

**§ 929.6**

as cranberries, grown in the production area.

**§ 929.6 Fiscal period.**

*Fiscal period* is synonymous with *fiscal year* and *crop year* and means the 12-month period beginning September 1 of 1 year and ending August 31 of the following year.

[33 FR 11640, Aug. 16, 1968]

**§ 929.7 Committee.**

*Committee* means the Cranberry Marketing Committee established pursuant to § 929.20.

**§ 929.8 Grower.**

*Grower* is synonymous with producer and means any person who produces cranberries for market and who has a proprietary interest therein.

**§ 929.9 Handler.**

*Handler* means any person who handles cranberries.

**§ 929.10 Handle.**

(a) *Handle* means:

(1) To can, freeze, or dehydrate cranberries within the production area or;

(2) To sell, consign, deliver, or transport (except as a common or contract carrier of cranberries owned by another person) fresh cranberries or in any other way to place fresh cranberries in the current of commerce within the production area or between the production area and any point outside thereof.

(b) The term handle shall not include:

(1) The sale of non harvested cranberries;

(2) The delivery of cranberries by the grower thereof to a handler having packing or processing facilities located within the production area;

(3) The transportation of cranberries from the bog where grown to a packing or processing facility located within the production area; or

(4) The cold storage or freezing of excess or restricted cranberries for the purpose of temporary storage during periods when an annual allotment percentage and/or a handler withholding

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program is in effect prior to their disposal, pursuant to §§ 929.54 or 929.59.

[57 FR 38748, Aug. 27, 1992, as amended at 70 FR 7640, Feb. 15, 2005]

**§ 929.11 To can, freeze, or dehydrate.**

*To can, freeze, or dehydrate* means to convert cranberries into canned, frozen, or dehydrated cranberries or other cranberry products by any commercial process.

**§ 929.12 Acquire.**

*Acquire* means to obtain cranberries by any means whatsoever for the purpose of handling such cranberries.

**§ 929.13 Sales history.**

*Sales History* means the number of barrels of cranberries established for a grower by the committee pursuant to § 929.48.

[57 FR 38748, Aug. 27, 1992]

**§ 929.14 Marketable quantity.**

*Marketable quantity* means for a crop year the number of pounds of cranberries necessary to meet the total market demand and to provide for an adequate carryover.

[33 FR 11640, Aug. 16, 1968]

**§ 929.15 Annual allotment.**

A grower's annual allotment for a particular crop year is the number of barrels of cranberries determined by multiplying such grower's sales history by the allotment percentage established pursuant to § 929.49 for such crop year.

[57 FR 38748, Aug. 27, 1992]

**§ 929.17 Barrel.**

*Barrel* means a quantity of cranberries equivalent to 100 pounds of cranberries.

[57 FR 38748, Aug. 27, 1992]

**ADMINISTRATIVE BODY**

**§ 929.20 Establishment and membership.**

(a) There is hereby established a Cranberry Marketing Committee consisting of 13 grower members, and 9 grower alternate members. Except as

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hereafter provided, members and alternate members shall be growers or employees, agents, or duly authorized representatives of growers.

(b) The committee shall include one public member and one public alternate member nominated by the committee and selected by the Secretary. The public member and public alternate member shall not be a cranberry grower, processor, handler, or have a financial interest in the production, sales, marketing or distribution of cranberries or cranberry products. The committee, with the approval of the Secretary, shall prescribe qualifications and procedures for nominating the public member and public alternate member.

(c) Members shall represent each of the following subdivisions of the production areas in the number specified in Table 1. Members shall reside in the designated district of the production area from which they are nominated and selected. Provided, that there shall also be one member-at-large who may be nominated from any of the marketing order districts.

District 1: The States of Massachusetts, Rhode Island, and Connecticut;

District 2: The State of New Jersey and Long Island in the State of New York.

District 3: The States of Wisconsin, Michigan, and Minnesota.

District 4: The States of Oregon and Washington.

TABLE 1

Districts	Major cooperative	Major cooperative	Other than major	Other than major
			Members	Alternates
1 .....	2	1	2	1
2 .....	1	1	1	1
3 .....	2	1	2	1
4 .....	1	1	1	1
Any .....	1 member-at-large			

(d) Disclosure of unregulated production. All grower nominees and alternate grower nominees of the committee shall disclose any financial interest in the production of cranberries that are not subject to regulation by this part.

(e) The committee may establish, with the approval of the Secretary, rules and regulations for the implementation and operation of this section.

[69 FR 18806, Apr. 9, 2004]

**§ 929.21 Term of office.**

(a) The term of office for each member and alternate member of the committee shall be for two years, beginning on August 1 of each even-numbered year and ending on the second succeeding July 31. *Provided*, That following adoption of this amendment, the term of office for the initial members and alternates shall also include any time served prior to August 1 of the first even numbered year served. Members and alternate members shall

serve the term of office for which they are selected and have been qualified or until their respective successors are selected and have been qualified.

(b) Beginning on August 1 of the even-numbered year following the adoption of this amendment, committee members shall be limited to three consecutive terms. This limitation on tenure shall not include service on the committee prior to the adoption of this amendment or service on the committee by the initial members prior to August 1 of the first even-numbered year served and shall not apply to alternate members.

(c) Members who have served three consecutive terms must leave the committee for at least one full term before becoming eligible to serve again unless specifically exempted by the Secretary. The consecutive terms of office for alternate members shall not be so limited.

[69 FR 18806, Apr. 9, 2004]