RD AN No. 3518 (2033-A/C)
February 17, 2000

SUBJECT: Retention of Tobacco Records

TO: Rural Development State Directors,
Rural Development Managers,
Community Development Managers, and
National Office Officials

Purpose/Intended Outcome :

At the direction of the Office of the General Counsel, any paper, electronic or microfilm records related to tobacco must be retained and preserved until further guidance is received. This includes such things as displays for tobacco products, posters related to the production of tobacco, wholesale packaging for tobacco products, or samples of tobacco products in USDA's possession.

Implementation Responsibilities :

The Department of Justice has advised all federal agencies and all components of those agencies to preserve and not destroy or dispose of any documents or other records, including those recorded or stored electronically, that, in any way, relate to: (a)the treatment of smoking-related conditions or diseases; (b) research on such conditions or diseases; (c)grants or other payments made for research in connection with cigarettes or the tobacco industry; (d)payments of benefits for smoking-related conditions; (e)youth smoking; (f)nicotine and addiction; (g) cigarette design, including attempts to develop or market a potentially safer cigarette; (h)grants or other payments made for research in connection with cigarettes or the tobacco industry; (i)contacts between any officials, employees, agents, or servants of the USDA, on the one hand, and any officials, employees, agents, or servants of any member of the cigarette-manufacturing industry, the Council for Tobacco Research (or its predecessor, the Tobacco Industry Research Committee), or the Tobacco Institute; and (j) any other records that may relate to the use of tobacco products.

EXPIRATION DATE:
February 28, 2001

FILING INSTRUCTIONS:
Preceding RD Instruction
2033-A or 2033-C

All USDA components must ensure that these documents and other records, including those recorded or stored electronically, are not unintentionally or accidentally destroyed as part of normal agency records retention and disposition procedures under the Federal Records Act.

If, in the course of normal business activities, records in these categories are identified, they should be catalogued and tracked so that they can be retrieved at a later date, if necessary.

Offices that have questions about whether particular records are subject to this memorandum should consult the appropriate Regional General Counsel. If records have been or are destroyed, notify the appropriate Regional Counsel and this office immediately.

We recognize this will create a burden on human and facility resources. We will attempt to provide clarifying information as quickly as possible.

Please contact the appropriate Regional General Counsel or Chris Goettelmann or Carol Huber at 202-692-0030, if you have any questions.

Signed by Leonard Hardy, Jr.

LEONARD HARDY, JR.
Deputy Administrator
Operations and Management