

§ 959.237

(2) Handled for special purpose outlets approved under § 959.53 of this part; or

(3) Handled for canning or freezing.

(b) As a safeguard against culls entering fresh market channels each handler of culls under paragraphs (a) (2) or (3) of this section shall apply for and obtain a certificate from the committee which shall require the handler to furnish such reports or other information as the committee may request.

[28 FR 60, Jan. 3, 1963]

Subpart—Assessment Rates

§ 959.237 Assessment rate.

On and after August 1, 1999, an assessment rate of \$0.04 per 50-pound container or equivalent is established for South Texas onions.

[65 FR 2528, Jan. 18, 2000]

Subpart—Handling Regulations

§ 959.322 Handling regulation.

During the period beginning March 1 and ending June 4, no handler shall handle any onions unless they comply with paragraphs (a) through (d) or (e) or (f) of this section.

(a) *Grade requirements.* Not to exceed 20 percent defects of U.S. No. 1 grade. In percentage grade lots, tolerances for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Application of tolerances in U.S. onion standards shall apply to in-grade lots.

(b) *Size requirements.* (1) “Small”—1 to 2¼ inches in diameter, and limited to whites only;

(2) “Repacker”—1¾ to 3 inches in diameter, with 60 percent or more 2 inches in diameter or larger;

(3) “Medium”—2 to 3½ inches in diameter; or

(4) “Jumbo” or “Large”—3 inches or larger in diameter; or

(5) “Colossal”—3¾ inches or larger in diameter.

(6) Tolerances for size in the U.S. onion standards shall apply except that for “repacker” and “medium” sizes not more than 20 percent, by weight, of onions in any lot may be larger than the

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maximum diameter specified. Application of tolerances in the U.S. onion standards shall apply.

(c) *Container requirements.* Except as provided in paragraph (f) of this section, only the following containers shall be used:

(1) 25-pound bags, with an average net weight in any lot of not more than 27½ pounds per bag, and with inside dimensions not larger than 29 inches by 31 inches; or

(2) 50-pound bags, with an average net weight in any lot of not more than 55 pounds per bag, and with inside dimensions not larger than 33 inches by 39½ inches.

(3) 2-pound, 3-pound, 5-pound and 10-pound bags. The average gross weight per lot of onions packed in master container shall not exceed 115 percent of the designated net contents.

(4) 20-pound cartons with approximate dimensions of 22 ¼ inches (length) × 11 inches (width) × 4½ inches (height); or

(5) 25-pound cartons with approximate dimensions of 19½ inches (length) × 11½ inches (width) × 7 inches (height); or

(6) 40-pound cartons, with an average net weight in any lot of not more than 45 pounds per carton; or

(7) 50-pound cartons, with an average net weight in any lot of not more than 55 pounds per carton.

(8) These container requirements shall not be applicable to onions sold to Federal agencies or for export.

(d) *Inspection.* (1) No handler may handle any onions regulated hereunder, except pursuant to paragraphs (e), (f)(1), or (f)(3)(ii) of this section unless an inspection certificate has been issued by the Texas-Federal Inspection Service covering them and the certificate is valid at the time of shipment. City destinations shall be listed on inspection certificates and release forms.

(2) No handler may transport by motor vehicle or cause such transportation of any shipment of onions for which an inspection certificate is required unless each such shipment is accompanied by a copy of the inspection certificate applicable thereto or the shipment release form furnished by the inspection service identifying truck