§ 1207.343 assessments from the producer, or de-
duct such assessments from the pro-
ceeds paid to the producer on whose po-
tatoes the assessments are made, pro-
vided he furnishes the producer with evi-
dence of such payment.

(c) The importer of imported pota-
toes, potato products, or seed potatoes
shall pay the assessment to the Board
at the time of entry, or withdrawal, for
consumption of such potatoes and po-
tato products into the United States.

(d) The assessment on imported
etablestock potatoes and frozen or proc-
essed potato products for ultimate con-
sumption by humans and on seed pota-
toes shall be established by the Board
so that the effective assessment shall
be equal to that on domestic produc-
tion.

(e) The Board may authorize other
organizations to collect assessments in
its behalf.

(f) The Board may exempt potatoes
used for nonfood purposes, other than
seed, from the provisions of this plan
and shall establish adequate safeguards
against improper use of such exemp-
tions.

[37 FR 5008, Mar. 9, 1972, as amended at 49 FR

§ 1207.344 Operating reserve.

The Board may establish an oper-
ating monetary reserve and may carry
over to subsequent fiscal periods excess
funds in a reserve so established: Pro-
vided, That funds in the reserve shall
not exceed approximately two fiscal peri-
dals’ expenses. Such reserve funds
may be used to defray any expenses au-
torized under this part.

§ 1207.350 Reports.

(a) Each designated handler shall
maintain a record with respect to each
producer for whom he handled potatoes
and for potatoes handled which he him-
selves produced. He shall report to the
Board at such times and in such man-
ner as it may prescribe by regulations
such information as may be necessary
for the Board to perform its duties
under this part. Such reports may in-
clude, but shall not be limited to, the
following:

(1) Total quantity of potatoes han-
dled for each producer and for himself,
including those which are exempt
under the plan;

(2) Total quantity of potatoes han-
dled for each producer and for himself
subject to the plan and assessments;

(3) Name and address of each person
from whom he collected an assessment,
the amount collected from each person,
and the date such collection was made.

(b) Each importer shall report to the
Board at such times and in such man-
ner as it may prescribe such informa-
tion as may be necessary for the Board
to perform its duties under this part.

[37 FR 5008, Mar. 9, 1972, as amended at 56 FR
40230, Aug. 14, 1991]

§ 1207.351 Books and records.

Each handler or importer subject to
this part shall maintain and make
available for inspection by authorized
employees of the Board and the Sec-
retary such books and records as are
appropriate and necessary to carry out
the provisions of this Plan and the reg-
ulations issued thereunder, including
such records as are necessary to verify
any reports required. Such records
shall be maintained for at least 2 years
beyond the marketing year of their ap-
plicability.

[37 FR 5008, Mar. 9, 1972, as amended at 56 FR
40230, Aug. 14, 1991]

§ 1207.352 Confidential treatment.

All information obtained from books,
records, or reports required pursuant
to this Plan shall be kept confidential
by all employees of the Department of
Agriculture and of the Board, and by
all contractors and agents retained by
the Board, and only such information
so furnished or acquired as the Sec-
retary deems relevant shall be dis-
closed by them, and then only in a suit
or administrative hearing brought at
the direction, or upon the request, of
the Secretary, or to which the Sec-
retary or any officer of the United
States is a party, and involving this
Plan. Nothing in this section shall be
deemed to prohibit: