

§ 246. Maintenance of records

To facilitate the administration of this chapter, the following persons shall maintain such records and make such reports, as the Secretary may by regulation require:

(1) A warehouse operator that is licensed under this chapter.

(2) A person operating a system for the electronic recording and transfer of receipts and other documents that are authorized under this chapter.

(3) Any other person engaged in the issuance of electronic receipts or the transfer of documents under this chapter.

(Aug. 11, 1916, ch. 313, pt. C, § 7, as added Pub. L. 106-472, title II, § 201, Nov. 9, 2000, 114 Stat. 2065.)

PRIOR PROVISIONS

A prior section 246, acts Aug. 11, 1916, ch. 313, pt. C, § 25, 39 Stat. 490; Mar. 2, 1931, ch. 366, § 8, 46 Stat. 1465, related to suspension and revocation of license, prior to the general amendment of this chapter by Pub. L. 106-472. See section 252 of this title.

A prior section 7 of act Aug. 11, 1916, ch. 313, pt. C, was classified to section 249 of this title, prior to the general amendment of this chapter by Pub. L. 106-472.

§ 247. Fair treatment in storage of agricultural products**(a) In general**

Subject to the capacity of a warehouse, a warehouse operator shall deal, in a fair and reasonable manner, with persons storing, or seeking to store, an agricultural product in the warehouse if the agricultural product—

(1) is of the kind, type, and quality customarily stored or handled in the area in which the warehouse is located;

(2) is tendered to the warehouse operator in a suitable condition for warehousing; and

(3) is tendered in a manner that is consistent with the ordinary and usual course of business.

(b) Allocation

Nothing in this section prohibits a warehouse operator from entering into an agreement with a depositor of an agricultural product to allocate available storage space.

(Aug. 11, 1916, ch. 313, pt. C, § 8, as added Pub. L. 106-472, title II, § 201, Nov. 9, 2000, 114 Stat. 2065.)

PRIOR PROVISIONS

A prior section 247, acts Aug. 11, 1916, ch. 313, pt. C, § 6, 39 Stat. 486; July 24, 1919, ch. 26, 41 Stat. 266; Feb. 23, 1923, ch. 106, 42 Stat. 1283; Mar. 2, 1931, ch. 366, § 2, 46 Stat. 1463, required bond as condition to granting of license and additional bonds if first bond determined to become insufficient, prior to the general amendment of this chapter by Pub. L. 106-472. See section 245 of this title.

A prior section 8 of act Aug. 11, 1916, ch. 313, pt. C, was classified to section 250 of this title, prior to the general amendment of this chapter by Pub. L. 106-472.

§ 248. Commingling of agricultural products**(a) In general**

A warehouse operator may commingle agricultural products in a manner approved by the Secretary.

(b) Liability

A warehouse operator shall be severally liable to each depositor or holder for the care and re-

delivery of the share of the depositor and holder of the commingled agricultural product to the same extent and under the same circumstances as if the agricultural products had been stored separately.

(Aug. 11, 1916, ch. 313, pt. C, § 9, as added Pub. L. 106-472, title II, § 201, Nov. 9, 2000, 114 Stat. 2065.)

PRIOR PROVISIONS

A prior section 248, acts Aug. 11, 1916, ch. 313, pt. C, § 9, 39 Stat. 487; Mar. 2, 1931, ch. 366, § 4, 46 Stat. 1464, related to issuance of licenses to persons other than warehousemen, prior to the general amendment of this chapter by Pub. L. 106-472. See section 242 of this title.

§ 249. Transfer of stored agricultural products**(a) In general**

In accordance with regulations promulgated under this chapter, a warehouse operator may transfer a stored agricultural product from one warehouse to another warehouse for continued storage.

(b) Continued duty

The warehouse operator from which agricultural products have been transferred under subsection (a) of this section shall deliver to the rightful owner of such products, on request at the original warehouse, such products in the quantity and of the kind, quality, and grade called for by the receipt or other evidence of storage of the owner.

(Aug. 11, 1916, ch. 313, pt. C, § 10, as added Pub. L. 106-472, title II, § 201, Nov. 9, 2000, 114 Stat. 2065.)

PRIOR PROVISIONS

A prior section 249, act Aug. 11, 1916, ch. 313, pt. C, § 7, 39 Stat. 487, entitled injured persons to bring actions on bonds, prior to the general amendment of this chapter by Pub. L. 106-472. See section 245 of this title.

A prior section 10 of act Aug. 11, 1916, ch. 313, pt. C, was classified to section 251 of this title, prior to the general amendment of this chapter by Pub. L. 106-472.

§ 250. Warehouse receipts**(a) In general**

At the request of the depositor of an agricultural product stored or handled in a warehouse licensed under this chapter, the warehouse operator shall issue a receipt to the depositor as prescribed by the Secretary.

(b) Actual storage required

A receipt may not be issued under this section for an agricultural product unless the agricultural product is actually stored in the warehouse at the time of the issuance of the receipt.

(c) Contents

Each receipt issued for an agricultural product stored or handled in a warehouse licensed under this chapter shall contain such information, for each agricultural product covered by the receipt, as the Secretary may require by regulation.

(d) Prohibition on additional receipts or other documents**(1) Receipts**

While a receipt issued under this chapter is outstanding and uncanceled by the warehouse