

§ 989.105

inspection fails to meet such standards, then, whether such quantity shall be one or more lots shall be determined in the same manner as for the failing remainder referred to in paragraph (a)(4) of this section.

(6) *Special condition.* Notwithstanding other provisions of this section, any quantity of raisins failing to meet such standards and which are not to be re-conditioned may be a single lot.

(b) *Packed raisins.* For the purpose of outgoing inspection of packed raisins, lot means: (1) For in-line inspection (i.e., where samples are drawn from a flow of raisins prior to packaging), the aggregate quantity of raisins of the same varietal type, subtype, or size (or in their mixed form), processed in any continuous production of one calendar day and packaged in one size and style of package but excluding those rejected by inspection; and (2) for floor inspection (i.e., where samples are drawn from containers of raisins), the aggregate quantity of such raisins in like containers but not necessarily processed in one continuous production or during one calendar day, identifiable and offered for inspection as a lot.

§ 989.105 Inspection point.

Inspection point means any plant or receiving station of a handler, or any other place where raisins are received by a handler, and which is so designated by the Committee. The inspection point(s) of the handler shall include any area(s) in which he receives grapes or raisins for dehydration unless he keeps his raisin dehydration business separate, physically and by records, from his business of handling raisins.

[31 FR 16305, Dec. 21, 1966]

§ 989.106 Ship.

Ship means the physical movement of raisins other than to storage for the handler's account within the general locality of the packing plant.

§ 989.107 Inspection certificate.

Inspection certificate means any written certification, finding, or attestation as to the quality or condition of any lot or lots issued by an authorized member of the inspection service.

7 CFR Ch. IX (1-1-08 Edition)

§ 989.110 Varietal types.

Pursuant to §989.10, specific definitions for each varietal type of raisins contained in that section are as follows:

(a) Natural (sun-dried) Seedless includes all sun-dried seedless raisins possessing similar identifiable characteristics as raisins produced from Thompson Seedless grapes or similar grape varieties, whether dried on trays or on the vine, with or without the application of a drying agent that is a food-grade additive such as, soda, oil, Ethyl Oleate, or Methyl Oleate prior to, during, or after the drying process.

(b) Dipped Seedless includes all raisins produced by artificial dehydration of seedless grapes that possess the characteristics similar to Thompson Seedless grapes which, in order to expedite drying, have been dipped in or sprayed with water only after such grapes have been removed from the vine.

(c) Golden Seedless includes all seedless raisins whose color generally varies from golden yellow to dark amber.

(d) Muscats (including other raisins with seeds) include all raisins which usually contain seeds and possess characteristics similar to Muscat raisins.

(e) Sultana includes all raisins which usually contain an undeveloped (vestigial) seed and possess characteristics similar to Sultana raisins.

(f) Zante Currant includes all raisins that possess characteristics similar to those produced from Black Corinth or White Corinth grapes.

(g) Monukka includes all raisins produced from Monukka grapes.

(h) Other Seedless includes all raisins produced from Ruby Seedless, Kings Ruby Seedless, Flame Seedless and other seedless grapes not included in any of the varietal categories for Seedless raisins defined in paragraphs (a), (b), (c), (d) or (h) above.

(i) Other Seedless-Sulfured includes all raisins produced from Ruby Seedless, Kings Ruby Seedless, Flame Seedless and other seedless grapes not included in any of the varietal categories for Seedless raisins defined in paragraphs (a), (b), (c), (d), (h), or (i) of this

Agricultural Marketing Service, USDA

§ 989.129

section which have been artificially dehydrated and sulfured.

[49 FR 18730, May 2, 1984, as amended at 53 FR 34714, Sept. 8, 1988; 55 FR 32598, Aug. 10, 1990; 67 FR 36792, May 28, 2002; 68 FR 42947, July 21, 2003]

§ 989.111 Independent producer and small cooperative producer.

(a) *Independent producer* means any producer who is not a member of a cooperative bargaining association or a cooperative marketing association, nor has sold for cash to a cooperative marketing association.

(b) *Small cooperative producer* means any producer who is a member of a cooperative marketing association which acquired less than 10 percent of total raisin acquisitions during the crop year preceding the year in which nominations are held.

[49 FR 18730, May 2, 1984]

§ 989.115 Independent handler, major cooperative marketing association handler, and small cooperative marketing association handler.

(a) *Independent handler* means any handler who is not a cooperative marketing association of producers.

(b) *Major cooperative marketing association handler* means any handler who is a cooperative marketing association of producers which acquired not less than 10 percent of the total raisin acquisitions during the crop year preceding nominations.

(c) *Small cooperative marketing association handler* means any handler who is a cooperative marketing association of producers which acquired less than 10 percent of the total raisin acquisitions during the crop year preceding nominations.

[49 FR 18730, May 2, 1984]

RAISIN ADMINISTRATIVE COMMITTEE

§ 989.122 Districts for independent and small cooperative producer representation on the Committee.

For the purposes of § 989.26(c) and commencing with the term of office beginning May 1, 1984, independent and small cooperative producer districts are as follows:

(a) *District No. 1.* All of the counties north of Fresno County.

(b) *District No. 2.* All of the counties south of Fresno County.

(c) *District No. 3.* All of Fresno County.

[49 FR 18730, May 2, 1984]

§ 989.126 Representation of the Committee.

(a) To provide independent and small cooperative producers equitable representation throughout the production area commencing with the term of office beginning May 1, 1984, representation shall be apportioned among the three districts specified in § 989.122. Districts 1 and 2 shall each have one producer member, and District 3 shall have the remaining producer members to which independent and small cooperative producers are entitled pursuant to § 989.26(c).

(b) Pursuant to section 989.26(d) and commencing with the term of office beginning May 1, 1994, apportionment of the independent and small cooperative marketing association handlers shall be:

(1) Two members selected from and representing the four handler(s) other than major cooperative marketing association handler(s) who acquired the largest percentage of the total raisin acquisitions during the preceding crop year;

(2) Three members selected from and representing the six handlers other than major cooperative marketing association handler(s) who acquired the next largest percentage of the total raisin acquisitions during the preceding crop year; and

(3) The remaining member(s) selected from and representing all other handlers, including small cooperative marketing association handler(s) and all processors.

[49 FR 18730, May 2, 1984, as amended at 59 FR 27226, May 26, 1994]

§ 989.129 Voting at nomination meetings.

Any person (defined in § 989.3 as an individual, partnership, corporation, association, or any other business unit) who is engaged, in a proprietary capacity, in the production of grapes which are sun-dried or dehydrated by artificial means to produce raisins and who qualifies under the provisions of