

Agricultural Marketing Service, USDA

§ 979.35

its discretion may request the attendance of one or more alternates at any or all meetings notwithstanding the expected or actual presence of the respective members and may pay expenses as aforesaid.

§ 979.34 Powers.

The committee shall have the following powers:

- (a) To administer the provisions of this part in accordance with its terms;
- (b) To make rules and regulations to effectuate the terms and provisions of this part;
- (c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this part; and
- (d) To recommend to the Secretary amendments to this part.

§ 979.35 Duties.

The committee shall have, among others, the following duties:

- (a) As soon as practicable after the beginning of each term of office, to meet and organize, to select a chairman and such other officers as may be necessary, to select subcommittees, and to adopt such rules, regulations, and bylaws for the conduct of its business as it deems necessary, and to recommend nominees for the public member and alternate;
- (b) To act as intermediary between the Secretary and any grower or handler;
- (c) To furnish to the Secretary such available information as he may request;
- (d) To appoint such employees, agents, and representatives as it may deem necessary, to determine the compensation and define the duties of each such person, and to protect the handling of committee funds through fidelity bonds;
- (e) To investigate from time to time and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to melons;
- (f) To recommend research projects to the Secretary in accordance with this part;
- (g) To notify handlers of each meeting of the committee to consider recommendations for regulations and of all regulatory actions taken which might affect growers or handlers and to

provide such notification to producers through appropriate news releases or such other means as may be available to the committee;

(h) To give the Secretary the same notice of meetings of the committee and its subcommittee as is given to its members;

- (i) To prepare a marketing policy;
- (j) To recommend marketing regulations to the Secretary;
- (k) To recommend rules and procedures for, and to make determination in connection with appropriate safeguards;
- (l) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books, and records shall be subject to examination at any time by the Secretary or his authorized agent or representative. Minutes of each committee meeting shall be reported promptly to the Secretary;

(m) Prior to or at the beginning of each fiscal period, to prepare a budget of anticipated expenses for such fiscal period, together with a report thereon;

(n) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to producers and handlers for examination at the office of the committee;

(o) To prepare and forward to the Secretary, prior to the last day of each fiscal period, an annual report, and make a copy available to each handler and grower who requests it. This annual report shall contain at least:

- (1) A complete review of the regulatory operations during the fiscal period;
- (2) An appraisal of the effect of such regulatory operations upon the melon industry; and
- (3) Any recommendations for changes in the program.

(p) To cause the books of the committee to be audited by a competent accountant at least once each fiscal period and at such other times as the committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant to this part. Two copies of such report shall be furnished to the Secretary and a copy of each such report