

# code of federal regulations

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**Indians**

**25**

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Revised as of April 1, 1995

CONTAINING  
A CODIFICATION OF DOCUMENTS  
OF GENERAL APPLICABILITY  
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cash discount in accordance with general trade practice and usually not exceeding two percent of mill value, may be allowed when the shipment is paid for within ten days of receipt by the consignee as evidenced by the original paid freight bill or other acceptable evidence.

#### § 164.11 Commission sales agents.

Sales may be made through commission sales agents, for which they may be paid a commission on f.o.b. mill value of the shipment at approved rates. Sales may be made to wholesalers on which a discount at approved rates may be allowed.

#### § 164.12 Deposits.

On all agreements to purchase for future delivery a deposit may be required. Such a deposit may be forfeited if the purchaser does not comply with the terms of sale. No agreement for sale and future delivery shall be made for a longer period than 90 days, except with the approval of the Secretary.

### PART 165—SALE OF FOREST PRODUCTS, RED LAKE INDIAN RESERVATION, MINN.

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**AUTHORITY:** Sec. 9, 39 Stat. 137, as amended; 5 U.S.C. 301, 41 U.S.C. 6b.

**SOURCE:** 29 FR 4797, Apr. 4, 1964, unless otherwise noted. Redesignated at 47 FR 13327, Mar. 30, 1982.

**CROSS REFERENCE:** For General Forest Regulations, see part 163 of this chapter.

#### § 165.1 Definitions.

(a) "Secretary" means the Secretary of the Interior or his authorized representative.

(b) "Red Lake Indian Mills" means the tribal enterprise, established under section 9 of the act of May 18, 1916 (34 Stat. 137), as amended, for the purpose of producing forest products.

(c) "Forest Products" means lumber, lath, shingles, crating, ties, bolts, logs, bark, pulpwood, or other marketable materials manufactured or produced by the Red Lake Indian Mills.

(d) "Red Lake Indian Reservation, Minnesota" means the Red Lake Indian Forest and all other forest lands held in trust for the Red Lake Band of Chippewa Indians.

#### § 165.2 Purpose of regulations.

The regulations in this part 165 prescribe the terms and conditions under which forest products produced by the Red Lake Indian Mills may be sold without compliance with section 3709 of the Revised Statutes.

#### § 165.3 Applicability of regulations.

The regulations in this part 165 apply only to the Red Lake Indian Mills.

#### § 165.4 Sale in open market.

The forest products produced by the Red Lake Indian Mills may be sold in the open market at such prices as may be realized through the methods in this part 165.

#### § 165.5 Advertisement in trade journals and newspapers.

The Secretary may advertise forest products of the Red Lake Indian Mills for sale in trade journals of general circulation among persons, companies, or corporations interested in buying and selling of forest products, and in newspapers in cities that may afford a favorable market for such forest products.

#### § 165.6 Advertising contracts.

The Secretary may, as he determines, make advertising contracts, provided that such contracts shall not be executed for periods of more than one year.

**§ 165.7 General advertisement.**

Advertisement of forest products may also be made by direct and circular letters and through personal interviews with the trade: *Provided*, That travel expense incident thereto shall not be incurred without specific authority from the Secretary.

**§ 165.8 Proposals for purchase.**

Proposals for the purchase of forest products may be made to the Secretary, and he is authorized to quote prices and consummate sales at such times and/or such terms as are consistent with the regulations of this part 165.

**§ 165.9 Proposals to government departments.**

Proposals may be made by the Secretary to sell to municipalities, counties, States, or the United States and prices may be quoted to such agencies. Terms and payment in connection with such sales may be formulated in accordance with the general practice of such agencies.

**§ 165.10 Cash sales.**

All forest products of the Red Lake Indian Mills shall be sold for cash f.o.b. mill or other point of delivery, except as provided in §§ 165.9 and 165.11. Adjustments and allowances on shipments of forest products after delivery to the buyer are authorized in accordance with generally accepted trade practices, when such adjustments are essential by reason of off-grade shipments or errors in volume.

**§ 165.11 Payments, discounts, and credit sales.**

Shipments of forest products on open account shall be made only to persons or companies who have an acceptable credit rating. Credit on shipment of forest products sold on open account shall not be extended beyond 60 days from date of receipt by the buyer. A cash discount in accordance with general trade practice and usually not exceeding two percent of mill value may be allowed when the shipment is paid for within ten days of receipt by the consignee as evidenced by the original paid freight bill or other acceptable evidence.

**§ 165.12 Commission sales agents.**

Sales may be made through commission sales agents, for which they may be paid a commission on f.o.b. mill value of the shipment at approved rates. Sales may be made to wholesalers on which a discount at approved rates may be allowed.

**§ 165.13 Deposits.**

On all agreements to purchase for future delivery a deposit may be required. Such a deposit may be forfeited if the purchaser does not comply with the terms of sale. No agreement for sale and future delivery shall be made for a longer period than 90 days, except with approval of the Secretary.

**§ 165.14 Purchase of timber by the Red Lake Indian Mills.**

The Secretary may purchase, harvest, and manufacture timber or forest products standing on or severed from lands other than the Red Lake Indian Reservation, Minnesota, at such times as it may be considered economically feasible, provided that such purchases are consistent with approved operating schedules and budget allowances and subject also to such limitations on expenditures as may be prescribed in annual appropriation acts.

**§ 165.15 Appeals.**

Any action taken by an approving officer exercising delegated authority from the Secretary may be appealed to the Secretary. Such appeal shall not stay any action taken unless otherwise directed by the Secretary. Appeals will be filed in accordance with applicable general regulations covering appeals appearing in this title 25.

**PART 166—GENERAL GRAZING REGULATIONS**

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