

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 ref-

erendum 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 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.

Designated Tobacco Markets—Continued

Territory	Types of tobaccos	Auction markets	Order of designation	Citation
(c) South Carolina	Flue-cured—Type 13	Lake City, S. C. Darlington, S. C. Pamplico, S. C. Farmville, N. C. Goldsboro, N. C.	July 1, 1936; as amended July 15, 1936. July 13, 1936. ...	1 FR 842, 968.
(d) North Carolina	Flue-cured—Type 12	Oxford, N. C.	Aug. 26, 1936. ..	1 FR 1416.
(e) North Carolina	Flue-cured—Type 11(b).	Bowling Green, Ky. Cynthiana, Ky. Horse Cave, Ky. Mt. Sterling, Ky.	Nov. 14, 1936. ..	1 FR 2266.
(f) Kentucky	Burley—Type 31	Wendell, N. C. Danville, Ky. South Hill, Va.	Sept. 14, 1937. Dec. 3, 1937. Aug. 23, 1938. ...	2 FR 2169. 2 FR 3102. 3 FR 2074.
(g) North Carolina	Flue-cured	Owensboro, Ky.	Sept. 9, 1938. ...	3 FR 2208.
(h) Kentucky	Burley—Type 31	Abingdon, Va.	Nov. 16, 1938 ...	3 FR 2734.
(i) Virginia	Flue-cured	Huntington, W. Va. Knoxville, Tenn. Maysville, Ky. Paris, Ky. Springfield, Ky. Ripley, Ohio.	June 22, 1939 ...	4 FR 2476.
(j) Kentucky	Green River and One-Sucker.	Adel, Ga. Douglas, Ga. Nashville, Ga. Greenville, N. C.	July 24, 1939	4 FR 3421.
(k) Virginia	Burley	Paris, Tenn. Lebanon, Ky. Columbia, Tenn. Mt. Pleasant, Tenn. Live Oak, Fla.	Nov. 7, 1939 ..........do	4 FR 4537. Do.
(l) Georgia	Flue-cured	Shelbyville, Ky.	July 17, 1940 ...	5 FR 2607.
(m) North Carolina	Flue-cured	Danville, Va.	Aug. 16, 1941 ...	6 FR 4111.
(n) Tennessee	Fire-cured	Dillon, S.C. Fuquay Springs-Varina, N.C. Loris, S.C. Reidsville, N.C. Robersonville, N.C. Statesboro, Ga. Tarboro, N.C. Timmonsville, S.C. Williamston, N.C.	Oct. 9, 1941	6 FR 5147.
(o) Florida	One-sucker	Franklin, Ky. Mayfield, Ky. Russellville, Ky. Westmoreland, Tenn.	Oct. 25, 1941 ...	6 FR 5478.
(p) Kentucky	Burley	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.		
(q) Georgia	Flue-cured			
North Carolina				
South Carolina				
Virginia				
(r) Kentucky	One-sucker			
Tennessee				
(s) Indiana	Burley			
Kentucky				
Missouri				
North Carolina				
Tennessee				

Designated Tobacco Markets—Continued

Territory	Types of tobaccos	Auction markets	Order of designation	Citation
(t) Georgia	Flue-cured	Rogersville, Tenn. Weston, Mo.	June 26, 1942 ...	7 FR 4811.
Florida .....	.....	Ahoskie, N.C.		
North Carolina .....	.....	Baxley, Ga.		
South Carolina .....	.....	Blackshear, Ga.		
Virginia	Flue-cured.	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.		
		Wilson, N.C.		
		Winston-Salem, N.C.		
(u) Virginia	All	Richmond, Va	Nov. 7, 1942	7 FR 9107.
(v) Tennessee .....	.....do	Springfield and Clarksville, Tenn.	Sept. 18, 1944 ..	9 FR 11571.
(w) Georgia .....	.....do	Quitman, Ga	Aug. 28, 1945 ...	10 FR 11104.
(x) Georgia .....	.....do	Fitzgerald, Ga	July 22, 1946 ...	11 FR 7967.
(y) North Carolina .....	.....do	Clinton, N C	Aug. 9, 1946	11 FR 8712.
(z) Kentucky .....	.....do	Winchester, Ky	Oct. 30, 1946 ...	11 FR 13099.
(aa) North Carolina .....	.....do	Fayetteville, N.C	June 17, 1947 ...	12 FR 4015.
(bb) Maryland .....	.....do	Hughesville, La Plata, Upper Marlboro, and Wal- dorf, Md.	May 17, 1948 ...	13 FR 2579.
(cc) Florida .....	.....do	Jasper, Fla	May 27, 1948 ...	13 FR 2963.
(dd) Georgia .....	.....do	Claxton, Ga.	July 30, 1948 ...	13 FR 4498.
(ee) Kentucky .....	.....do	London, Ky	Oct. 25, 1948 ...	13 FR 6349.
(ff) North Carolina .....	.....do	West Jefferson, N.C .....	.....do	13 FR 6348.
(gg) North Carolina .....	.....do	Dunn, N.C	July 15, 1949 ...	14 FR 4514.
(hh) North Carolina .....	.....do	Ellerbe, N.C	Aug. 25, 1949 ...	14 FR 5364.
(ii) Kentucky, Tennessee .....	.....do	Somerset, Ky	Oct. 7, 1949	14 FR 6193.
		Sparta, Tenn.		
(jj) North Carolina .....	.....do	Greensboro, N.C	June 16, 1950 ...	15 FR 3980.
South Carolina .....	.....do	Windsor, N.C.		
Georgia .....	.....do	Hemingway, S.C.		
		Sylvester, Ga.		
(kk) Kentucky	All	Franklin, Ky	June 21, 1950 ...	15 FR 4072.

Designated Tobacco Markets—Continued

Territory	Types of tobaccos	Auction markets	Order of designation	Citation
(ll) Tennessee, Virginia	.....do	Russellville, Ky. Scottsville, Ky. Sweetwater, Tenn.	July 18, 1950	15 FR 4675.
(mm) Kentucky	.....do	Pennington Gap, Va. Mayfield, Ky. Murray, Ky. Paducah, Ky.	Oct. 19, 1950	15 FR 7117.
(nn) South Carolina	.....do	Lamar, S.C.	May 28, 1951	16 FR 5108.
(oo) Tennessee	.....do	Mountain City, Tenn.	Nov. 1, 1951	16 FR 11260.
(pp) Florida	.....do	High Springs	June 2, 1954	19 FR 3211.
(qq) Tennessee	.....do	Newport	Oct. 27, 1954	19 FR 6878.
(rr) Georgia	.....do	Alma and Pearson	May 13, 1955	20 FR 3252.
(ss) Kentucky	.....do	Henderson, Ky.	Oct. 29, 1942	20 FR 8142.
Virginia	.....do	Gate City, Va.	.....	.....
(tt) Florida	All	Madison, Fla.	July 6, 1956	21 FR 4998.
Georgia	.....do	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	.....	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.
(jjj) 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, Tennessee.	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.

[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).