

**REQUEST . . . AUTHORITY  
TO DISPOSE OF RECORDS**

(See Instructions on Reverse)

*Rec'd NCD 22 May 80*

LEAVE BLANK	
DATE RECEIVED	JOB NO.
<i>May 22, 1980</i>	<i>NCL-136-80-1</i>
NOTIFICATION TO AGENCY	
<p>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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10</p>	
<p><i>7-11-80</i> <i>James E. O'Neil</i> Date <i>acting</i> Archivist of the United States</p>	

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  
Fruit and Vegetable Division

4 NAME OF PERSON WITH WHOM TO CONFER  
Roland M. Colbert

5 TEL EXT  
447-7965

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 11 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified

*5/20/80* *Roland M. Colbert*  
(Date) (Signature of Agency Representative)

Records Officer  
(Title)

7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
	<p><u>Fruit and Vegetable Division</u> <u>Items 1 through 25</u></p> <p>The Fruit and Vegetable Division administers marketing service, regulatory, marketing agreements and orders and expansion of market outlet programs for fruits and vegetables, their products, edible nuts and other related commodities. Analyzes petitions requesting governmental regulation for specific marketing areas and those received from handlers to modify or to be exempted from orders. Directs compliance checks of exporters, carriers and others engaged in the exportation of some of these commodities. Conducts investigations of complaints involving alleged violations of the Perishable Agricultural Commodities Act (PACA) and the Produce Agency Act. Examines applications from commission merchants, dealers and brokers handling perishable agricultural commodities. Issues, renews, suspends, revokes and denies licenses. Where statute provides, determines the nature and amount of bond to be posted by applicant for license or employing licensee. Carries out assigned market news programs on fresh fruits and vegetables, ornamental crops, edible nuts, honey and other assigned commodities pertaining to price, volume, movement and distribution.</p>		<i>57 items</i>

No revision of this schedule or additional instructions are authorized without the approval of the Paperwork Planning & Systems Branch, AS Division.

**STANDARD FORM 115**  
Revised November 1970  
Prescribed by General Services Administration  
FPMR (41 CFR) 101-11.4  
115-105

*Closed out - 7-17-80 je copy to agency*

**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
	<p><u>Note:</u>                      AMS records covered by the General Records Schedule (GRS) of the General Services Administration (GSA) are disposable by that schedule without further authorization.</p> <p>All files are to be broken annually by fiscal year. This is called a file break. The disposal of records is determined from the year of the file break. Screen and destroy obsolete material.</p> <p>1. <u>Fruit and Vegetable Division Correspondence Subject File</u>                      Arranged alphabetically by subject.</p> <p>Memoranda, correspondence, reports and other records pertaining to the establishment, planning and development of AMS programs, such as, order formulation records, recommendations and decisions on proposed marketing agreements and orders, direct marketing between farmers and consumers, problems with produce and the grading of produce, revocation of a firm's trading license (issued under the Perishable Agricultural Commodities Act), efforts to satisfy complaints from growers and handlers, the regulating of handling of fruits and vegetables, investigation requests into fair pricing, marketing problems, and regulatory changes. Includes controlled or jacketed correspondence which is signed by the Secretary, Assistant Secretary, Administrator, Deputy Administrator, and/or Division Director. These are not filed in a case file.</p> <p>These files contain the yellow copy, maintained in the originating office, and may be filed at the branch and/or division level.</p> <p>a. <u>Washington Office (Record Copy)</u>                      PERMANENT. Transfer to FARC when 5 years old. Offer to Archives when 15 years old in 5 year blocks.</p> <p>b. <u>Field Office</u>                      Destroy when 3 years old or when no longer needed for administrative use.</p>	<p>NC1-136-79-1                      Item 78</p>	<p>5"/yr.</p>

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7 ITEM NO	8 DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
	<u>Regulatory Branch</u>		
	Records created and accumulated in the administration of the:  Perishable Agricultural Commodities Act (PACA) of 1930 Produce Agency Act of 1927		
2.	<u>Workload Activities Report</u>  a. Headquarters consolidated annual workload reports and supporting papers.  1. <u>Record Copy</u> Destroy when 5 years old.  2. <u>Other Copies</u> Destroy when 2 years old.  b. Field workload reports maintained at field stations.  Destroy 2 years after submission to headquarters of acceptable consolidated report.	NCl-136-79-1 Item 79	
3.	<u>Civil Action and Complaint Cases</u> filed under the Perishable Agricultural Commodities Act of 1930, as amended.  a. <u>Formal Reparation Order</u> complaints resulting in orders being issued by the Judicial Officer.  1. <u>Record Copy</u> Transfer to FARC 3 months after case is closed and destroy 5 years after case is closed.  2. <u>Other Copies</u> Destroy when case is closed.  b. <u>Informal Reparation Closings</u> with no formal orders issued by the Judicial Officer.  1. <u>Record Copy</u> Transfer to FARC 3 months after case is closed and destroy 2 years after case is closed.  2. <u>Other Copies</u> Destroy when case is closed.	NCl-136-79-1 Item 80	

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7 ITEM NO	8 DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
3. Con.	<p>c. <u>Formal Disciplinary Order</u></p> <p>1. <u>Record Copy</u>                      Transfer to FARC 2 years after case is closed and                      destroy 10 years after case is closed.</p> <p>2. <u>Other Copies</u>                      Destroy 3 years after case is closed.</p> <p>d. <u>Civil Action</u> cases, where only penalty is imposed.</p> <p>1. <u>Record Copy</u>                      Destroy 10 years after penalty is imposed.</p> <p>2. <u>Other Copies</u>                      Destroy 3 years after penalty is imposed.</p> <p>e. <u>Civil Action</u> cases where permanent restraining orders                      are issued.</p> <p><u>All Copies</u> - Transfer to FARC when 2 years old.                      Destroy when 10 years old or after defendant is                      deceased, whichever is sooner.</p> <p>f. <u>Inadequate Record Warning Letters</u></p> <p>1. <u>Record Copy</u>                      Transfer to FARC 2 years after warning is issued                      and destroy 10 years after warning is issued.</p> <p>2. <u>Other Copies</u>                      Destroy 3 years after warning is issued.</p> <p>g. <u>Formal and Informal Misbranding Cases</u>                      Destroy 5 years after case is closed or sooner if                      necessary to expunge records in accordance with                      regulations under PACA.</p>		
4.	<p><u>License Case File</u> under Perishable Agricultural                      Commodities Act.</p> <p>a. <u>Record Copy</u>                      Transfer to FARC 1 year after license is terminated                      and destroy 5 years after license is terminated.</p> <p>b. <u>Other Copies</u>                      Destroy 3 years after license is terminated.</p>	NCI-136-79-1 Item 81	

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5.	<p><u>License History Cards</u> under Perishable Agricultural Commodities Act.</p> <p>a. <u>Record Copy</u>                      Destroy 10 years after license terminates.</p> <p>b. <u>Other Copies</u>                      Destroy 3 years after license terminates.</p>	NC1-136-79-1 Item 82	-1
6.	<p><u>Licensee Bankruptcy Cases</u> under Perishable Agricultural Commodities Act.</p> <p>a. <u>Record Copy</u> of regular bankruptcy, after bankruptcy filed in court, transfer to FARC when 3 years old and destroy when 5 years old.</p> <p>b. If bankruptcy involves chapters 10, 11, 12, and 13, transfer to FARC when 3 years old and destroy when 10 years old.</p> <p>c. <u>Other Copies</u> - Destroy 3 years after notice filed in court.</p>	NC1-136-79-1 Item 83	-1
7.	<p><u>Individual History Cards</u> of principals licensed under PACA.</p> <p>Destroy when 10 years old or after principal is deceased, whichever is sooner.</p>	NC1-136-79-1 Item 84	-1
8.	<p><u>Abstract Report of Licenses Issued</u></p> <p>a. <u>Record Copy</u>                      Destroy when 3 years old.</p> <p>b. <u>Other Copies</u>                      Destroy when 1 year old.</p>	NC1-136-79-1 Item 85	-1
9.	<p><u>Report of Terminated Licenses</u></p> <p>a. <u>Record Copy</u>                      Destroy when 3 years old.</p> <p>b. <u>Other Copies</u>                      Destroy when 1 year old.</p>	NC1-136-79-1 Item 86	-1

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7 ITEM NO	8 DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9. SAMPLE OR JOB NO	10 ACTION TAKEN
10.	<p><u>Report of Amended Licenses</u></p> <p>a. <u>Record Copy</u>                      Destroy when 3 years old.</p> <p>b. <u>Other Copies</u>                      Destroy when 1 year old.</p>	NC1-136-79-1 Item 87	-1
11.	<p><u>Produce Agency Cases</u></p> <p>Case files under the Produce Agency Act of 1927, as amended. Includes farm produce and is concerned with the accountability of prices and profits.</p> <p>a. <u>Record Copy</u>                      Destroy 5 years after case is closed.</p> <p>b. <u>Other Copies</u>                      Destroy after case is closed.</p>	NC1-136-79-1 Item 88	-1
12.	<p><u>History of Principals and Firms</u> (These records are maintained by the Fruit and Vegetable Division only.)</p> <p>Machine-readable records subject to the Perishable Agricultural Commodities Act (PACA) which include: name of company, corporate entity, partnership, or association in which the principal is or was responsibly connected as defined by the PACA; partners of general or limited partnerships, individual proprietors, officers, directors and holders of more than 10 percent of outstanding stock of a corporation subject to the PACA; nature and type of operation; and felony and bankruptcy information relating to the principal and/or firm. Data also consists of:</p> <p>a. License Records which reflect issuance, renewal, suspension, revocation and denial of licenses;</p> <p>b. Disciplinary Action and Complaint Cases filed under the PACA. Records indicate type of violation, such as failure to accept or deliver produce, misbranding or misrepresentation of products, other unfair practices under PACA; number of complaints against the company, type of complaint, date and way in which each complaint was settled; monies involved or</p>		

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12. Con.	<p>collected; personal investigations, person or firm being investigated and any other company/individual they are affiliated with, and sanctions placed against the person and/or firm.</p> <p>Destroy when 11 years old.</p> <p><u>Fruit, Specialty Crops, and Vegetable Branches Marketing Agreements and Orders</u></p> <p>This section covers records created or accumulated by the Fruit, Specialty Crops, and Vegetable Branches, Director's Office and Marketing Field Offices, Fruit and Vegetable Division, and committees or boards administering Marketing Agreement and Order Programs, which document the activities relating to the Agricultural Marketing Agreement Act of 1937, as amended. The Director's office and Branches direct and coordinate the formulation of policies and programs relating to marketing agreements and orders. The Marketing Field Offices direct field operations in connection with formulation and administration of marketing agreement and order programs. Marketing agreements and orders are administered by Committees established for particular programs which include regulatory activities and housekeeping duties involving business management.</p> <p>The use of the term "<u>Committee</u>" in this section shall mean the administration committees or boards established for particular programs.</p>		
13.	<p>Hearing records on new or amended Fruit and Vegetable marketing agreements and orders. Records may consist of some, all, but not necessarily limited to: hearing transcripts, exhibits to the transcripts, record summaries, briefs on the hearing, and exceptions to the recommended decisions.</p> <p><u>All Offices</u>                      Destroy 5 years after termination of program.</p>		

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14.	<p><u>Referendum Ballots</u> on marketing agreements and orders, and on the issuance of amendments to such marketing agreements and orders, or other evidence of producer approval.</p> <p><u>Headquarters</u>                      Destroy 5 years after date of referendum or 1 year after close of final court action (adjudicated in all courts involved) if litigation has been instituted regarding the validity of the referendum, whichever is later.</p>		
15.	<p><u>Referendum Reports</u>, procedures, and related correspondence.</p> <p><u>All Offices</u>                      Destroy 5 years after termination of program.</p>	NN 170-118 Item 8	
16.	<p><u>Referendum and Handler sign-up records</u>, including notices and correspondence, and brochures which are mailed to producers or handlers.</p> <p><u>All Offices</u>                      Destroy when 2 years old.</p>	NN 170-118 Item 8	
17.	<p><u>Committee Membership Selection</u></p> <p>a. <u>Nomination reports</u>, recommendation for membership, and committee appointments, prepared by Headquarters and Field Offices.</p> <p><u>All Offices</u>                      Destroy when 3 years old.</p> <p>b. <u>Nominee questionnaires</u> and signed acceptances by committee members.</p> <p><u>All Offices</u>                      Destroy when appointment is terminated.</p> <p>c. <u>Minutes of nomination meetings</u>, prepared by Field Offices and reported to Headquarters.</p> <p><u>All Offices</u>                      Destroy when 3 years old.</p>	NN 170-118 Item 9	

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18.	<p><u>By-Laws and Memorandums of Understanding</u></p> <p>By-Laws of Committees and Memorandums of Understanding between Committees; between Committees and industry; between Committees and other Government agencies including State and local; and related correspondence.</p> <p>a. <u>By-Laws and Memorandums of Understanding</u></p> <p><u>All Offices</u>            Destroy when supersede or obsolete.</p> <p>b. <u>Related Correspondence</u></p> <p><u>All Offices</u>            Destroy when 3 years old.</p>	<p>NN 170-118            Item 10</p>	
19.	<p><u>Committee and Subcommittee Minutes</u></p> <p><u>All Offices</u>            Destroy when 5 years old.</p>	<p>NN 170-118            Item 11</p>	
20.	<p><u>Statistical Reports and Summaries</u></p> <p>Arranged numerically by marketing order number.</p> <p>Statistical reports and summaries prepared by Committees relating to production, handling, and marketing of commodities, <u>including but not necessary limited to</u>, packout, cold storage holdings, sales, shipments, carry-over, inventory, reserve or surplus disposition, or similar, and essential correspondence.</p> <p>a. <u>Annual Summaries</u></p> <p>1. <u>Headquarters (Record Copy)</u>            PERMANENT. Transfer to FARC when 10 years old. Offer to Archives when 20 years old in 5 year blocks.</p> <p>2. <u>Marketing Field Offices</u>            Destroy when 3 years old.</p> <p>b. <u>Intra-Seasonal Summaries</u></p> <p><u>All Offices</u>            Destroy when 1 year old.</p>	<p>NN 170-118            Item 7</p>	<p>1½ cu. ft./yr.</p>

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21.	<p><u>Committee Project Records</u></p> <p>Records and correspondence pertaining to Committee research and development programs and studies, prepared by Committees or under sponsorship of Committees, on crop estimation, production, grade, size, maturity, utilization, and promotion.</p> <p><u>All Offices</u>                      Destroy 5 years after program is terminated.</p>	NN 170-118 Items 17, 18, 19	
22.	<p><u>Administrative Rules and Regulations</u></p> <p>a. Administrative Rules and Regulations; other Regulations and Determinations on reserve and surplus operations and producer allotments.</p> <p><u>All Offices</u>                      Destroy 5 years after program is terminated.</p> <p>b. Import Regulations; other Regulations and Determinations including, but not limited to quality (grade, size, maturity), rate of flow, container, pack, parity, establishment of expenses and rates of assessments.</p> <p><u>All Offices</u>                      Destroy when 3 years old.</p>	NN 170-118 Item 3	
23.	<p><u>Commodity Data</u></p> <p>Data assembled by Committee on the production, handling and marketing of fruit and vegetable commodities.</p> <p>a. Records relating to Reserve and Surplus Operations where each handler is required to withhold a uniform percentage of his supply to be put in a "pool" to be sold later by the committee in a secondary outlet.</p> <p><u>All Offices</u>                      Destroy 2 years after final settlement with equity holders of applicable pool.</p>	NN 170-118 Item 4	

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23. Con.	<p>b. Records relating to indemnification claims on which a handler has been indemnified for unwholesome commodity not suitable for human consumption.</p> <p><u>All Offices</u>                      Destroy 2 years after applicable indemnification is completed.</p> <p>c. Records relating to Producer Allotment Programs where market shares are allotted among producers based upon sales during a base period.</p> <p><u>All Offices</u>                      Destroy 2 years after termination of program.</p>		
24.	<p><u>Inspection Certificates</u></p> <p>Inspection certificates, manifests and related correspondence.</p> <p><u>All Offices</u>                      Destroy when 3 years old.</p>	NN 170-118 Items 15, 16	
25.	<p><u>Exemption and Privilege Certificates</u></p> <p>Records on exemption certificates and certificates of privilege.</p> <p><u>All Offices</u>                      Destroy when 3 years old.</p>	NN 170-118 Item 24	