

Agricultural Marketing Service, USDA

§ 967.44

§ 967.41 Handling for special purposes.

Regulations in effect pursuant to § 967.38 or § 967.40 may be modified, suspended, or terminated to facilitate handling of celery for:

- (a) Exports;
- (b) Relief or charity;
- (c) Experimental purposes; and
- (d) Other purposes which may be recommended by the committee and approved by the Secretary.

[33 FR 17847, Nov. 30, 1968]

§ 967.42 Safeguards.

The committee, with the approval of the Secretary, may establish through rules such requirements as may be necessary to insure that shipments made pursuant to § 967.41 were handled and used for the purpose stated.

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INSPECTION

§ 967.43 Inspection and certification.

(a) Whenever the handling of celery is regulated pursuant to § 967.40(b)(3) through (5), or at other times when recommended by the committee and approved by the Secretary, no handler shall handle celery unless such celery is inspected by an authorized representative of the Federal or Federal-State Inspection Service and is covered by a valid inspection certificate, except when relieved from such requirements pursuant to § 967.40(c) or paragraph (b) of this section.

(b) Regrading, resorting, or repacking any lot of celery shall invalidate any prior inspection certificate insofar as the requirements of this section are concerned. No handler shall handle celery after it has been regraded, resorted, repacked or in any way additionally prepared for market, unless such celery is inspected by an authorized representative of the Federal or Federal-State Inspection Service. Such inspection requirements on regraded, resorted, or repacked celery may be modified, suspended, or terminated upon recommendation by the committee, and approval of the Secretary.

(c) Upon recommendation of the committee and approval by the Secretary, any or all celery so inspected and certified shall be identified by appropriate

seals, stamps, or tags to be affixed to the containers by the handler under the direction and supervision of a Federal or Federal-State Inspector or the committee.

(d) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the committee with the approval of the Secretary.

(e) When celery is inspected in accordance with the requirements of this section, a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

(f) The committee may recommend and the Secretary may require that no handler shall transport or cause the transportation of celery by motor vehicle or by other means unless such shipment is accompanied by a copy of the inspection certificate issued thereon, or other document authorized by the committee to indicate that such inspection has been performed. Such certificate or document shall be surrendered to such authority as may be designated by the committee.

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MARKETING RESEARCH AND DEVELOPMENT

§ 967.44 Research and development.

The committee may, with the approval of the Secretary, establish or provide for the establishment of projects involving production research, marketing research and development projects, and marketing promotion including paid advertising, designed to assist, improve, or promote the marketing, distribution, and consumption or efficient production of celery. The expenses of such projects shall be paid by funds collected pursuant to § 967.61 or § 967.63. Upon conclusion of each program, but at least annually, the committee shall summarize and report on the program status and accomplishments to its members and the Secretary. A similar report to the committee shall be required of any contracting party on any paid advertising or major program. Also, for each advertising or major program the contracting party shall be required to