INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: NC1-016-79-03

All items in this schedule are inactive. Items are either obsolete or have been superseded by newer NARA approved records schedules.

Description:

Item 1 is superseded by nc1-016-80-01, item 1. Item 2 is superseded by nc1-016-80-01, item 2. Item 3 is superseded by nc1-016-80-01, item 3. Item 4 is superseded by nc1-016-80-01, item 4. Item 5 is superseded by nc1-016-80-01, item 5. Item 6 is superseded by nc1-016-80-01, item 6.

Date Reported: 9/22/2021

INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

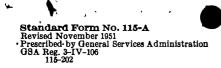
REQUEST FOR RECOMPOSITION AN (See Instructions on reverse)	LEAVE BLANK	
TO: GENERAL SERVICES ADMINISTRATION, NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON,	DC 20408	NC1-16-79-3
1. FROM (AGENCY OR ESTABLISHMENT) United States Department of Agriculture		July 23, 1979
2. MAJOR SUBDIVISION Office of Administrative Law Judges		In accordance with the provisions of 44 U.S.C. 3303a the disposal re quest, including amendments, is approved except for items that, may
3. MINOR SUBDIVISION Hearing Clerk's Unit		be stamped "disposal not approved" or "withdrawn" in column 10
4. NAME OF PERSON WITH WHOM TO CONFER Audrey Gearhart, Hearing Clerk Cherie Cozin, Mgmt. Analyst	5. TEL. EXT. 447–4443 447–9270	UL 3 0 1979 Jour Block
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 $\underline{-6}$ page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

A Request for immediate disposal.

XXX B Request for disposal after a specified period of time or request for permanent retention.

	retention.			
C. DATE	D. SIGNATURE OF AGENCY REPRESENTATIVE	E. TITLE		
7-16-79	Henry A. Arnold	RECORDS OFFICER, U.S. D	EPT. OF AG	RICULTURE
7. ITEM NO.	6. DESCRIPTION OF IT (With Inclusive Dates or Retenti		9. SAMPLE OR JOB NO.	10. ACTION TAKEN
	Records created and maintained by t Clerk, who is charged with the resp file and acknowledge receipt of com answers, briefs, arguments, and oth be submitted to the Secretary of Ag to quasi-judicial, quasi-legislativ administrative proceedings under an regulation, or directive issued pur administered by the Department of A This comprehensive records disposit adjudicatory, reparation and rulema maintained by the Office of the Adm Hearing Clerk Unit, U.S.D.A., and s The case files are arranged numeric This schedule includes, but is not from the various Acts listed;	ponsibility to receive, aplaints, petitions, are documents that may griculture with respect re and other by act, statute, order, suant thereto that are griculture. Sion schedule covers all king case records ministrative Law Judges, supersedes NC1-16-78-5.		
	 Packers and Stockyard A Perishable Agricultural Agricultural Marketing as amended 	Commodities Act		12 items
115_107	zent te NCIU, NNB, NR	\$\$, NCW Agen	STANDARD Revised Apri Prescribed b Administra FPMR (41 CF	I, 1975 y General Services tion





7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
	 4. Animal Welfare Act 5. Federal Seed Act 6. Animal Quarantine and Related Laws 7. Civil Rights Act 8. Horse Protection Act 9. Federal Meat and Poultry Product Inspection Act 10. United States Grain Standards Act 11. Virus-Serum-Toxin Act 12. United States Warehouse Act 13. Egg Products Inspection Act 14. Agricultural Marketing Act of 1946 15. Cotton Research and Promotion Act 16. Beef Research and Promotion Act 17. Egg Research and Promotion Act 18. Potato Research and Promotion Act 19. Wheat Research 20. Other Statutes which require rulemaking and/or adjudicatory procedure to be in compliance with the Administrative Procedure Act. 		
1.	ALL ADJUDICATORY case records under the various Acts (1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 and other Statutes which require rulemaking and/or adjudicatory procedure to be used in compliance with the Administrative Procedure Act (5 USC 551 et seq.), administered by the United States Department of Agriculture. a. Packers & Stockyards Act (Title II (Packers)	NCI-16-78-5 (1a,6; zc)	
	<pre>(Title III (Stockyards, Marketing Agency and Dealers): Arranged numerically by Act. All case files consisting of complaint(s), Administrative Law Judge and/or Judicial Officer's decision(s), service letters with certified receipt card(s) (proof of service), supplemental order(s) and essential related correspondence CEASE AND DESIST ORDERS, AND/OR CIVIL PENALTIES AND/OR REVOCATION OR SUSPENSION OF LICENSES. Transfer to FARC 5 years after final USDA or court designee on later if acaded in the Marging Clerk's</pre>	e.	
	decision or later, if needed, in the Hearing Clerk's Unit (retain in Hearing Clerk's Unit until transfer to FARC).		

Standard Form No. 115-A Revised November 1951 • Prescribed by General Services Administration GSA Reg. 3-IV-106 115-202

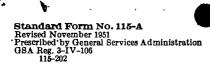
. بو

.

.

3 Page 6 Job No. _ of _ . pages

7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
l. cont.	Destroy 25 years after final USDA or court decision. To be destroyed 25 years after date of order. Sc 7-24-79	25 cu. fee	t per year
	b. Perishable Agricultural Commodities Act.		
	Arranged numerically under each Act. All case files consisting of complaint(s), answer, hearing record including exhibits, briefs, Administrative Law Judge decision, appeal, Judicial Officer's decision(s), service letters, with certified receipt card (proof of service) motions, extension of time and supplemental orders, and essential related correspondence.		
	Transfer to FARC 3 years after final U.S.D.A. or court decision or later if needed in Hearing Clerk's Unit (Retain in Hearing Clerk's Unit until transfer to FARC). Distroy/O years after final USOAn Court allows. Destroy when 10 years old. Sc 7-24-79	25 cu/ fee	t per year
	c. Animal Welfare Act and Horse Protection Act.		
	Arranged numerically by Act. All case files consisting of complaint(s), Administrative Law Judge and/or Judicial Officer's decision(s), service letters with certified receipt card(s) (proof of service), supplemental order(s) and essential related correspondence	e •	
	CEASE AND DESIST ORDERS, AND/OR CIVIL PENALTIES AND/OR REVOCATION OR SUSPENSION OF LICENSES.		
	Transfer to FARC 5 years after final USDA or court decision or later, if needed, in the Hearing Clerk's Unit (retain in Hearing Clerk's Unit until transfer to FARC). Justim, 25 years after final USDA or Court decision. To be destroyed 25 years after date of order. Sc 7-24-79	l cu. feet	per year

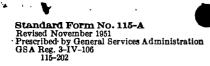


۲,

1

Page _____ of __6_ pages

7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
1. cont.	d. Federal Seed Act Animal Quarantine and related laws Civil Rights Federal Meat & Poultry Product Inspection Act U.S. Grain Standards Act U.S. Warehouse Act Virus-Serum-Toxin Act		
	Arranged numerically under each Act. All case files consisting of complaint(s), answer, hearing record including exhibits, briefs, Administrative Law Judge decision, appeal, Judicial Officer's decision(s), service letters, with certified receipt card (proof of service) motions, extension of time and supplemental orders, and essential related correspondence.		
	Transfer to FARC 5 years after final USDA or court decision or later, if needed as determined by O.G.C., in the Hearing Clerk's Unit (retain in Hearing Clerk's Unit until transfer to FARC). Dusting 25 years after final USDA of Court decision. TO BE VESTROYED 25 years after date of order		ure of Acts, er year would
2.	ALL REPARATION case records under the Packers and Stockyards Act and Perishable Agricultural Commodities Act administered by the U.S.D.A.	NC1-16-78-5 (Z)	
	Arranged numerically under each Act. All case files consisting of complaint, report of investigation, answer, counter complaint, answer to counter complaint, Shortened Procedure papers, hearing, briefs, orders, petitions, final decision, and essential related correspondence.		
	Transfer to FARC 2 years after case is closed		
	Destroy 5 years after case is closed	50 cu. fee	t per year,

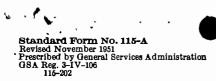


14

Job No. -

5 Page ____ of _______ pages

7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
3.	<u>RATE CASES</u> under the Packers and Stockyards Act. (Rule-making proceedings under the Administrative Procedure Act (5 U.S.C. <u>et seq.</u>).	NCI-16-78- (4)	5
	Arranged numerically under Packers & Stockyards Act. All case files consisting of complaint, notice of hearing, and order of suspension; motion for hearing, hearing record including transcript of oral testimony and exhibits; briefs, Administrative Law Judge's decision; appeal, Judicial Officer's decision; petition to modify or vacate order and rulings thereon; modifications of order; and essential related correspondence including certified receipt cards (proof of service).		
	3 RETAIN in Hearing Clerk's Unit for 11 years or 1 year after order is vacated. Destroy 1 year after order is vacated.		
	✔ ANY RECORDS IN THE HEARING CLERK'S UNIT NOW WILL BE DESTROYED IN 1980.		
	e.RECORDS NOW IN FARC, DESTROY IN 1980.		
4.	RULEMAKING. Records which document activities in formal proceedings related to marketing agreements and orders under the various Acts (3, 13, 14, 15, 16, 17, 18, 19 and other Statutes which require rulemaking and/or legislative procedure to be used in compliance with the Administrative Procedure Act (5 USC 551 et seq.). administered by the United States Department of Agriculture.	NCI-16-78-5 (3)	5
	All record files consist of notice of hearing, including changes in time, dates, postponement, and re-opening of hearings, hearing transcripts and briefs; recommended decision, including exceptions and extensions of time for filing exceptions; comments, Secretary's decisions, referendum orders, final orders; suspension of program, termination of program; and essential related correspondence.		
	THE HEARING CLERK'S UNIT WILL RETAIN THE ACTIVE RECORD AND/OR AMENDMENT FILES RELATING TO EACH INDIVIDUAL PROGRAM AFTER THE SECRETARY'S DECISION FOR A PERIOD OF AT LEAST THREE (3) YEARS OR LONGER AS DETERMINED BY THE OFFICE OF THE GENERAL COUNSEL.		





7. ITEM NO.	8. DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
4. cont.	 a. Selected Dockets. Dockets relating to substantive rules that attracted great public or industry attention and response, signified an advance in technology, had a significant impact on industry or agriculture, or signified a major development in the history of the Department, as selected by the Office of the General Counsel and agency involved. PERMANENT. Transfer to FARC 3 years after rule has been initiated. Offer to NARS 10 years after rule becomes inactive. 		"г си. t./yr.
	b. Unselected Dockets. Transfer to FARC 3 years after rule is inactive. Destroy 5 years after rule has been inactive.		
5.	Docket Sheets and other indexes. Provides a listing of all paper transactions in a case. Record cards, index cards and other work documents.	NU-16-78-5 (5)	
	Destroy when no longer needed for reference.		
6.	<u>Certification File</u> . Requests for certification.	NCI-16-78-5 (6)	
	Destroy when no longer needed for reference.		