

Agricultural Marketing Service, USDA

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(7) method of transporting and unloading point; (8) Lime Administrative Committee handler certificate of registration number, if any; (9) a statement that the limes obtained for processing into products will be used for that purpose only and will not be resold or disposed of in fresh fruit channels; and (10) an agreement to submit such reports as are required by the Florida Lime Administrative Committee. Each application shall be investigated by the Florida Lime Administrative Committee. Based upon the results of such investigation and other available information, the committee shall approve or disapprove the application and notify the applicant accordingly. If the application is approved the applicant's name shall be placed upon the list of approved manufacturers of lime products.

[21 FR 6637, Sept. 5, 1956, as amended at 25 FR 11206, Nov. 26, 1960. Redesignated at 26 FR 12751, Dec. 30, 1961]

§911.142 Reserve fund.

(a) The establishment of a reserve fund at an amount not to exceed approximately 3 fiscal years' operational expenses is appropriate and necessary to the maintenance and functioning of the Florida Lime Administrative Committee. Such reserve, including funds carried forward from prior fiscal years, shall be used to provide for the maintenance and functioning of the committee in accordance with the provisions of the marketing agreement, as amended, and this part.

(b) Terms used in this section shall have the same meaning as when used in said amended marketing agreement and order.

[36 FR 16570, Aug. 24, 1971. Redesignated at 45 FR 47653, July 16, 1980]

§911.155 Delinquent assessments.

Each handler shall pay interest of one percent per month on any unpaid assessment balance beginning 30 days after date of billing. Such interest charge is to apply to any unpaid assessments which become due the Florida Lime Administrative Committee after the effective date of this section.

[40 FR 49786, Oct. 24, 1975]

§911.160 Public member eligibility requirements and nomination procedures.

(a) Public member and alternate member candidates shall not represent an agricultural interest and shall not have a financial interest in, or be associated with the production, processing, financing, or marketing of limes.

(b) Public member and alternate member candidates should be able to devote sufficient time to attend committee activities regularly and to familiarize themselves with the background and economics of the time industry.

(c) The public member and alternate member shall be a resident of the production area.

(d) The public member and alternate member shall be nominated by the Florida Lime Administrative Committee, and shall serve a one-year term which coincides with the term of the producer and handler members of the committee.

[44 FR 9370, Feb. 13, 1979]

EDITORIAL NOTE: After January 1, 1979, "Budget of Expenses and Rate of Assessment" regulations (e.g., sections .200 through .299) and "Handling" regulations (e.g., sections .345 through .399) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

Subpart—Assessment Rates

§911.234 Assessment rate.

On and after April 1, 1998, an assessment rate of \$0.16 per bushel container is established for Florida limes.

[63 FR 15281, Mar. 31, 1998]

Subpart—Pack Regulation

§911.311 Florida lime pack and container marking regulation.

(a) No handler shall handle any limes grown in the production area, of the group known as seedless, large fruited, or Persian limes (including Tahiti, Bearss and similar varieties), in any container specified in §911.329, unless

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such limes meet the requirements of standard pack and each container in each lot is marked or stamped on one outside end in letters at least ¼ inch in height to show the United States grade applicable to such lot and either the average juice content of the limes in such lot or the phrase *average juice content forty-two percent (42%) or more: Provided*, That, in lieu of such marking requirement, any handler may affix to the container a label, brand, or trademark, registered with the Florida Lime Administrative Committee in accordance with the following, which appropriately identifies the grade:

(1) Registration of each label, brand, or trademark with the Florida Lime Administrative Committee shall be on forms prescribed by it and shall be filed with such committee not less than 30 days prior to use in lieu of the foregoing marking requirement.

(2) A label, brand, or trademark registered with the committee, during a fiscal year, to identify a specific grade may not be reregistered during the same fiscal year to identify any other grade until 30 days after notice of such reregistration has been filed with the committee.

(3) Each label, brand, or trademark registered with the committee shall include the name and address of the handler and shall be sufficiently distinctive otherwise that it can be readily identified and distinguished from other registered labels, brands, or trademarks.

(4) If a label, brand, or trademark is registered by a handler to identify a specific grade, in order for a label, brand, or trademark of practically the same design and lettering with a different color, or additional terms or name, to be registered to represent a different grade, the name of the color and the additional terms or name shall appear on the label, brand, or trademark in block letters of at least one-half (½) inch in height, of contrasting color.

(5) A label, brand, or trademark registered with the committee to identify a specific grade shall not be used on any container packed with limes of a lower grade than that for which the label, brand, or trademark is registered.

(b) No handler shall handle any limes grown in the production area in any container specified in §911.329 unless such container is marked with a Federal-State Inspection Service lot stamp number showing that the limes have been inspected in accordance with regulations issued under §911.48 of the marketing order: *Provided*, That when inspection occurs after palletization, only all exposed or outside containers of limes must be plainly marked with the lot stamp number corresponding to the lot inspection conducted by an authorized inspector.

(c) The provisions of paragraphs (a) and (b) of this section shall not apply to individual packages of limes not exceeding four pounds, net weight, that are within master containers, except that if such packages are individual bags, either such bags or the master containers thereof shall be marked or labeled in accordance with the requirements of paragraph (a) of this section, and master containers shall be marked or labeled in accordance with the requirements of paragraph (b) and the requirements of §911.329(a)(2)(v).

(d) No handler shall handle any container of seedless limes, grown in the production area, unless such container is marked once on the top or on any one side of the container, not to include the bottom, with letters at least one inch in height with one of the size designations shown in column 1 of the following table: *Provided*, That the number of seedless limes in a ten pound sample of a particular size designation, representative of the limes in the container, corresponds to the permissible size range in column 2 of such table for such size designation: *Provided further*, That not more than 10 percent of the containers in any lot may fail to meet these requirements.

TABLE 1

Column 1 size designations	Column 2 size range
72	68 to 76
63	59 to 67
54	51 to 58
48	45 to 51
42	39 to 44
36	33 to 38
28	25 to 32
Jumbo	24 and larger

(e) Terms used in this section shall mean the same as in the marketing order, and terms relating to grade and standard pack shall mean the same as in the U.S. Standards for Grades of Persian (Tahiti) Limes (7 CFR 51.1000 through 51.1016).

[29 FR 8461, July 7, 1964, as amended at 43 FR 39321, Sept. 5, 1978; 45 FR 76429, Nov. 19, 1980; 45 FR 80270, Dec. 4, 1980; 50 FR 15097, Apr. 17, 1985; 50 FR 20889, May 21, 1985; 52 FR 4598, Feb. 13, 1987; 53 FR 403, Jan. 7, 1988; 53 FR 11832, Apr. 11, 1988; 53 FR 22126, June 14, 1988; 56 FR 66778, Dec. 26, 1991; 61 FR 31005, June 19, 1996; 63 FR 37479, July 13, 1998]

Subpart—Container Regulation

§911.329 Florida lime container regulation.

(a)(1) No handler shall handle between the production area and any point outside thereof any variety of limes, grown in the production area, in individual bags having a capacity of more than four pounds net weight of limes.

(2) No handler shall handle between the production area and any point outside thereof any variety of limes, grown in the production area, in containers having a capacity of more than 4 pounds of limes unless such limes are handled in containers meeting the following specifications and conform to all other applicable requirements of this section:

(i) All limes shall be packed in containers of 5.5, 8, 10, 20, and 38 pounds designated net weights. The net weight of the contents shall not be less than the designated net weight. The net weight of limes shall not exceed the designated net weight by more than two pounds for 10 and 20 pound containers, and shall not exceed the designated net weight by more than four pounds for 38 pound containers. Further, the net weight shall not exceed the designated net weight by more than one pound for 8 pound containers, and this container shall be for export shipments only.

(ii) When a container of 38 pounds designated net weight is used as a master container for bagged limes, the minimum net weight of limes shall be 35 pounds, provided the container is marked "Master Container."

(iii) Such other types and sizes of containers as may be approved by the Florida Lime Administrative Committee, with the approval of the Secretary, for testing in connection with a research project conducted by or in cooperation with said committee: *Provided*, That the handling of each lot of limes in such test containers shall be subject to the prior approval, and under the supervision of, the Florida Lime Administrative Committee.

(3) The limitations set forth in paragraph (a)(2) of this section shall not apply to master containers of individual packages, including individual bags of limes: *Provided*, That the markings or labels, if any, on such packages do not conflict with the markings or labels on the master container.

(b) The terms *handler*, *handle*, *limes*, and *production area* when used in this section shall have the same meaning as when used in the amended marketing agreement and this part.

[47 FR 22073, May 21, 1982, as amended at 47 FR 29647, July 8, 1982; 47 FR 45865, Oct. 14, 1982; 51 FR 27517, Aug. 1, 1986; 52 FR 1314, Jan. 13, 1987; 52 FR 4598, Feb. 13, 1987; 53 FR 403, Jan. 7, 1988; 53 FR 11831, Apr. 11, 1988; 53 FR 13217, Apr. 21, 1988; 53 FR 22126, June 14, 1988; 54 FR 46714, Nov. 7, 1989; 55 FR 28016, July 9, 1990; 63 FR 37479, July 13, 1998]

Subpart—Grade and Size Requirements

§911.344 Florida lime grade, size, and container regulation.

(a) No handler shall handle any variety of limes grown in the production area unless:

(1) Such limes of the group known as seeded or true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) meet the requirements specified for U.S. No. 2 Grade limes in the U.S. Standards for Persian (Tahiti) Limes, except as to color: *Provided*, That such limes not meeting these requirements may be handled within the production area, if they meet the minimum juice content requirement of at least 42% by volume specified in the U.S. Standards for Persian (Tahiti) Limes, and if they are handled in containers other than those authorized in §911.329.