

Rec'd NCO 23 Mar 79

**REQUEST FOR AUTHORITY
TO DISPOSE OF RECORDS**

(See Instructions on Reverse)

LEAVE BLANK	
DATE RECEIVED 23 MAR 1979	JOB NO. NCI-136-79-2
NOTIFICATION TO AGENCY	
In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10.	
4-9-79 Date	<i>James B. Road</i> Archivist of the United States

**TO: GENERAL SERVICES ADMINISTRATION,
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, D.C. 20408**

- 1. FROM (AGENCY OR ESTABLISHMENT)
U.S. Department of Agriculture
- 2. MAJOR SUBDIVISION
Agricultural Marketing Service (AMS)
- 3. MINOR SUBDIVISION
Packers and Stockyards

4. NAME OF PERSON WITH WHOM TO CONFER Roland Colbert	5. TEL. EXT. 447-7965
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6. CERTIFICATE OF AGENCY REPRESENTATIVE:

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records, that the records proposed for disposal in this Request of 3 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified

3/21/79
(Date)

David H. Leavitt
(Signature of Agency Representative)

Chief, Paperwork Planning & Systems Br.
(Title)

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
	<p>Packers and Stockyards Program Items 1 through 4</p> <p>Packers and Stockyards (P&S) is responsible for carrying out the enforcement of the Packers and Stockyards Act relating to rates and tariffs, and stockyard services and facilities. Supervises operations of stockyard companies, market agencies, dealers, packers and poultry dealers and licensees to assure compliance with the Act. Conducts investigations to determine existence of and develops evidence of unfair trade practices including bad weighing practices and other violations. Investigates and studies adequacy of stockyard facilities and services. Analyzes and investigates complaints received to determine validity and to effect adjustments or settlements. Prepares reports of investigations and studies and recommends actions to be taken. Audits records and reviews reports of those subject to the Act. Analyzes applications for registration, licenses, and rate changes and supporting information and data for completeness and accuracy. Presents evidence and renders assistance to the Office of the General Counsel and the Department of Justice in the prosecution of cases. Confers with trade and livestock and poultry producer groups and others concerning enforcement and attaining the objectives of the Act.</p>		

Copies sent to All FRCS, Agency, & NMF: K.E.D.: 4-16-79

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS—Continuation Sheet

7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
1	<p><u>Civil and Criminal (Cases)</u></p> <p>Civil and Criminal court actions brought by the Department of Justice and then tried in Federal Courts. These involve failure to comply with registration, bonding, and annual report requirements of the P&S Act. Failure to obey an order of the Secretary of Agriculture, failure to attend, testify of answer any lawful inquiry, or produce records or evidence in obedience to a subpoena. Falsification of records and weights, tariff violations and temporary restraining orders. The contents of the files when the cases are closed include record material such as briefs, court orders, judgments, complaints and documents for evidence and related correspondence. The Office of General Counsel maintains the official (permanent) record copy.</p> <p>a. <u>Agency Copy</u></p> <p>Destroy 2 years after close of court action or sooner if not needed.</p> <p>b. <u>Other Copies</u></p> <p>Destroy as soon as court action is closed or sooner if not needed.</p>	<p>NN-174-069 Item 4</p>	
2	<p><u>Complaints and Investigations</u></p> <p>Audit, complaint and investigation files conducted by P&S containing material used in determining violations of the Act and Regulations. These include work papers, audit papers, correspondence and investigation reports.</p> <p>Destroy when closed. with formal action.</p>	<p>NN-174-069 Item 5</p>	
3	<p><u>Administrative Proceedings</u></p> <p>a. Rate Dockets - Administrative proceedings instituted by the Department in the determination of reasonable rates and changes of stockyard companies and market agencies. Material includes property evaluation, appraisal and inventory, orders of suspension, notices of hearings, and other similar documents, exhibits, transcripts of testimony, final orders of the Secretary, and related correspondence. The Hearing Clerk's office maintains the official (permanent) record copy.</p>	<p>NN-174-069 Item 6 (a and b)</p>	

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS—Continuation Sheet

7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
3 Con't	<p>1. Auction Market and Terminal Stockyard Rate Dockets.</p> <p>Destroy 4 years after stockyard deposited.</p> <p>2. Market Agency Rate Dockets.</p> <p>Destroy 4 years after dismissal of docket.</p> <p>b. Trade Practice Dockets - Administrative proceedings instituted by the Department involving violations of the various trade practice provisions of the Act. When closed these include material such as the P&S complaint, Notices of hearings and other similar documents, final orders of the Secretary of Agriculture, Exhibits, and other related correspondence. The Hearing Clerk's office maintains the official (Permanent) record copy.</p> <p><u>Agency Copy</u></p> <p>Destroy 2 years after close of proceedings or sooner if not needed.</p>		