

§ 800.151

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

§ 800.151 Maintenance and retention of records on space and equipment.

(a) Space. Agencies shall maintain complete records on space. These records consist of (1) a description of space that is occupied or used at each location, (2) the name and address of the owner of the space, (3) financial arrangements for the space, and (4) related information required by the Service. These records shall be maintained for 5 years.

(b) Equipment. Agencies shall maintain complete records on equipment. These records consist of (1) the description of each piece of equipment used in performing official inspection or Class X or Class Y weighing services under the Act, (2) the location of the equipment, (3) the name and address of the owner of the equipment, (4) the schedules for equipment testing and the results of the testing, and (5) related information required by the Service. These records shall be maintained for 5 years.

(Approved by the Office of Management and Budget under control number 0580-0011)

§ 800.152 Maintenance and retention of file samples.

(a) General. The Service and agencies shall maintain complete file samples for their minimum retention period (calendar days) after the official function was completed or the results otherwise reported.

(b) Minimum retention period.

(1) Trucks	
In	3
Out	5
(2) Railcars	
In	5
Out	10
(3) Barges (river)	
In	5
Out	25
(4) Ships and barges (lake or ocean)	
In	5
Out	25
Export (sublot samples)	60
(5) Bins and tanks	3
(6) Submitted samples	3

Upon request by an agency and with the approval of the Service, specified file samples or classes of file samples may be retained for shorter periods of time.

(c) Special retention periods. In specific instances, the Administrator may re-

quire that file samples be retained for a period of not more than 90 calendar days. File samples may be kept for a longer time than the regular retention period at the option of the Service, the agency, or the individual maintaining the records.

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§ 800.153 Maintenance and retention of records on official inspection, Class X or Class Y weighing, and equipment testing service.

Agencies and approved scale testing organizations shall maintain complete detailed official inspection work records, copies of official certificates, and equipment testing work records for 5 years.

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§ 800.154 Availability of official records.

(a) Availability to officials. Each agency, contractor, and approved scale testing organization shall permit authorized representatives of the Comptroller General, the Secretary, or the Administrator to have access to and to copy, without charge, during customary business hours any records maintained under §§ 800.146-800.159.

(b) Availability to the public—(1) Agency, contractor, and approved scale testing organization records. The following official records will be available, upon request by any person, for public inspection during customary business hours:

- (i) Copies of the Act, the regulations, the standards, and the instructions;
- (ii) the delegation, designation, contract, or approval issued by the Service;
- (iii) organization and staffing records;
- (iv) a list of licenses and approvals; and
- (v) the approved fee schedule of the agency, if applicable.

(2) Service records—Records of the Service are available in accordance with the Freedom of Information Act (5 U.S.C. 552(a)(3)) and the regulations of the Secretary of Agriculture (7 CFR, part 1, subpart A).

(c) Locations where records may be examined or copied—(1) Agency, contractor, and approved scale testing organization