propriated, such sums as may be necessary for carrying out the provisions of this chapter; and the Secretary of Agriculture is authorized, within the limits of such appropriations, to appoint, remove, and fix the compensations of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this chapter in the District of Columbia and elsewhere.

(Mar. 4, 1923, ch. 288, § 12, 42 Stat. 1519.)

§ 65. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the chapter and the application of such provision to other persons and circumstances shall not be affected thereby.

(Mar. 4, 1923, ch. 288, § 13, 42 Stat. 1520.)

CHAPTER 3—GRAIN STANDARDS

Sec.

71. Short title.
72, 73. Omitted.
74. Congressional findings and declaration of policy.
75. Definitions.
75a. Repealed.
75b. Omitted.
76. Standards and procedures; establishment, amendment, and revocation.
(a) Authority of Secretary.
(b) Notice and opportunity for comment; standards regarding cleanliness of grain.
(c) Grade determining factors related to physical soundness and purity; notice and opportunity for comment.
(d) Moisture content criterion.
77. Official inspection and weighing requirements; waiver; supervision by representatives of Secretary.
(a) Official samples and certificates; waiver; excepted grains.
(b) Supervision by representatives of Secretary.
(c) Testing for aflatoxin contamination of corn shipped in foreign commerce.
78. Use of official grade designations required; false or misleading grade designations for grain shipped out of the United States.
79. Official inspection.
(a) Grain required to be officially inspected.
(b) Inspections made pursuant to request of interested persons.
(c) Reinspections and appeals; cancellation of superseded certificates; sale of samples.
(d) Official certificates as evidence.
(e) Official inspection at export port locations; delegation of authority to State agencies.
(f) Official inspections at other than export port locations; designation of agencies or persons to conduct official inspections.
(g) Termination, renewal, amendment, cancellation, and revocation of designations of official agencies.

Sec.

(h) Official inspections at locations other than export port locations when designated official agencies are not available.
(i) Official inspections in Canadian ports.
(j) Fees; establishment, amount, payment, etc.
79a. Weighing authority.
(a) Official weighing in accordance with prescribed regulations.
(b) Official weighing or supervision of weighing at grain elevators, warehouses, or other storage or handling facilities located other than at export elevators at export port locations.
(c) Personnel performing official weighing or supervision of weighing at locations at which official inspection is provided.
(d) Official weighing in Canadian ports.
(e) Official weighing or supervision of weighing upon request of operators of grain elevators, warehouses, or other storage or handling facilities.
(f) Demonstrated willingness of operators of grain elevators, warehouses, or other storage or handling facilities to meet equipment and personnel requirements.
(g) Official certificates as evidence.
(h) Weighing prohibited when not in accordance with prescribed procedures.
(i) Unauthorized weighing prohibited.
(j) Authority under United States Warehouse Act not limited.
(k) Access to elevators, warehouses, or other storage or handling facilities.
(*l*) Fees; establishment, amount, payment, etc.
79b. Testing of equipment.
(a) Random and periodic testing at least annually; fees.
(b) Personnel to conduct testing.
(c) Use of non-approved equipment prohibited.
79c. Omitted.
79d. Limitation on administrative and supervisory costs.
80 to 83. Omitted.
84. Licensing of inspectors.
(a) Authorization.
(b) Duration of licenses; suspension; reinstatement.
(c) Examination of applicants; reexaminations.
(d) Inspectors performing under contract not deemed Federal employees.
(e) Hiring of official inspection personnel and supervisory personnel without regard to laws governing appointments to the competitive service.
(f) Periodic rotation of personnel.
(g) Recruitment, training, and supervision of personnel; work production standards; exemption for certain personnel.
85. Suspension, revocation, and refusal to renew licenses; hearing; grounds; temporary suspension.
86. Refusal of inspection and weighing services; civil penalties.
(a) Grounds for refusal of services.
(b) Persons responsibly connected with a business.
(c) Civil penalties.
(d) Opportunity for hearing; temporary refusal without hearing pending final determination.