

Agricultural Marketing Service, USDA

§ 967.165

the date of the establishment of Marketable Quantity.

(d) Applicants for Base Quantities or increases of Base Quantities, who have registered under § 967.151(a), may apply to the committee for a portion of such reserve within such time and on forms prescribed by it. The committee shall consider each application in accordance with § 967.151(b) and the amount of celery needed to meet the Marketable Quantity or revised Marketable Quantity for the season, the historical supply available, and the decline or increase in volume of celery production by other producers; and, if approved thereunder, determine the Base Quantity for each such applicant.

(e) Any balance of the reserve which has not been distributed during a current season shall not carry forward into the following season.

§ 967.155 Revised Base Quantity formula.

As soon as practicable following the May 1, 1979, registration deadline, Base Quantities for all producers of record with the Florida Celery Committee as of December 15, 1976, shall be revised to be effective for the 1979-80 season as follows and in the order enumerated:

(a) Application of the provisions of §§ 967.37(e) and 967.39 as it pertains to permanent transfers.

(b) Selection of the highest number of crates of celery produced and shipped by or for each producer during any one of the five seasons, 1974-75 through 1978-79, or his Base Quantity for the 1978-79 season, whichever is greater: *Provided however*, no producer who produced and shipped celery during each of the five seasons, 1974-75 through 1978-79, shall lose all or any portion of his Base Quantity by the application of § 967.39 pertaining to specified period of time transfers, which were approved by the committee prior to the commencement of the 1974-75 season: *And provided further*, any new producer who is issued a Base Quantity by the committee under § 967.37(d) or by transfer after December 15, 1976, shall retain his present Base Quantity.

(c) Any producer who transferred, with approval of the committee, all or a portion of his Base Quantity for a specified period of time prior to the

commencement of the 1974-75 season shall have the transferred Base Quantity reissued to him upon the expiration date of such transfer.

[43 FR 57240, Dec. 7, 1978]

REPORTS AND RECORDS

§ 967.165 Reports.

(a) Pursuant to § 967.45, the following reports shall be furnished by each handler to the committee at such time and on such forms as it may request:

(1) A report of daily celery handlings broken down by number of crates, sizes, and each producer thereof.

(2) A weekly report of assessments due the committee.

(b) Pursuant to § 967.37(c), the following reports shall be furnished by producers as a condition for obtaining, holding, or transferring Base Quantities or Marketable Allotments:

(1) A weekly celery report showing acreage planted and harvested, and the number of crates harvested each day.

(2) A weekly report by each producer who marketed celery verifying the number of crates marketed and the balance of such producer's Marketable Allotment.

(3) Anticipated planting and harvesting schedule by each producer for the ensuing season, including total acres to be planted, beginning and ending dates of planting and harvesting, total production, for whom grown, and handler or handlers thereof.

(4) A report by each producer of production when done under contract giving such information as location, total acres to be planted, beginning and ending dates of planting and harvesting, handler, breakdown of proprietary interest by blocks and percent of ownership of other producers who have an interest.

(5) Pursuant to § 967.37, the committee shall be notified within a reasonable length of time by the executor, attorney, or receiver as applicable, following the death of a producer, or upon dissolution of any partnership, corporation or company which is a producer, who or which is a holder of a Base Quantity, of (i) the current status of the Base Quantity, and (ii) the final