

Agricultural Marketing Service, USDA

§ 925.32

removal, resignation, or disqualification of a member the alternate shall act for the member until a successor for such member is selected and has qualified. In the event that both a member and that member's alternate are unable to attend a committee meeting, the member or committee members present may designate any other alternate to serve in such member's place at the meeting if such action is necessary to secure a quorum: *Provided*, That not more than two members or alternates acting for members who are affiliated with the same handler entity shall serve as members at the same meeting.

§ 925.28 Powers.

The committee shall have the following powers:

- (a) To administer the provisions of this part in accordance with its terms;
- (b) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this part;
- (c) To make and adopt rules and regulations to effectuate the terms and provisions of this part; and
- (d) To recommend to the Secretary amendments to this part.

§ 925.29 Duties.

The committees shall have, among others, the following duties:

- (a) To select a chairman and such other officers as may be necessary, and to define the duties of such officers;
- (b) To appoint such employees, agents, and representatives as it may deem necessary, and to determine compensation and to define the duties of each;
- (c) To submit to the Secretary as soon as practicable after the beginning of each fiscal period a budget for such period, including a report in explanation of the items appearing therein and a recommendation as to the rate of assessment for such period;
- (d) To keep minutes, books, and records, which will reflect all of the acts and transactions of the committee and which shall be subject to examination by the Secretary;
- (e) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to growers and

handlers for examination at the office of the committee;

- (f) To cause its books to be audited by a competent public accountant at least once each fiscal period and at such times as the Secretary may request;
- (g) To act as intermediary between the Secretary and any grower or handler;
- (h) To investigate and assemble data on the growing, handling, and marketing conditions with respect to grapes;
- (i) To submit to the Secretary the same notice of meetings of the committee as is given to its members;
- (j) To submit to the Secretary such available information as may be requested; and
- (k) To investigate compliance with the provisions of this part.

§ 925.30 Procedure.

- (a) Eight members of the committee shall constitute a quorum and any action of the committee shall require at least eight concurring votes;
- (b) The committee may vote by telephone, telegraph, or other means of communications; and any votes so cast shall be confirmed promptly in writing: *Provided*, That if an assembled meeting is held, all votes shall be cast in person.

§ 925.31 Compensation and expenses.

The members of the committee, and alternates when acting as members, shall serve without compensation but may be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part: *Provided*, That the committee at its discretion may request the attendance of one or more alternates at any or all meetings notwithstanding the expected or actual presence of the respective members and may pay expenses as aforesaid.

§ 925.32 Annual report.

The committee should, as soon as practicable, after the close of each fiscal period, prepare and mail an annual report to the Secretary and make a copy available to each grower and handler who requests a copy of the report.