

## Agricultural Marketing Service, USDA

## §917.178

transported to Oregon and the disposition thereof.

(c) All such pears shall be of the person's own production and the packing facility to which they are transported must be owned and operated by that person.

(d) All such pears shall be inspected and certified, as required by §917.45, by the Federal or Federal-State Inspection Service prior to the time such pears are shipped from the packing facility. Any pears shipped to any such facility which, upon inspection, do not meet the requirements of the then effective grade, size, or quality regulations, may be shipped, or handled, within the State, for consumption by any charitable institution or for distribution by any relief agency or for conversion into products. Prior to any such shipment or handling, there shall first have been submitted to the committee proof satisfactory to the committee that the pears will not be handled contrary to the requirements of the marketing agreement and order. Such proof shall include a written certificate, executed by both the handler and the intended receiver, stating that the pears will not be used for any purpose not authorized by this section.

[41 FR 31180, July 27, 1976]

EFFECTIVE DATE NOTE: At 59 FR 10056, Mar. 3, 1994, §917.149 was suspended, effective April 4, 1994.

### REGULATION OF DAILY SHIPMENTS

#### §917.150 Lot stamping.

Except when loaded directly into railway cars, exempted under §917.143, or for peaches mailed directly to consumers in consumer packages, all exposed or outside containers of peaches, and not less than 75 percent of the total containers on a pallet, shall be plainly stamped, prior to shipment, with a Federal-State Inspection Service lot stamp number, assigned by such Service, showing that such fruit has been USDA inspected in accordance with §917.45: *Provided*, That pallets of returnable plastic containers shall have the lot stamp numbers affixed to each pallet with a USDA-approved pallet tag, in addition to the lot stamp numbers and other required informa-

tion on cards on the individual containers.

[69 FR 15650, Mar. 25, 2004]

### REPORTS

#### §917.176 Pears.

(a) *Report of daily packout.* When requested by the Pear Commodity Committee, each shipper who ships pears shall furnish to the manager of the Control Committee or when designated to the Federal-State Inspection Service a report of the number of packages by container type, by variety and by district of origin, which the shipper packed during the preceding day.

(b) *Recapitulation of shipments.* When requested by the Pear Commodity Committee, each shipper of pears shall furnish to the manager of the Control Committee a recapitulation of his shipments. The recapitulation shall show: (1) The name of the shipper, (2) the shipping point, (3) the district of origin, (4) the variety, and (5) the number of packages, by size, for each container type.

(c) *Report of pears held in storage.* Each shipper who has pears under refrigeration in a storage warehouse shall upon request, file with the manager of the Control Committee within the time specified in the request an accurate report containing the following information:

(1) The name and address of the shipper; and

(2) The total quantity, as of the date specified in the request, of pears in storage outside of the State of California and in storage in the State of California.

[39 FR 27117, July 25, 1974]

EFFECTIVE DATE NOTE: At 59 FR 10056, Mar. 3, 1994, §917.176 was suspended, effective April 4, 1994.

#### §917.178 Peaches.

(a) *Report of daily packout.* When requested by the Peach Commodity Committee, each shipper who ships peaches shall furnish to the manager of the Control Committee or when designated to the Federal-State Inspection Service a report of the number of packages by