

USDA/FGIS-4: Nonviolation Case File System on Individuals Subject to the USGSA or AMA

SYSTEM LOCATION:

Federal Grain Inspection Service,
USDA, 1400 Independence Avenue, SW.,
Washington, DC 20250.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are regulated by the subject Acts and who have been referenced in an investigation or other information for possible violations of the Acts or other Federal law with respect to the handling, weighing, or official inspection of commodities.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information on individuals who are subject to the rules of the U.S. Grain Standards Act, as amended, or the Agricultural Marketing Act of 1946, as amended, and activities which might lead to possible violations of these Acts or violations of other Federal law with respect to the handling, weighing, or official inspection of commodities.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 71 *et seq.*, 7 U.S.C. 1621 *et seq.*

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) Use of such records will be limited to authorized personnel of the Federal Grain Inspection Service; (2) Disclosure to the Department of Justice for use in litigation when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records are collected; (3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her

individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders and incorporated into an automated data system.

RETRIEVABILITY:

Records are indexed by subject and chronological sequence. The subject could be the name of an individual.

SAFEGUARDS:

Government office building, locked offices, or locked file cabinets.

RETENTION AND DISPOSAL:

Records are retained for 5 years in conformance with appropriate General Services Administration disposal schedules as implemented by FGIS Instruction 251.1, Records Management Program.

SYSTEM MANAGER AND ADDRESS:

Director, Compliance Division, USDA,
Federal Grain Inspection Service, 1400
Independence Avenue, SW.,
Washington, D.C. 20250.

NOTIFICATION PROCEDURE:

Individuals may request information concerning themselves from this system by submitting a written request to the System Manager.

RECORD ACCESS PROCEDURE:

Same as above.

CONTESTING RECORD PROCEDURES:

Individuals may contest a record in a system that pertains to them by submitting a request to the System Manager.

RECORD SOURCE CATEGORIES:

Information in this system comes primarily from complaints, case file reviews, investigative reports, Agency employees, and the news media.