

§ 355.23

provisions of this part and the provisions of 50 CFR chapter I relating to the Act and Convention.

(d) To obtain validation of documentation, the importer, exporter, or reexporter, or agent thereof, shall make available to an inspector:

(1) All shipping documents (including bills of lading, waybills, packing lists, and invoices);

(2) All documents required by the Act and Convention; and

(3) The plant being imported, exported, or reexported.

(Information collection requirements were approved by the Office of Budget and Management under control number 0579-0076)

[49 FR 42912, Oct. 25, 1984, as amended at 59 FR 67611, Dec. 30, 1994; 70 FR 57995, Oct. 5, 2005]

§ 355.23 Recordkeeping, access, and reports.

(a) Any person engaged in business as an importer, exporter, or reexporter of terrestrial plants listed in 50 CFR part 17 or part 23 shall keep such records as will fully and correctly disclose each importation, exportation, or reexportation of terrestrial plants made by such person and the subsequent disposition made by such person of the plants. Such records shall include shipping documents for each shipment of plants imported, exported, or reexported; a description of the form of the plants (such as whole live plants, cuttings, seeds, or other specific parts or derivatives of plants); the scientific and common names of the plants; the country or place of origin of the plants; the date and place of importation, exportation, or reexportation of the plants; the number (weight if the plants cannot be quantified by number) and specific location of plants; the date and means of subsequent disposition of the plants, whether by sale, barter, consignment, loan, delivery, destruction, or other means; and names and addresses of persons to whom the plants were disposed, if applicable.

(b) Every record required to be kept under this section shall be kept for a period of 5 years after the occurrence of the transactions to which the records relate, and for such further time as the Deputy Administrator may require by written notice to the person

7 CFR Ch. III (1-1-08 Edition)

required to keep such records under this part for purposes of any investigation, litigation, or other proceeding under the Act or this part.

(c) Any person engaged in business as an importer, exporter, or reexporter of terrestrial plants listed in 50 CFR part 17 or part 23 shall, upon presentation of credentials by an inspector or duly authorized representatives of the Secretary; during ordinary business hours of the person given notice, afford such inspector access to the person's place of business, the opportunity to examine the person's inventory of plants and the records required to be kept under paragraph (a) of this section, and the opportunity to copy such records. The use of a room, table, or other facilities (other than reproduction equipment) necessary for examination and copying of records and for such examination of inventory shall be afforded such inspector.

(d) Any person engaged in business as an importer, exporter, or reexporter of terrestrial plants listed in 50 CFR part 17 or part 23, upon written request by the Deputy Administrator, shall submit within 60 days of such request, a report concerning any of the information required to be maintained under paragraphs (a) and (b) of this section.

(Information collection requirements were approved by the Office of Budget and Management under control number 0579-0076)

PART 356—FORFEITURE PROCEDURES

Sec.

356.1 Property subject to forfeiture procedures.

356.2 Appraisement.

356.3 Property valued at greater than \$10,000; notice of seizure and civil action to obtain forfeiture.

356.4 Property valued at \$10,000 or less; notice of seizure and administrative action to obtain forfeiture.

356.5 Bonded release.

356.6 Storage of property.

356.7 Petition for remission or mitigation of forfeiture.

356.8 Return procedure.

356.9 Filing of documents.

AUTHORITY: 16 U.S.C. 1540(f), 16 U.S.C. 3374); 7 CFR 2.22, 2.80, 371.3.

SOURCE: 49 FR 42916, Oct. 25, 1984, unless otherwise noted.