

§ 205.204

9 CFR Ch. II (1-1-06 Edition)

§ 205.204 Filing “notice” of EFS.

(a) If an EFS is filed somewhere other than with the system operator, and if notice of it is filed with the system operator, such notice could be electronic filing, telephoned information, or any other form of notice which gives the system operator the information needed for the master list. Such notice need not be signed. Note that the Section does not contain any requirement for such notice except the one in subsection (c)(4)(B) that an EFS must be filed somewhere pursuant to State law as discussed above.

(b) Countermeasures against falsifications, errors or omissions in such notices or in the handling of them by the system operator, such as requirements that the notices be on paper and signed, with copies date-stamped and returned to the persons filing them, however advisable they might be from other standpoints, are discretionary with the State and not required by the Section.

§ 205.205 Fees.

The Section provides at subsection (c)(4)(H) for a fee for filing an EFS. The fee can be set in any manner provided by the law of the State in which such EFS is filed. The basis for this is that (c)(4)(H) provides for the fee to be set by the “Secretary of State” but (c)(11) defines the latter term to include “designee of the State.” The fee structure is discretionary with the State.

§ 205.206 Farm products.

(a) The master list must be organized by farm product as required by subsection (c)(2), and the farm product must be identified on an EFS as required by subsection (c)(4)(D)(iv). The following is a list of such farm products.

- Rice, rye, wheat, other food grains (system must specify by name)
- Barley, corn, hay, oats, sorghum grain, other feed crops (system must specify by name)
- Cotton
- Tobacco
- Flaxseed, peanuts, soybeans, sunflower seeds, other oil crops (system must specify by name)
- Dry beans, dry peas, potatoes, sweet potatoes, taro, other vegetables (system must specify by name)

- Artichokes, asparagus, beans lima, beans snap, beets, Brussels sprouts, broccoli, cabbage, carrots, cauliflower, celery, corn sweet, cucumbers, eggplant, escarole, garlic, lettuce, onions, peas green, peppers, spinach, tomatoes, other truck crops (system must specify by name)
- Melons (system must specify by name)
- Grapefruit, lemons, limes, oranges, tangelos, tangerines, other citrus fruits (system must specify by name)
- Apples, apricots, avocados, bananas, cherries, coffee, dates, figs, grapes (& raisins), nectarines, olives, papayas, peaches, pears, persimmons, pineapples, plums (& prunes), pomegranates, other noncitrus fruits (system must specify by name)
- Berries (system must specify by name)
- Tree nuts (system must specify by name)
- Bees wax, honey, maple syrup, sugar beets, sugar cane, other sugar crops (system must specify by name)
- Grass seeds, legume seeds, other seed crops (system must specify by name)
- Hops, mint, popcorn, other miscellaneous crops (system must specify by name)
- Greenhouse & nursery products produced on farms (system must specify by name)
- Mushrooms, trees, other forest products (system must specify by name)
- Chickens, ducks, eggs, geese, turkeys, other poultry or poultry products (system must specify by name)
- Cattle & calves, goats, horses, hogs, mules, sheep & lambs, other livestock (system must specify by name)
- Milk, other dairy products produced on farms (system must specify by name)
- Wool, mohair, other miscellaneous livestock products produced on farms (system must specify by name)
- Fish, shellfish
- Other farm products (system must specify by name).

(b) Note the definition of the term “farm product” at subsection (c)(5), and the Conference Report on Pub. L. 99-198, No. 99-447, December 17, 1985, at page 486.

(c) A State may establish a system for specified products and not for all. A State establishing a system for specified products and not for all will be deemed to be “a State that has established a central filing system” as to the specified products, and will be deemed not to be such a State as to other products.

§ 205.207 “Amount” and “reasonable description of the property.”

(a) The “amount” of farm products and “reasonable description of the property including county or parish,”