

ter shall be considered as strictly confidential and shall be used only for the statistical purpose for which it is supplied. Any employee of the Department of Agriculture who, without the written authority of the Secretary of Agriculture, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this chapter shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than \$300 or more than \$1,000, or imprisoned for a period of not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

(Mar. 3, 1927, ch. 337, § 2, 44 Stat. 1373.)

§ 473. Persons required to furnish information; request; failure to furnish; false information

It shall be the duty of every owner, president, treasurer, secretary, director, or other officer or agent of any cotton warehouse, cotton gin, cotton mill, or other place or establishment where cotton is stored, whether conducted as a corporation, firm, limited partnership, or individual, and of any owner or holder of any cotton and of the agents and representatives of any such owner or holder, when requested by the Secretary of Agriculture or by any special agent or other employee of the Department of Agriculture acting under the instructions of said Secretary to furnish completely and correctly, to the best of his knowledge, all of the information concerning the grades and staple length of cotton on hand, and when requested to permit such agent or employee of the Department of Agriculture to examine and classify samples of all such cotton on hand. The request of the Secretary of Agriculture for such information may be made in writing or by a visiting representative, and if made in writing shall be forwarded by registered mail, or by certified mail and the registry receipt or receipt for certified mail of the United States Postal Service shall be accepted as evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of any cotton warehouse, cotton gin, cotton mill, or other place or establishment where cotton is stored, or any owner or holder of any cotton or the agent or representative of any such owner or holder, who, under the conditions hereinbefore stated, shall refuse or willfully neglect to furnish any information herein provided for or shall willfully give answers that are false or shall refuse to allow agents or employees of the Department of Agriculture to examine or classify any cotton in store in any such establishment, or in the hands of any owner or holder or of the agent or representative of any such owner or holder, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$300 or more than \$1,000.

(Mar. 3, 1927, ch. 337, § 3, 44 Stat. 1373; Pub. L. 86-507, § 1(3), June 11, 1960, 74 Stat. 200; Pub. L. 91-375, §§ 4(a), 6(o), Aug. 12, 1970, 84 Stat. 773, 783.)

Editorial Notes

AMENDMENTS

1960—Pub. L. 86-507 inserted “or by certified mail” after “registered mail”, and “or receipt for certified mail” after “registry receipt.”

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“United States Postal Service” substituted in text for “Post Office Department” pursuant to Pub. L. 91-375, §§ 4(a), 6(o), Aug. 12, 1970, 84 Stat. 773, 783, which are set out as notes preceding section 101 of Title 39, Postal Service, and under section 201 of Title 39, respectively, which abolished Post Office Department, transferred its functions to United States Postal Service, and provided that references in other laws to Post Office Department shall be considered a reference to United States Postal Service.

§ 473a. Cotton classification services

(a) In general

The Secretary of Agriculture (referred to in this section as the “Secretary”) shall—

- (1) make cotton classification services available to producers of cotton; and
- (2) provide for the collection of classification fees from participating producers or agents that voluntarily agree to collect and remit the fees on behalf of producers.

(b) Fees

(1) Use of fees

Classification fees collected under subsection (a)(2) and the proceeds from the sales of samples submitted under this section shall, to the maximum extent practicable, be used to pay the cost of the services provided under this section, including administrative and supervisory costs.

(2) Announcement of fees

The Secretary shall announce a uniform classification fee and any applicable surcharge for classification services not later than June 1 of the year in which the fee applies.

(c) Consultation

(1) In general

In establishing the amount of fees under this section, the Secretary shall consult with representatives of the United States cotton industry.

(2) Exemption

Chapter 10 of title 5 shall not apply to consultations with representatives of the United States cotton industry under this section.

(d) Crediting of fees

Any fees collected under this section and under section 473d of this title, late payment penalties, the proceeds from the sales of samples, and interest earned from the investment of such funds shall—

- (1) be credited to the current appropriation account that incurs the cost of services provided under this section and section 473d of this title; and
- (2) remain available without fiscal year limitation to pay the expenses of the Secretary in providing those services.

(e) Investment of funds

Funds described in subsection (d) may be invested—

- (1) by the Secretary in insured or fully collateralized, interest-bearing accounts; or
- (2) at the discretion of the Secretary, by the Secretary of the Treasury in United States Government debt instruments.