

Title 7—Agriculture

(This book contains parts 900 to 999)

SUBTITLE B—REGULATIONS OF THE DEPARTMENT OF AGRICULTURE
(CONTINUED)

	<i>Part</i>
CHAPTER IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture	900

**CHAPTER IX—AGRICULTURAL MARKETING
SERVICE (Marketing Agreements and
Orders; Fruits, Vegetables, Nuts),
DEPARTMENT OF AGRICULTURE**

<i>Part</i>		<i>Page</i>
900	General regulations	5
905	Oranges, grapefruit, tangerines, and tangelos grown in Florida	41
906	Oranges and grapefruit grown in Lower Rio Grande Valley in Texas	63
915	Avocados grown in south Florida	80
916	Nectarines grown in California	97
917	Fresh pears and peaches grown in California	117
920	Kiwifruit grown in California	143
922	Apricots grown in designated counties in Wash- ington	157
923	Sweet cherries grown in designated counties in Washington	169
924	Fresh prunes grown in designated counties in Washington and in Umatilla County, Oregon	181
925	Grapes grown in a designated area of southeastern California	193
927	Winter pears grown in Oregon and Washington	205
928	Papayas grown in Hawaii	221
929	Cranberries grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wis- consin, Michigan, Minnesota, Oregon, Wash- ington, and Long Island in the State of New York	235
930	Tart cherries grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Wash- ington, and Wisconsin	258
931	Fresh Bartlett pears grown in Oregon and Wash- ington	284
932	Olives grown in California	295
944	Fruits; import regulations	324

7 CFR Ch. IX (1-1-05 Edition)

<i>Part</i>		<i>Page</i>
945	Irish potatoes grown in certain designated counties in Idaho, and Malheur County, Oregon	338
946	Irish potatoes grown in Washington	354
947	Irish potatoes grown in Modoc and Siskiyou Counties, Calif., and in all counties in Oregon, except Malheur County	370
948	Irish potatoes grown in Colorado	387
953	Irish potatoes grown in Southeastern States	406
955	Vidalia onions grown in Georgia	417
956	Sweet onions grown in the Walla Walla Valley of southeast Washington and northeast Oregon	427
958	Onions grown in certain designated counties in Idaho, and Malheur County, Oregon	441
959	Onions grown in South Texas	456
966	Tomatoes grown in Florida	471
979	Melons grown in South Texas	490
980	Vegetables; import regulations	506
981	Almonds grown in California	514
982	Hazelnuts grown in Oregon and Washington	538
983	Pistachios grown in California	558
984	Walnuts grown in California	576
985	Marketing order regulating the handling of spearmint oil produced in the Far West	593
987	Domestic dates produced or packed in Riverside County, California	606
989	Raisins produced from grapes grown in California ..	631
993	Dried prunes produced in California	696
996	Minimum quality and handling standards for domestic and imported peanuts marketed in the United States	736
999	Specialty crops; import regulations	746

PART 900—GENERAL REGULATIONS

Subpart—Rules of Practice and Procedure Governing Proceedings To Formulate Marketing Agreements and Marketing Orders

Sec.

- 900.1 Words in the singular form.
- 900.2 Definitions.
- 900.3 Proposals.
- 900.4 Institution of proceeding.
- 900.5 Docket number.
- 900.6 Judges.
- 900.7 Motions and requests.
- 900.8 Conduct of the hearing.
- 900.9 Oral and written arguments.
- 900.10 Certification of the transcript.
- 900.11 Copies of the transcript.
- 900.12 Administrator's recommended decision.
- 900.13 Submission to Secretary.
- 900.13a Decision by Secretary.
- 900.14 Execution and issuance of marketing agreements and marketing orders.
- 900.15 Filing; extensions of time; effective date of filing; and computation of time.
- 900.16 Ex parte communications.
- 900.17 Additional documents to be filed with hearing clerk.
- 900.18 Hearing before Secretary.

Subpart—Rules of Practice Governing Proceedings on Petitions To Modify or To Be Exempted From Marketing Orders

- 900.50 Words in the singular form.
- 900.51 Definitions.
- 900.52 Institution of proceeding.
- 900.52a Answer to petition.
- 900.52b Amended pleadings.
- 900.53 Withdrawal of petition.
- 900.54 Docket number.
- 900.55 Judges.
- 900.56 Consolidated hearings.
- 900.57 Intervention.
- 900.58 Prehearing conferences.
- 900.59 Motions and requests.
- 900.60 Oral hearings before judge.
- 900.61 Depositions.
- 900.62 Subpenas.
- 900.63 Fees and mileage.
- 900.64 The Judge's decision.
- 900.65 Appeals to Secretary; Transmittal of record.
- 900.66 Consideration of appeal by the Secretary and issuance of final order.
- 900.68 Petitions for reopening hearings; for rehearings or rearguments of proceedings; or for reconsideration of orders.
- 900.69 Filing; service; extensions of time; effective date of filing; and computation of time.
- 900.70 Applications for interim relief.

- 900.71 Hearing before Secretary.

Subpart—Supplemental Rules of Practice for Marketing Orders, Marketing Agreements, and Requirements Issued Pursuant to 7 U.S.C. 608b(b) and 7 U.S.C. 608e Covering Fruits, Vegetables, and Nuts

- 900.80 Words in the singular form.
- 900.81 Definitions.
- 900.82 Stipulation procedures.

Subpart—Procedure Governing Meetings To Arbitrate and Mediate Disputes Relating to Sales of Milk or Its Products

- 900.100 Words in the singular form.
- 900.101 Definitions.
- 900.102 Filing of applications for mediation or arbitration.
- 900.103 Application for mediation.
- 900.104 Inquiry by the Administrator.
- 900.105 Notification.
- 900.106 Assignment of mediator.
- 900.107 Meetings.
- 900.108 Mediator's report.
- 900.109 Mediation agreement.
- 900.110 Application for arbitration.
- 900.111 Inquiry by the Administrator.
- 900.112 Notification.
- 900.113 Submission.
- 900.114 Designation of arbitrator.
- 900.115 Hearing.
- 900.116 Award.
- 900.117 Approval of award.
- 900.118 Costs.

Subpart—Miscellaneous Regulations

- 900.200 Definitions.
- 900.201 Investigation and disposition of alleged violations.
- 900.210 Disclosures of information.
- 900.211 Penalties.

Subpart—Procedure for Conduct of Referenda To Determine Producer Approval of Milk Marketing Orders To Be Made Effective Pursuant to Agricultural Marketing Agreement Act of 1937, as Amended

- 900.300 General.
- 900.301 Definitions.
- 900.302 Associations eligible to vote.
- 900.303 Conduct of referendum.
- 900.304 Who may vote.
- 900.305 Duties of referendum agent.
- 900.306 Notice of the referendum.
- 900.307 Time for voting.
- 900.308 Tabulation of ballots.
- 900.309 Confidential information.
- 900.310 Supplementary instructions.

§ 900.1

900.311 Submittals or requests.

Subpart—Procedure for Determining the Qualification of Cooperative Milk Marketing Associations

- 900.350 General statement.
- 900.351 Applications for qualification.
- 900.352 Confidential information.
- 900.353 Qualification standards.
- 900.354 Inspection and investigation.
- 900.355 Annual reporting.
- 900.356 Listing of qualified associations.
- 900.357 Denial of application; suspension or revocation of determination of qualification.

Subpart—Procedure for the Conduct of Referenda in Connection With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended

- 900.400 General.
- 900.401 Definitions.
- 900.402 Voting.
- 900.403 Instructions.
- 900.404 Subagents.
- 900.405 Ballots.
- 900.406 Referendum report.
- 900.407 Confidential information.

Subpart—Public Information

AVAILABILITY OF PROGRAM INFORMATION, STAFF MANUALS AND INSTRUCTIONS, AND RELATED MATERIAL

- 900.500 General.
- 900.501 Public inspection and copying.
- 900.502 Indexes.
- 900.503 Request for records.
- 900.504 Appeals.

Subpart—Information Collection

- 900.600 General.
- 900.601 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

SOURCE: 25 FR 5907, June 28, 1960, unless otherwise noted.

Subpart—Rules of Practice and Procedure Governing Proceedings To Formulate Marketing Agreements and Marketing Orders

AUTHORITY: 7 U.S.C. 610.

§ 900.1 Words in the singular form.

Words in this subpart in the singular form shall be deemed to import the

plural, and vice versa, as the case may demand.

§ 900.2 Definitions.

As used in this subpart, the terms as defined in the act shall apply with equal force and effect. In addition, unless the context otherwise requires:

(a) The term *Act* means Public Act No. 10, 73 Congress (48 Stat. 31), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246), as amended.

(b) The term *Department* means the United States Department of Agriculture.

(c) The term *Secretary* means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act for the Secretary.

(d) The term *judge* means any administrative law judge appointed pursuant to 5 U.S.C. 3105, and assigned to conduct the proceeding.

(e) The term *Administrator* means the Administrator of the Agricultural Marketing Service or any officer or employee of the Department to whom authority has been delegated or may hereafter be delegated to act for the Administrator.

(f) [Reserved]

(g) The term *FEDERAL REGISTER* means the publication provided for by the act of July 26, 1935 (49 Stat. 500), and acts supplementary thereto and amendatory thereof.

(h) The term *hearing* means that part of the proceeding which involves the submission of evidence.

(i) The term *marketing agreement* means any marketing agreement or any amendment thereto which may be entered into pursuant to section 8b of the act.

(j) The term *marketing order* means any order or any amendment thereto which may be issued pursuant to section 8c of the act, and after notice and hearing as required by said section.

(k) The term *proceeding* means a proceeding upon the basis of which a marketing agreement may be entered into or a marketing order may be issued.