

§ 947.60

applications denied, and certificates granted, the quantity of potatoes shipped under duly issued certificates, and such other information as may be requested by the Secretary.

[35 FR 10743, July 2, 1970]

INSPECTION AND CERTIFICATION

§ 947.60 Inspection and certification.

(a) During any period in which the handling of potatoes is regulated pursuant to § 947.42, § 947.52, or § 947.54, or any combination thereof, no handler shall handle potatoes unless such potatoes are inspected by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, and are covered by a valid inspection certificate, except when relieved from such requirements pursuant to § 947.53 or § 947.54 or both.

(b) Regrading, resorting, or repacking any lot of potatoes shall invalidate any prior inspection certificates insofar as the requirements of this section are concerned. No handler shall handle potatoes after they have been regraded, resorted, repacked, or in any way further prepared for market, unless such potatoes are inspected by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate: *Provided*, That such inspection requirements on regraded, resorted, or repacked potatoes may be modified, suspended, or terminated under rules and regulations recommended by the committee, and approved by the Secretary.

(c) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the committee with the approval of the Secretary.

(d) When potatoes are inspected in accordance with the requirements of this section, a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

7 CFR Ch. IX (1-1-08 Edition)

EXEMPTIONS

§ 947.65 Procedure.

The committee may adopt, subject to approval of the Secretary, the procedures pursuant to which certificates of exemption will be issued to producers or handlers.

§ 947.66 Granting exemptions.

(a) The committee may issue certificates of exemption to any producer who applies for such exemption and furnishes adequate evidence to the committee: (1) That by reason of a regulation issued pursuant to § 947.52 he will be prevented from handling as large a proportion of his production as the average proportion of production handled by all producers in said applicant's immediate production area; and (2) that the grade, size, or quality of the applicant's potatoes have been adversely affected by acts beyond the applicant's control and by acts beyond reasonable expectation. Each certificate shall permit the producer to handle the amount of potatoes specified thereon. Such certificates shall be transferred with such potatoes at time of shipment.

(b) The committee may issue certificates of exemption to any handler who applies for such exemption and furnishes adequate evidence to the committee: (1) That by reason of a regulation issued pursuant to § 947.52 he will be prevented from handling as large a proportion of his storage holdings of ungraded potatoes, acquired during or immediately following the digging season, as the average proportion of ungraded storage holdings handled by all handlers in said applicant's immediate shipping area; and (2) that the grade, size, or quality of the applicant's potatoes have been adversely affected by acts beyond the applicant's control and by acts beyond reasonable expectation. Each certificate shall permit the handler to handle the amount of potatoes specified thereon. Such certificate shall be transferred with such potatoes at time of shipment.

(c) The committee shall be permitted at any time to make a thorough investigation of any producer's or handler's claim pertaining to exemptions.