

Agricultural Marketing Service, USDA

§ 993.173

REPORTS AND BOOKS AND OTHER RECORDS

§ 993.172 Reports of holdings, receipts, uses, and shipments.

(a) *Holdings as of March 31.* Each handler shall, on or before the 15th day of April, file with the committee a signed report of holdings of prunes which have not been inspected or received by him as a handler as of March 31. The report shall show for such prunes the name and address of the producer or dehydrator, the date of each identification tag assigned to such prunes, the numbers and dates of door receipts or weight certificates or any other identifying documents assigned to such prunes, the net weight shown on each, the total net weight of all prunes so held, and the name and address of the handler making the report.

(b) *Receipts by handlers.* Each handler shall file with the committee, for each month, not later than the 5th working day of the next succeeding month, a signed report on Form PMC 11.1, "New Crop Supply and Inbound Prune Report", containing at least the following information: (1) The date, the name and address of the handler, and the period covered by the report; and (2) the total tonnage received during the month from each of (i) producers and dehydrators, (ii) other handlers, including interhandler transfers, and (iii) sources other than producers, dehydrators and other handlers.

(c) [Reserved]

(d) *Shipments by handlers.* Each handler shall file with the Committee for each quarter, not later than the 5th working day of the months of November, February, May and August, signed reports on Form PMC 12.1, "Reports of Shipments," and Form 12.1A, "Cumulative Prune Export Shipments" reporting shipments of prunes during the crop year through the last day of the immediately preceding quarter. Such reports shall contain at least the following information:

(1) The date, the name, and address of the handler, and the period covered by the report;

(2) The pounds of prunes shipped or otherwise disposed of, other than shipments to or for the account of other handlers as follows: Domestic outlets

segregated by uses (including Federal Government agencies); export markets segregated by regions; both domestic and export totals segregated by type of pack (bulk and consumer pack); and pitted prunes (pitted weight) segregated as to total to domestic outlets and total to export markets segregated by regions;

(3) The total pounds shipped to or for the account of other handlers, including interhandler transfers; and

(4) The total pounds of prunes not covered by, or excluded from, the definition of the term "prunes" (§993.5) shipped.

(e) *Holding of reserve prunes.* Upon request of the committee, a handler shall file with the committee, within 10 calendar days thereafter, a certified report on Form PMC 4.1, "Reserve Prunes Held by Handler", containing the following information as of the date specified by the committee in its request: (1) The date and name and address of the handler; (2) the effective date of the report; and (3) the tonnages of reserve prunes physically held by or for the handler, itemized by plants, together with the location of the plants and itemized by the tonnages and average size count by category held at each such plant.

[26 FR 8281, Sept. 2, 1961, as amended at 30 FR 13311, Oct. 20, 1965; 31 FR 14988, Nov. 29, 1966; 33 FR 19162, Dec. 24, 1968; 48 FR 57261, Dec. 29, 1983; 49 FR 1469, Jan. 12, 1984; 68 FR 37393, June 24, 2003]

EFFECTIVE DATE NOTE: At 70 FR 30613, May 27, 2005, §993.172 was suspended indefinitely.

§ 993.173 Reports of accounting.

(a) *Independent handler's reports of accounting.* Within 10 days (exclusive of Saturdays, Sundays, and legal holidays) after a handler, other than a non-profit cooperative agricultural marketing association, makes an accounting or settlement with a producer or dehydrator for prunes delivered to him, he shall submit to the committee a copy of the accounting or settlement record, which shall contain the following information: (1) The names and addresses of the producer or dehydrator, any other person having a financial interest in the prunes, and the handler; (2) the date of the accounting