

Week	Weekly percentage
(m) 12/13/04 through 12/19/04	36
(n) 12/20/04 through 12/26/04	36
(o) 12/27/04 through 1/2/05	36
(p) 1/3/05 through 1/9/05	36
(q) 1/10/05 through 1/16/05	36
(r) 1/17/05 through 1/23/05	36
(s) 1/24/05 through 1/30/05	40
(t) 1/31/05 through 2/6/05	40
(u) 2/7/05 through 2/13/05	45
(v) 2/14/05 through 2/20/05	45

[69 FR 50275, Aug. 16, 2004]

Subpart—Interpretative Rule

§ 905.400 Interpretation of certain provisions.

(a) In interpreting the provisions of paragraph (d) of §905.52, the limitation on shipment of any variety of fruit regulated pursuant to paragraph (a)(3) of that section, which was prepared for market during the effective period of such regulation, shall not be deemed to apply to shipment of such variety which was prepared for market incidentally as part of a lot packed for export and shipped following the period of regulation.

(b) Prior to shipment of any variety of fruit so prepared, the handler shall provide the Citrus Administrative Committee or its designated agent a copy of the shipping manifest applicable to such shipment with a notation thereon that the fruit was packed incidentally as part of a lot packed for export.

[54 FR 46597, Nov. 6, 1989]

PART 906—ORANGES AND GRAPE-FRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Subpart—Order Regulating Handling

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- 906.340 Container, pack, and container marking regulations.
- 906.365 Texas Orange and Grapefruit Regulation 34.

AUTHORITY: 7 U.S.C. 601-674.

Subpart—Order Regulating Handling

SOURCE: 25 FR 9093, Sept. 22, 1960, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

DEFINITIONS

§ 906.1 Secretary.

Secretary means the Secretary of Agriculture of the United States, or any employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 906.2 Act.

Act means Public Act No. 10, 73d Congress, as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (sections 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

§ 906.3 Person.

Person means an individual, partnership, corporation, association, or any other business unit.

§ 906.4 Production area.

Production area means all territory in the counties of Cameron, Hidalgo, and Willacy in the State of Texas.

§ 906.5 Fruit.

Fruit means either or both of the following citrus fruits grown in the production area: (a) Citrus grandis, Osbeck, commonly called grapefruit, and (b) Citrus sinensis, Osbeck, commonly called oranges.

§ 906.6 Handler.

Handler is synonymous with *shipper* and means any person (except a common or contract carrier of fruit owned by another person) who handles fruit or causes fruit to be handled.

(a) *Independent handler.* *Independent handler* means any handler other than a handler that is a cooperative marketing organization.

(b) [Reserved]

§ 906.7 Handle.

Handle or *ship* means to transport or sell fruit, or in any other way to place fruit, in the current of commerce between the production area and any point outside thereof in the United States, Canada, or Mexico.

§ 906.8 Producer.

Producer means any person engaged in a proprietary capacity in the production of fruit for market.

(a) *Independent producer.* *Independent producer* means any producer who does not market his fruit through a handler that is a cooperative marketing organization.

(b) [Reserved]

§ 906.9 Grade and size.

Grade means any one of the established grades of fruit and *size* means any one of the established sizes of fruit as defined and set forth in the applicable U.S. Standards for fruit (§§ 51.680 through 51.714 and §§ 51.620 through 51.653) issued by the United States Department of Agriculture, or amendments thereto, or modifications thereof, or variations based thereon recommended by the committee and approved by the Secretary.