

seed or seedlings, contracts for production, designation and demarcation of fields in which grown, maintenance of separate identity of such tobacco from other tobacco, furnishing of samples and furnishing of such information as may be requested relating to production, stocks, and disposition of such tobacco. For tobacco stocks reporting purposes, all miscellaneous domestic tobacco shall be designated as follows:

(a) *Type 72.* That type of tobacco commonly known as Louisiana Perique, or Perique, produced principally in St. James Parish located in southeastern Louisiana.

(b) *Type 73.* All domestic-grown tobacco not otherwise classified, including tobacco cured in the same manner as Class 1, flue-cured tobacco, but having a nicotine content of not more than eight-tenths of one percent ($\frac{8}{10}$ of 1%), oven dry weight. Also included in the miscellaneous types are such types as Ohio Flue-cured and Fire-cured (known as Eastern Ohio), Upper Country Maryland, California, Turkish, and Virginia One-sucker, and the production of the insular possessions of the United States not otherwise classified.

§30.43 Class 8; Foreign-grown cigar-leaf types.

No group divisions are established for any of the types in Class 8. Type designations for Class 8 tobacco are based on the utilization of the leaf in the manufacture of cigars with no reference to physical characteristics. For tobacco stocks reporting purposes Foreign-grown cigar leaf shall be designated as follows:

(a) *Type 81.* Foreign-grown cigar wrapper.

(b) *Type 82.* Foreign-grown cigar filler.

(c) *Type 83.* Foreign-grown cigar binder.

(d) *Type 89.* Other Foreign-grown cigar leaf

[56 FR 25613, June 5, 1991]

§30.44 Class 9; foreign-grown types other than cigar leaf.

No group divisions are established for any of the types in Class 9. Type designations for class 9 are based on (a) utilization, (b) curing method, or both, with no reference to physical charac-

teristics. For tobacco stocks reporting purposes, all foreign-grown tobacco other than cigar leaf shall be designated as follows:

(a) *Type 91.* Foreign grown tobacco commonly known a soriental or aromatic, used principally in blends of cigarette and pipe tobacco.

(b) *Type 92.* Foreign-grown flue-cured tobacco.

(c) *Type 93.* Foreign-cured burley tobacco.

(d) *Type 95.* Foreign-grown dark air-cured.

(e) *Type 96.* Foreign-grown fire-cured.

(f) *Type 99.* Other Foreign-grown cigarette and dark tobacco.

[39 FR 5300, Feb. 12, 1979, as amended at 56 FR 25614, June 5, 1991]

REPORTS

§30.60 Reports.

Within fifteen (15) days after January 1, April 1, July 1, and October 1 of each year, all manufacturers, dealers, grower cooperative associations, owners or agents, other than the original grower of the tobacco and manufacturers who produced less than 185,000 cigars, or 750,000 cigarettes or 35,000 pounds of manufactured tobacco during the first three quarters of the preceding calendar year, shall complete and mail to the Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, DC 20250, in the detail required on forms available from him, reports showing the following information as to leaf tobacco in leaf and sheet form:

(a) *Tobacco in leaf form.* The pounds of tobacco in leaf form or stems owned on the first day of the applicable quarter, with all stocks reported by types of tobacco and whether stemmed or unstemmed.

(b) *Tobacco in sheet form.* The pounds of tobacco sheet owned on the first day of the applicable quarter shall be segregated as to whether for cigar wrapper, cigar binder, for cigarettes, or for other products.

[39 FR 5300, Feb. 12, 1979, as amended at 56 FR 25614, June 5, 1991]

ADMINISTRATION

§30.61 Administration.

The Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, DC 20250, is charged with the supervision of the Division and the performance of all duties assigned thereto in the administration of the Tobacco Stocks and Standards Act. The conduct of all services, classification of leaf tobacco, or employment of inspection/grading/sampling personnel under these regulations shall be accomplished without discrimination as to race, color, religion, sex, or national origin. Information concerning such administration may be obtained from the Director.

PART 33—EXPORT APPLES AND PEARS

DEFINITIONS

Sec.

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- 33.2 Person.
- 33.3 Secretary.
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- 33.10 Minimum requirements.
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- 33.12 Apples and pears not subject to regulation.

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- 33.13 Notice.
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INTERPRETATIVE RULES

- 33.50 Apples and pears for processing.
- 33.60 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

AUTHORITY: Sec. 7, 48 Stat. 124; 7 U.S.C. 587.

SOURCE: 24 FR 6609, Aug. 14, 1959, unless otherwise noted.

DEFINITIONS

§33.1 Act.

Act and *Export Apple and Pear Act* are synonymous and mean "An act to promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes," approved June 10, 1933 (48 Stat. 123; 7 U.S.C. 581 *et seq.*).

§33.2 Person.

Person means an individual, partnership, association, corporation, or any other business unit.

§33.3 Secretary.

Secretary means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture to whom authority has heretofore been delegated or to whom authority may hereafter be delegated to act in his stead.

§33.4 Carrier.

Carrier means any common or private carrier, including, but not being limited to, trucks, railroads, airplanes, vessels, tramp or chartered steamers whether carrying for hire or otherwise.

§33.5 Apples.

Apples means fresh whole apples in packages whether or not they have been in storage.

§33.6 Pears.

Pears means fresh whole pears in packages whether or not they have been in storage.

§33.7 Package.

Package means any container of apples or pears.

§33.8 Less than carload lot.

Less than carload lot means a quantity of apples in packages not exceeding 20,000 pounds gross weight or 400 standard boxes or equivalent, or a