provide for such inspection

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and certification because competent inspectors are not obtainable or because the quantity of tobacco available for inspection is insufficient to justify the cost of such service: *Provided*, That, in the event competent inspectors are not available, or for other reasons, the Secretary is unable to provide for such inspection and certification at all auction markets within a type area, he shall first designate those auction markets where the greatest number of growers may be

served with the facilities available to him. No fee or charge shall be imposed or collected for inspection or certification under this section at any designated auction market. Nothing contained in this Act shall be construed to prevent transactions in tobacco at markets not designated by the Secretary or at designated markets where the Secretary has suspended the requirement of inspection or to authorize the Secretary to close any market.

*Designated Tobacco Markets*

Territory	Types of tobaccos	Auction markets	Order of designation	Citation
(a) Kentucky-Tennessee	Fire-cured, and Green River Dark Air-cured—Types 22, 23, 24 and 36.	Clarksville, Tenn. .... Springfield, Tenn. .... Hopkinsville, Ky. .... Paducah, Ky. .... Mayfield, Ky. .... Murray Ky. .... Madisonville, Ky. .... Henderson, Ky. ....	June 18, 1936. ..	1 FR 757.
(b) Virginia	Fire-cured—Type 21	Lynchburg, Va. .... Bedford, Va. .... Farmville, Va. .... Blackstone, Va. .... Drakes Branch, Va. ....	.....do	Do.
(c) South Carolina	Flue-cured—Type 13	Lake City, S. C. .... Darlington, S. C. .... Pamplico, S. C. ....	July 1, 1936; as amended July 15, 1936.	1 FR 842, 968.
(d) North Carolina	Flue-cured—Type 12	Farmville, N. C. .... Goldsboro, N. C. ....	July 13, 1936. ...	1 FR 921.
(e) North Carolina	Flue-cured—Type 11(b).	Oxford, N. C. ....	Aug. 26, 1936. ..	1 FR 1416.
(f) Kentucky	Burley—Type 31	Bowling Green, Ky. .... Cynthiana, Ky. .... Horse Cave, Ky. .... Mt. Sterling, Ky. .... Wendell, N. C. ....	Nov. 14, 1936. ..	1 FR 2266.
(g) North Carolina	Flue-cured	Danville, Ky. ....	Sept. 14, 1937.	2 FR 2169.
(h) Kentucky	Burley—Type 31	South Hill, Va. ....	Dec. 3, 1937 ....	2 FR 3102.
(i) Virginia	Flue-cured	Owensboro, Ky. ....	Aug. 23, 1938. ..	3 FR 2074.
(j) Kentucky	Green River and One-Sucker.	Abingdon, Va. ....	Sept. 9, 1938. ...	3 FR 2208.
(k) Virginia	Burley	Huntington, W. Va. ....	Nov. 16, 1938 ...	3 FR 2734.
West Virginia		Knoxville, Tenn. ....		
Tennessee		Maysville, Ky. ....		
Kentucky		Paris, Ky. .... Springfield, Ky. .... Ripley, Ohio. ....		
(l) Georgia	Flue-cured	Adel, Ga. .... Douglas, Ga. .... Nashville, Ga. .... Greenville, N. C. ....	June 22, 1939 ...	4 FR 2476.
(m) North Carolina	Flue-cured	Paris, Tenn. ....	July 24, 1939 ....	4 FR 3421.
(n) Tennessee	Fire-cured	Lebanon, Ky. ....	Nov. 7, 1939 ....	4 FR 4537.
Kentucky	Burley	Columbia, Tenn. .... Mt. Pleasant, Tenn. .... Live Oak, Fla. ....	.....do	Do.
(o) Florida		Shelbyville, Ky. ....	July 17, 1940 ...	5 FR 2607.
(p) Kentucky	All	Danville, Va. ....	Aug. 16, 1941 ...	6 FR 4111.
(q) Georgia	Flue-cured	Dillon, S.C. .... Fuquay Springs-Varina, N.C. .... Loris, S.C. .... Reidsville, N.C. .... Robersonville, N.C. .... Statesboro, Ga. .... Tarboro, N.C. .... Timmons ville, S.C. .... Williamston, N.C. ....		
North Carolina		Franklin, Ky. ....	Oct. 9, 1941 .....	6 FR 5147.
South Carolina		Mayfield, Ky. ....		
Virginia		Russellville, Ky. ....		
(r) Kentucky	One-sucker			
Tennessee				

*Designated Tobacco Markets—Continued*

Territory	Types of tobaccos	Auction markets	Order of designation	Citation
(s) Indiana ..... Kentucky ..... Missouri ..... North Carolina ..... Tennessee .....	Burley .....	Westmoreland, Tenn. Asheville, N.C. .... Bloomfield, Ky. Boone, N.C. Camp Taylor, Ky. Carrollton, Ky. Carthage, Tenn. Covington, Ky. Fayetteville, Tenn. Franklin, Tenn. Gallatin, Tenn. Glasgow, Ky. Greensburg, Ky. Greenville, Tenn. Harrodsburg, Ky. Hartsville, Tenn. Hopkinsville, Ky. Johnson City, Tenn. Lexington, Ky. Louisville, Ky. Madison, Ind. Morristown, Tenn. New Albany, Ind. New Tazewell, Tenn. Owensboro, Ky. Richmond, Ky. Rogersville, Tenn. Weston, Mo.	Oct. 25, 1941 ...	6 FR 5478.
(t) Georgia ..... Florida ..... North Carolina ..... South Carolina ..... Virginia .....	Flue-cured .....	Ahoskie, N.C. Baxley, Ga. Blackshear, Ga. Brookneal, Va. Chadbourn, N.C. Chase City, Va. Clarksville, Va. Clarkton, N.C. Conway, S.C. Durham, N.C. Fair Bluff, N.C. Fairmont, N.C. Hazlehurst, Ga. Henderson, N.C. Kenbridge, Va. Kingstree, S.C. Kinston, N.C. Lake City, Fla. Lawrenceville, Va. Louisburg, N.C. Lumberton, N.C. Martinsville, Va. Moultrie, Ga. Mt. Airy, N.C. Mullins, S.C. Pelham, Ga. Petersburg, Va. Rocky Mount, N.C. Rocky Mount, Va. Roxboro, N.C. Sanford, N.C. Smithfield, N.C. South Boston, Va. Tabor City, N.C. Tifton, Ga. Vidalia, Ga. Wallace, N.C. Warrenton, N.C. Washington, N.C. Waycross, Ga. Whiteville, N.C.	June 26, 1942 ...	7 FR 4811.

Designated Tobacco Markets—Continued

Territory	Types of tobaccos	Auction markets	Order of designation	Citation
(u) Virginia .....	All .....	Wilson, N.C. Winston-Salem, N.C.	Nov. 7, 1942 .....	7 FR 9107.
(v) Tennessee .....	.....do .....	Richmond, Va .....	Sept. 18, 1944 ..	9 FR 11571.
(w) Georgia .....	.....do .....	Springfield and Clarksville, Tenn.	Aug. 28, 1945 ...	10 FR 11104.
(x) Georgia .....	.....do .....	Quitman, Ga .....	July 22, 1946 ...	11 FR 7967.
(y) North Carolina .....	.....do .....	Fitzgerald, Ga .....	Aug. 9, 1946 .....	11 FR 8712.
(z) Kentucky .....	.....do .....	Clinton, N C .....	Oct. 30, 1946 ...	11 FR 13099.
(aa) North Carolina .....	.....do .....	Winchester, Ky .....	June 17, 1947 ...	12 FR 4015.
(bb) Maryland .....	.....do .....	Fayetteville, N.C .....	May 17, 1948 ...	13 FR 2579.
(cc) Florida .....	.....do .....	Hughesville, La Plata, Upper Marlboro, and Wal- dorf, Md.	May 27, 1948 ...	13 FR 2963.
(dd) Georgia .....	.....do .....	Jasper, Fla .....	July 30, 1948 ...	13 FR 4498.
(ee) Kentucky .....	.....do .....	Claxton, Ga. ....	Oct. 25, 1948 ...	13 FR 6349.
(ff) North Carolina .....	.....do .....	London, Ky .....	.....do .....	13 FR 6348.
(gg) North Carolina .....	.....do .....	West Jefferson, N.C .....	July 15, 1949 ...	14 FR 4514.
(hh) North Carolina .....	.....do .....	Dunn, N.C .....	Aug. 25, 1949 ...	14 FR 5364.
(ii) Kentucky, Tennessee .....	.....do .....	Ellerbe, N.C .....	Oct. 7, 1949 .....	14 FR 6193.
(jj) North Carolina .....	.....do .....	Somerset, Ky .....	June 16, 1950 ...	15 FR 3980.
South Carolina .....	.....do .....	Sparta, Tenn. Greensboro, N.C .....	Windsor, N.C.	
Georgia .....	.....do .....	Hemingway, S.C. Sylvester, Ga.		
(kk) Kentucky .....	All .....	Franklin, Ky .....	June 21, 1950 ...	15 FR 4072.
(ll) Tennessee, Virginia .....	.....do .....	Russellville, Ky. Scottsville, Ky.	July 18, 1950 ...	15 FR 4675.
(mm) Kentucky .....	.....do .....	Sweetwater, Tenn .....	Pennington Gap, Va.	
(nn) South Carolina .....	.....do .....	Mayfield, Ky .....	Oct. 19, 1950 ...	15 FR 7117.
(oo) Tennessee .....	.....do .....	Murray, Ky. Paducah, Ky.	May 28, 1951 ...	16 FR 5108.
(pp) Florida .....	.....do .....	Lamar, S.C .....	Nov. 1, 1951 .....	16 FR 11260.
(qq) Tennessee .....	.....do .....	Mountain City, Tenn .....	June 2, 1954 ...	19 FR 3211.
(rr) Georgia .....	.....do .....	High Springs .....	Oct. 27, 1954 ...	19 FR 6878.
(ss) Kentucky .....	.....do .....	Newport .....	May 13, 1955 ...	20 FR 3252.
Virginia .....	.....do .....	Alma and Pearson .....	Oct. 29, 1942 ...	20 FR 8142.
(tt) Florida .....	All .....	Henderson, Ky .....	July 6, 1956 .....	21 FR 4998.
Georgia .....	.....do .....	Gate City, Va.. Madison, Fla .....	Swainsboro, Ga. Thomasville, Ga.	
(uu) Kentucky .....	All .....	Morehead .....	June 18, 1958 ...	23 FR 4377.
(vv) North Carolina .....	.....do .....	Yadkinville, N.C .....	April 15, 1970 ...	35 FR 6107.
(ww) North Carolina .....	Flue-Cured .....	Mebane-Burlington .....	Mar. 11, 1983 ...	48 FR 10291.
(xx) Georgia .....	Flue-Cured .....	Valdosta-Hahira .....	Apr. 19, 1985 ...	50 FR 15537.
(yy) Virginia .....	Type 37 .....	Farmville .....	Oct. 9, 1985 .....	50 FR 41127.
(zz) Georgia .....	Flue-Cured .....	Baxley-Hazlehurst .....	July 6, 1987 .....	52 FR 25199.
(aaa) South Carolina .....	Flue-Cured .....	Darlington-Timmonsville .....	July 6, 1987 .....	52 FR 25200.
(bbb) North Carolina .....	Flue-Cured .....	Carthage-Aberdeen .....	Aug. 30, 1988 ...	53 FR 33097.
(ccc) North Carolina .....	Flue-cured .....	Stoneville-Madison .....	Aug. 2, 1989. ...	54 FR 31797.
(ddd) Georgia .....	Flue-Cured .....	.....do .....	Sept. 4, 1990. ...	55 FR 35886.
(eee) Georgia .....	Flue-Cured .....	Metter .....	Sept. 4, 1990. ...	55 FR 35885.
(fff) Georgia .....	Flue-Cured .....	Fitzgerald-Ocilla .....	May 29, 1991 ...	56 FR 19541.
(ggg) North Carolina .....	Flue-cured .....	Windsor-Williamston- Robersonville.	June 27, 1994 ...	59 FR 27215.
(hhh) Georgia .....	Flue-Cured .....	Tifton-Fitzgerald-Ocilla .....	Apr. 6, 1995 .....	60 FR 12398.
(iii) South Carolina .....	Flue-Cured .....	Kingstree-Hemingway .....	Apr. 6 1995 .....	60 FR 12399.
(jii) North Carolina .....	Flue-Cured .....	Clarkton-Chadbourne .....	Apr. 6, 1995 .....	60 FR 12400.
(kkk) North Carolina .....	Flue-Cured .....	Fairmont-Fair Bluff .....	Apr. 6, 1995 .....	60 FR 12401.
(lll) North Carolina .....	Flue-cured .....	Sanford-Carthage-Aberdeen .....	July 5, 1996 .....	61 FR 27997.
(mmm) Kentucky .....	Burley .....	Horse Cave-Glasgow- Greensburg, KY.	July 15, 1996	61 FR 29924.
(nnn) North Carolina, Ten- nessee.	Burley .....	Boone-West Jefferson- Mountain City.	July 15, 1996	61 FR 29923.
(ooo) North Carolina .....	Flue-Cured .....	Tabor City-Whiteville .....	June 5, 1997	62 FR 24559.
(ppp) Virginia .....	Flue-Cured .....	Clarksville-Chase City .....	July 1, 1998	63 FR 29529.
(qqq) North Carolina, South Carolina.	Flue-Cured .....	Fairmont-Fair Bluff-Loris .....	October 22, 2001.	66 FR 53076.

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[1 FR 649, June 23, 1936. Redesignated at 14 FR 465, Feb. 3, 1949, and further redesignated at 24 FR 2776, Apr. 10, 1959, as amended at 35 FR 6107, Apr. 15, 1970; 45 FR 36957, Oct. 16, 1974; 48 FR 10291, Mar. 11, 1983; 50 FR 15537, Apr. 19, 1985; 50 FR 41127, Oct. 9, 1985; 52 FR 25199, 25200, July 6, 1987; 53 FR 33097, Aug. 30, 1988; 54 FR 31797, Aug. 2, 1989; 55 FR 35885, 35886 Sept. 4, 1990; 56 FR 19541, Apr. 29, 1991; 59 FR 27215, May 26, 1994; 60 FR 12398, 12399, 12400, and 12401, Mar. 7, 1995; 61 FR 29923, 29924, June 13, 1996; 61 FR 37351, July 18, 1996; 62 FR 24559, May 6, 1997; 63 FR 29529, June 1, 1998; 66 FR 53075, Oct. 19, 2001]

**Subpart E [Reserved]**

**Subpart F—Policy Statement and Regulations Governing the Identification and Certification of Nonquota Tobacco Produced and Marketed in a Quota Area**

AUTHORITY: Pub. L. 97-98, 95 Stat. 1266, as amended (7 U.S.C. 1314f).

SOURCE: 47 FR 8980, Mar. 3, 1982, unless otherwise noted.

DEFINITIONS

**§ 29.9201 Terms defined.**

As used in this subpart and in all instructions, forms, and documents in connection therewith, the words and phrases hereinafter defined shall have the indicated meanings so assigned.

**§ 29.9202 Approved receiving station.**

Points approved by the Director at which tobacco is offered for marketing or shipment into commerce including tobacco auction warehouses, packing houses, prizeries, or places where tobacco is handled or stored.

**§ 29.9203 Certification.**

The documentation of class or type, weight, or other tobacco characteristics as required in § 29.9263.

**§ 29.9204 Crop-lot.**

The assemblage of individual lots representing the season's production of each kind or type of nonquota tobacco produced on an individual farm.

**§ 29.9205 Identification number (farm serial number).**

The serial number assigned to an individual farm by the appropriate office of the Agricultural Stabilization and Conservation Service.

**§ 29.9206 Inspection.**

The examination by an inspector of a lot or crop-lot of tobacco to make determinations necessary for proper certification.

**§ 29.9207 Nonquota tobacco.**

Any kind or type of tobacco not subject to production and/or marketing limitations or restrictions under regulations issued by the Agricultural Stabilization and Conservation Service.

**§ 29.9208 Permissive inspection.**

Permissive inspection consists of inspecting and certificating tobacco, upon the request of an interested party.

**§ 29.9209 Lot.**

A pile, basket, bulk, package, or other definite unit.

**§ 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