

**Agricultural Marketing Service, USDA**

**§ 993.21a**

to those of the prunes named in this section.

**§ 993.8 Natural condition prunes.**

*Natural condition prunes* means prunes which have not been processed.

**§ 993.9 Processed prunes.**

*Processed prunes* means prunes which have been cleaned, or treated with water or steam, by a handler.

**§ 993.10 Standard prunes.**

*Standard prunes* means any lot of natural condition prunes meeting the applicable grade and size standards prescribed pursuant to § 993.49 other than pursuant to § 993.49(c).

[26 FR 476, Jan. 19, 1961, as amended at 37 FR 861, Jan. 20, 1972]

**§ 993.11 Standard processed prunes.**

*Standard processed prunes* means any lot of processed prunes meeting the applicable grade and size standards prescribed pursuant to § 993.50.

**§ 993.12 Substandard prunes.**

*Substandard prunes* means any lot of processed or natural condition prunes failing to meet the applicable grade and size standards prescribed pursuant to §§ 993.49 and 993.50 other than pursuant to § 993.49(c).

[26 FR 476, Jan. 19, 1961, as amended at 37 FR 861, Jan. 20, 1972]

**§ 993.13 Handle.**

*Handle* means to receive, package, sell, consign, transport, or ship (except as a carrier of prunes owned by another person), or in any other way to place prunes in the current of the commerce within the area or from such area to any point outside thereof: *Provided*, That this term shall not include: (a) Sales or deliveries of prunes by a producer or dehydrator to a producer, dehydrator, or handler within the area; (b) the receiving of prunes by a producer or dehydrator from a producer or dehydrator; and (c) receipts, sales, or shipments of prunes already handled by another person other than pursuant to § 993.50(f).

**§ 993.14 Handler.**

*Handler* means any person who handles prunes.

**§ 993.15 Dehydrator.**

*Dehydrator* means any person who produces prunes by drying or dehydrating plums by means of sun-drying or artificial heat.

**§ 993.16 Producer.**

*Producer* means any person who is engaged, in a proprietary capacity, in growing plums for drying or dehydrating into prunes.

**§ 993.17 Ton.**

*Ton* means a short ton of 2,000 pounds.

**§ 993.18 Grade.**

*Grade* means the classification of prunes for quality and condition according to the grading specifications established pursuant to the provisions of this subpart.

**§ 993.19a Size.**

*Size* means either (a) the number of prunes contained in a pound and may be referred to in terms of size ranges, or (b) the diameter of a round opening, expressed in multiples of one thirty-second of an inch, through which prunes pass freely.

[37 FR 861, Jan. 20, 1972]

**§ 993.19b Undersized prunes.**

*Undersized prunes* means prunes which pass freely through a round opening of a specified diameter.

[37 FR 861, Jan. 20, 1972]

**§ 993.20 Crop year.**

*Crop year* means the 12-month period beginning August 1 of any year and ending July 31 of the following year.

**§ 993.21 Domestic.**

*Domestic* means the United States, Canal Zone, Puerto Rico, Virgin Islands, and Canada.

**§ 993.21a Proper storage.**

*Proper storage* means storage of such character as will maintain prunes in the same condition as when received by

**§ 993.21b**

a handler, except for normal and natural deterioration and shrinkage.

[30 FR 9798, Aug. 6, 1965]

**§ 993.21b Trade demand.**

(a) *Domestic trade demand.* The quantity of prunes which the commercial trade will acquire from all handlers during a crop year for distribution in domestic markets for human consumption as prunes and prune products.

(b) *Foreign trade demand.* The quantity of prunes which the commercial trade will acquire from all handlers during a crop year for distribution in other than domestic markets for human consumption as prunes and prune products.

[30 FR 9798, Aug. 6, 1965]

**§ 993.21c Salable prunes.**

*Salable prunes* means those prunes which are free to be handled pursuant to any salable percentage established by the Secretary pursuant to § 993.54, or, if no reserve percentage is in effect for a crop year, all prunes, excluding the quantity of undersized prunes determined pursuant to § 993.49(c), received by handlers from producers and dehydrators during that year.

[46 FR 61637, Dec. 18, 1981]

**§ 993.21d Reserve prunes.**

*Reserve prunes* means those prunes which must be withheld in satisfaction of a reserve obligation arising from application of a reserve percentage established by the Secretary pursuant to § 993.54.

[30 FR 9798, Aug. 6, 1965]

EFFECTIVE DATE NOTE: At 68 FR 40757, July 9, 2003, § 993.21d was suspended, effective Aug. 1, 2003, through July 31, 2008.

**§ 993.22 Consumer package.**

*Consumer package* means: (a) Any container of prunes holding less than 10 pounds of standard processed prunes or standard prunes; or (b) any container holding less than 10 pounds of prunes and other dried fruit if more than 60 percent of the net weight of mixed dried fruit in the lot consists of standard processed prunes or standard prunes.

**§ 993.23 Part and subpart.**

*Part* means the order regulating the handling of dried prunes produced in California, and all rules, regulations, and supplementary orders issued thereunder. This order regulating the handling of dried prunes produced in California shall be a *subpart* of such part.

PRUNE MARKETING COMMITTEE

**§ 993.24 Establishment and membership.**

A Prune Marketing Committee (herein referred to as the "Committee"), consisting of 22 members with an alternate member for each such member, is hereby established to administer the terms and provisions of this part, of whom with their respective alternates, 14 shall represent producers, 7 shall represent handlers, and 1 shall represent the public. Committee membership shall be allocated in accordance with the following grouping with the alternate positions identically allocated:

(a) Three handler members to represent handlers who are cooperative marketing associations of producers (referred to in this part as "cooperative handlers");

(b) Three handler members to represent handlers other than cooperative handlers (referred to in this part as "independent handlers");

(c) One handler member to represent handlers who are cooperative handlers or independent handlers, whichever of such handlers handled as first handlers more than 50 percent of the prunes handled by all handlers during the crop year preceding the year in which nominations are made;

(d) Fourteen producer members to be selected from and to represent producers who are members of cooperative marketing associations (referred to in this part as "cooperative producers") and producers other than "cooperative producers" (referred to in this part as "independent producers"); the number of the producer members for the cooperative producer group or the independent producer group, as the case may be, shall be in the same proportion, as near as practicable, to the total of 14, as the tonnage of prunes