

also printed as soon as possible and made available to interested persons upon request, and in the case of programs involving registration or other forms of licensing, a copy of the printed pamphlet is furnished at the time of licensing or application for the license. In some instances substantive rules, or notices thereof, are also published upon issuance in newspapers or trade journals under the requirements of statute (e.g., sec. 1 of the act of March 3, 1905, as amended (21 U.S.C. 123)), or the requirement of regulations issued by the Department (e.g., sec. 201.9 of the regulations under the Packers and Stockyards Act 9 CFR 201.9). Press releases are generally issued in relation thereto.

Answer (e). The following rules which are addressed to and served upon named persons by this Department, are published as indicated below:

Rate orders under the Packers and Stockyards Act (7 U.S.C. 181 et seq.) are published in Agriculture Decisions, a monthly publication prepared by this Department which is obtainable from the Government Printing Office. Orders posting and deposting stockyards under that act are published in the Federal Register upon issuance. Orders authorizing the collection of brand inspection fees under the act are published in the Federal Register upon issuance. Orders withdrawing such authorizations are published in Agriculture Decisions.

Designations of contract markets under the Commodity Exchange Act (7 U.S.C. 1 et seq.) and orders vacating such designations, are published in the Federal Register upon issuance.

3. Question. Please describe the manner in which your agency publishes, or, in accordance with published rule, makes available to public inspection, all final and interim opinions or orders in the adjudication of cases, pursuant to section 3(b) of the Administrative Procedure Act or other authority.

Answer. This Department publishes in agriculture Decisions all final opinions and orders in the adjudication of cases subject to sections 7 and 8 of the Administrative Procedure Act except review proceedings with respect to acreage allotments before county review committees. In addition, such publication is made in reparation proceedings. All opinions and orders in such cases, whether final or interim, are filed with the hearing clerk of the Department and are matters of public record available for examination. The statement of the organization and functions of this Department published in the Federal Register and the Administrative Regulations of the Department which appears in 7 CFR 1.4 give public notice that the opinions and orders filed with the hearing clerk shall be available to public inspection.

In addition, the regulations (7 CFR, sec. 711.4) provide that the record of all applications and all proceedings relating to the review of marketing quotas and acreage allotments shall be available for public inspection at the office of the clerk who shall be the county office manager and section 7.11.26 of the regulations provide that any interested person shall be entitled to a copy of the record upon application and payment of the actual cost of supplying the copy.

4. Question. In what types of cases does your agency refrain from publishing interim and final opinions or orders where, in the opinion of your agency, good cause requires they be held confidential, pursuant to section 3(b) of the Administrative Procedure Act or other authority?

Answer. There are no instances in which this Department refrains from publishing or making available to public inspection opinions or orders in the adjudication of cases on the basis that they should be held confidential.

5. Question. In what circumstances are unpublished opinions and orders cited or used as precedents in other proceedings?

Answer. The Department issues no opinions or orders in the adjudication of cases which are not published or made available to public inspection.

6, 7. Questions. What is the procedure for making available to the general public the records and files, interpretations, and legal opinions of your agency?

What limitations are placed upon the availability of records and files to the general public, either by statute, rule, or practice?

Answer. Requests to inspect the public records and files and interpretations of the Department are made to the person having custody thereof, as indicated by the published organization of the Department, and such documents are made available for inspection, or access to them is denied, in accordance with the applicable statutes and regulations of the Department including the Administrative Regulations in 7 CFR pt. 1, subpart A, as amended. Copies of those regulations are forwarded herewith.

Requests to inspect legal opinions and legal memorandums and requests to inspect the records in the office of the hearing clerk are made, respectively, to