

Agricultural Marketing Service, USDA

Pt. 927

will be published in the FEDERAL REGISTER.

(g) The Federal or Federal-State Inspection Service, F&V, AMS, USDA, is the governmental inspection service for certifying the grade, size, quality, and maturity of table grapes grown in the production area. The inspection and certification services will be available upon application in accordance with the rules and regulations governing inspections and certification of fresh fruits, vegetables, and other products (7 CFR part 51); except that all persons who request such inspection and certification must provide adequate facilities in which the inspections may be conducted and also provide the necessary equipment and incidental supplies that are considered as standard requirements for providing fresh inspection under Federal or Federal-State inspection procedures.

[51 FR 12501, Apr. 11, 1986, as amended at 51 FR 13209, Apr. 18, 1986; 51 FR 16285, May 2, 1986; 52 FR 20383, June 1, 1987; 52 FR 24444, July 1, 1987; 53 FR 22128, June 14, 1988; 58 FR 21536, Apr. 22, 1993; 59 FR 67619, Dec. 30, 1994; 61 FR 11129, Mar. 19, 1996; 61 FR 14013, Mar. 29, 1996; 63 FR 658, Jan. 7, 1998; 63 FR 28480, May 26, 1998; 67 FR 14873, Mar. 28, 2002; 68 FR 19711, Apr. 22, 2003; 69 FR 18801, Apr. 9, 2004]

EDITORIAL NOTE: After January 1, 1979 "Budget of Expenses and Rate of Assessment" regulations (e.g. sections .200 through .299) and "Handling" regulations (e.g. sections .300 through .399) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

PART 927—WINTER PEARS GROWN IN OREGON AND WASHINGTON

Subpart—Order Regulating Handling

DEFINITIONS

- Sec.
- 927.1 Secretary.
- 927.2 Act.
- 927.3 Person.
- 927.4 Pears.
- 927.5 Size.
- 927.6 Grower.
- 927.7 Handler.
- 927.8 Ship or handle.
- 927.9 Fiscal period.
- 927.10 Production area.
- 927.11 District.

- 927.12 Export market.
- 927.13 Subvariety.

CONTROL COMMITTEE

- 927.20 Establishment and membership.
- 927.21 Nomination and selection of members and their respective alternates.
- 927.22 Meetings for election of nominees.
- 927.23 Voting.
- 927.24 Eligibility for membership.
- 927.25 Failure to nominate.
- 927.26 Qualifications.
- 927.27 Term of office.
- 927.28 Alternates for members of the Control Committee.
- 927.29 Vacancies.
- 927.30 Compensation and expenses.
- 927.31 Powers of Control Committee.
- 927.32 Duties of Control Committee.
- 927.33 Procedure of Control Committee.
- 927.34 Rights of the Secretary.
- 927.35 Funds and other property.
- 927.36 Public advisors.

EXPENSES AND ASSESSMENTS

- 927.40 Expenses.
- 927.41 Assessments.
- 927.42 Accounting.
- 927.43 Use of funds.
- 927.44 Collection of unpaid assessments.
- 927.45 Contributions.

RESEARCH AND DEVELOPMENT

- 927.47 Research and development.

REGULATION OF SHIPMENTS

- 927.50 Recommendation by the Control Committee.
- 927.51 Issuance of regulations; and modification, suspension, or termination thereof.
- 927.52 Prerequisites to Control Committee recommendations.
- 927.53 Notification.
- 927.54 Exemption certificates.

INSPECTION

- 927.60 Inspection and certification.

EXCEPTIONS

- 927.65 Exemption from regulation.

MISCELLANEOUS PROVISIONS

- 927.70 Reports.
- 927.71 Compliance.
- 927.72 Duration of immunities.
- 927.73 Separability.
- 927.74 Derogation.
- 927.75 Liability of Control Committee members.
- 927.76 Agents.
- 927.77 Effective time.
- 927.78 Termination.
- 927.79 Proceedings after termination.
- 927.80 Amendments.
- 927.81 Effect of termination or amendment.

§ 927.1

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

Subpart—Control Committee Rules and Regulations

DEFINITIONS

- 927.100 Terms.
- 927.101 Marketing agreement.
- 927.102 Order.
- 927.103 Organically produced pears.

COMMUNICATIONS

- 927.105 Communications.

EXEMPTION CERTIFICATES

- 927.110 Determination of district percentages.
- 927.110a Application for exemption certification.
- 927.111 Exemption committee.
- 927.112 Issuance of exemption certificate.
- 927.113 Appeal to Control Committee.
- 927.114 Appeal to Secretary.

EXEMPTIONS AND SAFEGUARDS

- 927.120 Pears for charitable or by-product purposes.
- 927.121 Pears for gift purposes.
- 927.122 Shipments to designated storages.
- 927.123 Interest and late payment charges.

REPORTS

- 927.125 Reports.
- 927.142 Reserve fund.

ASSESSMENT RATE

- 927.236 Assessment rate.
- 927.316 Handling regulation.

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

Subpart—Order Regulating Handling

SOURCE: 15 FR 6071, Sept. 9, 1950, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

DEFINITIONS

§ 927.1 Secretary.

Secretary means the Secretary of Agriculture of the United States.

§ 927.2 Act.

Act means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*).

§ 927.3 Person.

Person means an individual partnership, corporation, association, legal representative, or any organized groups of individuals.

§ 927.4 Pears.

Pears means and includes any and all of the Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Forelle, and Sekel varieties of pears, and any other winter pear varieties or subvarieties that are grown in the production area and are recognized by the Control Committee and approved by the Secretary.

[62 FR 61002, Nov. 14, 1997]

§ 927.5 Size.

Size means the number of pears which can be packed in a standard western pear box 18" long, 11½" wide and 8½" deep (inside measurements) when packed in accordance with the packing requirements of the U.S. Standards for Pears (part 51 of this title), or as such standards hereafter may be modified or as "size" may be more specifically defined in a regulation issued under this part.

§ 927.6 Grower.

Grower means any person engaged in the production of pears, either as owner or as tenant.

§ 927.7 Handler.

Handler means any person (except a common carrier of pears owned by another person) who, as owner, agent, broker, or otherwise, ships or handles pears, or causes pears to be shipped or handled, in fresh form by rail, truck, boat, or any other means whatsoever.

§ 927.8 Ship or handle.

Ship or handle means to sell, deliver, consign or transport pears, within the production area or between the production area and any point outside thereof: *Provided*, That the term "handle" shall not include the transportation of winter pear shipments within the production area from the orchard where grown to a packing facility located