

Agricultural Marketing Service, USDA

§ 929.20

§ 929.6 Fiscal period.

Fiscal period is synonymous with *fiscal year* and *crop year* and means the 12-month period beginning September 1 of 1 year and ending August 31 of the following year.

[33 FR 11640, Aug. 16, 1968]

§ 929.7 Committee.

Committee means the Cranberry Marketing Committee established pursuant to § 929.20.

§ 929.8 Grower.

Grower is synonymous with producer and means any person who produces cranberries for market and who has a proprietary interest therein.

§ 929.9 Handler.

Handler means any person who handles cranberries.

§ 929.10 Handle.

(a) *Handle* means:

(1) To can, freeze, or dehydrate cranberries within the production area or;

(2) To sell, consign, deliver, or transport (except as a common or contract carrier of cranberries owned by another person) fresh cranberries or an any other way to place fresh cranberries in the current of commerce within the production area or between the production area and any point outside thereof in the United States or Canada.

(b) The term handle shall not include:

(1) The sale of non harvested cranberries;

(2) The delivery of cranberries by the grower thereof to a handler having packing or processing facilities located within the production area;

(3) The transportation of cranberries from the bog where grown to a packing or processing facility located within the production area; or

(4) the cold storage or freezing of excess cranberries for the purpose of temporary storage during periods when an annual allotment percentage is in effect prior to their disposal, pursuant to § 929.59.

[57 FR 38748, Aug. 27, 1992]

§ 929.11 To can, freeze, or dehydrate.

To can, freeze, or dehydrate means to convert cranberries into canned, frozen, or dehydrated cranberries or other cranberry products by any commercial process.

§ 929.12 Acquire.

Acquire means to obtain cranberries by any means whatsoever for the purpose of handling such cranberries.

§ 929.13 Sales history.

Sales History means the number of barrels of cranberries established for a grower by the committee pursuant to § 929.48.

[57 FR 38748, Aug. 27, 1992]

§ 929.14 Marketable quantity.

Marketable quantity means for a crop year the number of pounds of cranberries necessary to meet the total market demand and to provide for an adequate carryover.

[33 FR 11640, Aug. 16, 1968]

§ 929.15 Annual allotment.

A grower's annual allotment for a particular crop year is the number of barrels of cranberries determined by multiplying such grower's sales history by the allotment percentage established pursuant to § 929.49 for such crop year.

[57 FR 38748, Aug. 27, 1992]

§ 929.17 Barrel.

Barrel means a quantity of cranberries equivalent to 100 pounds of cranberries.

[57 FR 38748, Aug. 27, 1992]

ADMINISTRATIVE BODY

§ 929.20 Establishment and membership.

There is hereby established a Cranberry Marketing Committee consisting of seven members, each of whom shall have an alternate. Except as hereafter provided, members and their alternates shall be growers or employees, agents, or duly authorized representatives of growers. Persons filling grower positions may be referred to as industry

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members. The committee may be increased by one public member and alternate nominated by the committee and selected by the Secretary. The public member and alternate shall be neither a grower nor a handler. Persons filling these positions may be referred to as non-industry members. The committee, with the approval of the Secretary, shall prescribe qualifications and the procedure for nominating the public member. Each of the following subdivisions of the production area shall be represented by at least one member and one alternate member, each of whom shall be a grower, or an employee, agent, or duly authorized representative of a grower, in the designated district of the production area:

(a) District 1: The States of Massachusetts, Rhode Island and Connecticut;

(b) District 2: The State of New Jersey and Long Island in the State of New York;

(c) District 3: The States of Wisconsin, Michigan, and Minnesota; and

(d) District 4: The States of Oregon and Washington.

[27 FR 8101, Aug. 15, 1962, as amended at 43 FR 29765, July 11, 1978]

§ 929.21 Term of office.

The term of office for each member and alternate member of the committee shall be for two years, beginning on August 1 of each even-numbered year and ending on the second succeeding July 31. Members and alternate members shall serve the term of office for which they are selected and have been qualified or until their respective successors are selected and have been qualified. Beginning on August 1 of the even-numbered year following the adoption of this amendment, committee members shall be limited to three consecutive terms: *Provided*, That committee members representing Districts 1 and 2 shall be limited to two consecutive terms of office for the initial period following adoption of this amendment. The consecutive terms of office for alternate members shall not be limited. Members serving three consecutive terms may become eligible to serve on the committee by not serving for one full term as either a member or an alternate

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member, unless specifically exempted by the Secretary.

[57 FR 38748, Aug. 27, 1992]

§ 929.22 Nomination.

(a) *Initial members.* Nominations for each of the initial members and alternate members may be submitted, not later than 10 days after the effective date of this part, to the Secretary by individual growers or groups of growers.

(b) *Successor members.* (1) Any cooperative marketing organization that handled more than two-thirds of the total volume of cranberries produced during the fiscal period during which nominations for membership on the committee are made, or the growers affiliated therewith, shall nominate four or more qualified persons for members and four or more qualified persons for alternate members of the committee. At least one such nominee for member and one such nominee for an alternate member shall represent growers in the State of Oregon and the State of Washington. The names and addresses of such nominees shall be submitted to the Secretary not later than July 1 of each even-numbered year.

(2) The committee shall hold or cause to be held, not later than July 1, of each even-numbered year, meetings of growers in Districts 1, 2, and 3, other than those affiliated with the cooperative marketing organization designated in paragraph (b)(1) of this section, to elect nominees for member and alternate member positions on the committee.

(i) With respect to such meeting in District 3, eligible growers in District 4 shall be permitted to attend the meeting and participate in the selection of nominees. Such growers shall be eligible to be nominated for and serve as member or alternate member. Eligible growers in District 4 who do not attend the nomination meeting shall be afforded an opportunity to participate in the selection of nominees by mail. Selection of the nominee for member and the nominee for alternate member from Districts 3 and 4 shall be on the basis of the total vote of the eligible growers who attended the meeting plus any mail ballots cast by District 4 growers.