

§916.115

packed in containers clearly and legibly marked to show that the nectarines contained therein are only to be sold at certified farmers markets, and the handler complies with regulations established under §§916.41, 916.52(a)(1), 916.55, and 916.60 except that nectarines may be handled to such markets if the nectarines fail to meet the U.S. No. 1 grade only on account of being soft and overripe.

[31 FR 7474, May 24, 1966, as amended at 41 FR 22071, June 1, 1976; 42 FR 23157, May 6, 1977; 47 FR 30452, July 14, 1982; 49 FR 28541, July 13, 1984; 53 FR 15194, Apr. 28, 1988]

§916.115 Lot stamping.

Except when loaded directly into railway cars, exempted under §916.110, or for nectarines mailed directly to consumers in consumer packages, all exposed or outside containers of nectarines, and not less than 75 percent of the total containers on a pallet, shall be plainly stamped, prior to shipment, with a Federal-State Inspection Service lot stamp number, assigned by such Service, showing that such fruit has been USDA inspected in accordance with §916.55: *Provided*, That for the period April 1 to October 31, 2000, pallets of returnable plastic containers shall have the lot stamp numbers affixed to each pallet with a USDA-approved pallet tag, in addition to the lot stamp numbers and other required information on cards on the individual containers.

[65 FR 15212, Mar. 22, 2000]

§916.160 Reporting procedure.

(a) *Report of daily packout.* When requested by the Nectarine Administrative Committee, each shipper who ships nectarines shall furnish to the manager of the Nectarine Administrative Committee or its designee a report of the number of packages by container type, by variety and by district of origin, which the shipper packed during the preceding day.

(b) *Recapitulation of shipments.* Each shipper of nectarines shall furnish to the manager of the Nectarine Administrative Committee not later than November 15 of each year a recapitulation of shipments of each variety shipped during the just-completed season. The

7 CFR Ch. IX (1-1-01 Edition)

recapitulation shall show: The name of the shipper, the shipping point, the district of origin, the variety, and the number of packages, by size, for each container type.

(c) *Destination report.* Each shipper who ships nectarines shall furnish to the manager of the Nectarine Administrative Committee a report of the number of packages of nectarines shipped to each destination, and whether the nectarines were yellow-fleshed or white-fleshed, and whether the nectarines were "CA Utility" quality. The destination is defined as nectarine shipments to any domestic or international market. Destination information for domestic market shipments shall include city and state, and zip code, if known. Destination information for international market shipments shall include the country to which shipped. This report shall be submitted by the fifteenth of each month following the month in which nectarine shipments were made.

[39 FR 27116, July 25, 1974, as amended at 63 FR 16039, Apr. 1, 1998; 65 FR 6308, Feb. 9, 2000]

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 .357 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

§916.234 Assessment rate.

On and after March 1, 1996, an assessment rate of \$0.1850 per 25-pound container or equivalent of nectarines is established for California nectarines.

[61 FR 37813, July 22, 1996]

Subpart—Container and Pack Regulation

§916.350 California Nectarine Container and Pack Regulation.

(a) During the period beginning April 1 and ending October 31, no handler shall ship any package or container of