

Agricultural Marketing Service, USDA

§ 958.56

the termination of any such period of prohibition and the beginning of the next such period.

(6) Regulate the handling of onions by establishing, in terms of total weight or total number of layers of containers of onions, the maximum load in railcars, taking into account types of containers and sizes of railcars used, potential resulting damage, and other relevant factors.

(b) In the event the handling of onions is regulated pursuant to paragraph (a)(5) of this section, no handler shall handle any onions which were prepared for market or loaded during the effective period of such regulation. However, during any such period, no such regulation shall be deemed to limit the right of any person to sell or contract to sell onions for future shipment or delivery.

(c) The Secretary may amend any regulation issued under this part whenever he finds that such amendment would tend to effectuate the declared policy of the act. The Secretary may also terminate or suspend any regulation or amendment thereof whenever he finds that such regulation or amendment obstructs or no longer tends to effectuate the declared policy of the act.

[22 FR 26, Jan. 3, 1957. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 32 FR 11262, Aug. 3, 1967; 47 FR 8000, Feb. 24, 1982]

§ 958.53 Handling for specified purposes.

Upon the basis of recommendations and information submitted by the committee, or other available information, the Secretary shall issue special regulations, or modify, suspend, or terminate requirements in effect pursuant to §§ 958.42, 958.52, 958.60, or any combination thereof, in order to facilitate the handling of onions for the following purposes whenever he finds that to do so will tend to effectuate the declared policy of the act:

- (a) Shipments of onions for export;
- (b) Shipments of onions for relief or to charitable institutions;
- (c) Shipments of onions for livestock feed;
- (d) Shipments of onions for planting; and

(e) Shipments of onions for other purposes which may be specified.

§ 958.54 Minimum quantities.

The committee, with the approval of the Secretary, may establish minimum quantities below which onion shipments will be free from the requirements in, or pursuant to, §§ 958.42, 958.52, 958.53, 958.60, or any combination thereof.

§ 958.55 Notification of regulations.

The Secretary shall notify the committee of each regulation issued, and of each amendment, modification, suspension, or termination thereof. The committee shall give reasonable notice thereof to handlers.

§ 958.56 Safeguards.

(a) The committee, with the approval of the Secretary, may prescribe adequate safeguards to prevent onions shipped,

- (1) Pursuant to § 958.53 or § 958.54; or
- (2) To commercial dehydrators for processing by such dehydrators into dehydrated onion products, from entering channels of trade for other than the purpose authorized therefor.

(b) The committee, with the approval of the Secretary, may also prescribe rules and regulations governing the issuance, and the contents, of Certificates of Privilege if such certificates are prescribed as safeguards by the committee. Such safeguards may include requirements that:

- (1) Handlers shall first file applications with the committee to ship such onions;
- (2) Handlers shall obtain inspection provided by § 958.60, or pay the pro rata share of expenses provided by § 958.42, or both, in connection with such onions; and
- (3) Handlers shall obtain Certificates of Privilege from the committee prior to effecting the particular onion shipment.

(c) The committee may rescind any Certificate of Privilege, or refuse to issue any Certificate of Privilege to any handler if proof is obtained that onions shipped by him for the purposes stated in the Certificate of Privilege