

§ 918.82

in the production area, except that termination of this part shall be effective only if announced on or before the last day of the then current fiscal period.

(e) The provisions of this part shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

[42 FR 40885, Aug. 12, 1977, as amended at 55 FR 1382, Jan. 16, 1990; 55 FR 7289, Mar. 1, 1990]

§ 918.82 Proceedings after termination.

(a) Upon the termination of the provisions of this subpart, the then functioning members of the Industry Committee shall continue as trustees, for the purpose of liquidating the affairs of the said committee, of all the funds and property then in the possession of or under control of such committee, including claims for any funds unpaid or property not delivered at the time of such termination. The procedural rules governing the activities of said trustees, including but not being limited to the determination as to whether action shall be taken by a majority vote of the trustees, shall be prescribed by the Secretary.

(b) The said trustees shall continue in such capacity until discharged by the Secretary; and shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the Industry Committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person the right to all of the funds, property, and claims vested in the committee or the trustees pursuant to this part.

(c) Any person to whom funds, property, or claims have been transferred or delivered by the Industry Committee or its members, pursuant to this section shall be subject to the same obligations imposed upon the members of said committee and upon the said trustees.

(d) Any funds collected for expenses pursuant to the provisions of this part and held by such trustees or such other person, over and above amounts necessary to meet outstanding obligations and the expenses incurred necessarily

7 CFR Ch. IX (1–1–97 Edition)

by the trustees or such other person in the performance of their duties hereunder, shall, as soon as practicable after the termination of this subpart, be returned to the handlers pro rata in proportion to their contributions made pursuant to § 918.41.

MISCELLANEOUS PROVISIONS

§ 918.85 Right of the Secretary.

The members of the Industry Committee, including successors and alternates thereof, and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension at any time by the Secretary. Each and every order, regulation, determination, decision or other act of each committee provided for in this part shall be subject to the continuing right of the Secretary to disapprove of such order, regulation, decision, determination, or other act, and upon such disapproval, at any time, such action by a committee shall be deemed null and void except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 918.86 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon the termination hereof, except with respect to acts done under and during the existence of this subpart.

§ 918.87 Agents.

The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture to act as his agent or representative in connection with any of the provisions of this part.

§ 918.88 Derogation.

Nothing contained in this part is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.