

## § 927.60

the percentage of pears of that particular variety permitted to be shipped from his district as determined by the Control Committee. Such exemption certificate shall permit the growers to ship that quantity of the particular variety of pears of the regulated grades and sizes of such variety as will enable him to ship as large a percentage of such variety of his pears as the average percentage of that particular variety of pears that is permitted to be shipped by all growers in his district.

(b) In the event the Control Committee shall determine and report to the Secretary that, by reason of general crop failure or other extraordinary conditions within a particular district, it is not feasible and would not be equitable to issue exemption certificates to growers within that district on the basis of the average percentage of the pears grown in the district which may be shipped in compliance with the requirements of § 927.51, the Secretary may prescribe such other basis for the issuance of such certificates to growers within that district as he may find to be feasible, equitable, and proper.

(c) The Secretary shall have power to modify, change, alter, or amend any procedural rules and any exemption granted under this section.

### INSPECTION

#### § 927.60 Inspection and certification.

(a) Except as hereinafter provided no handler shall ship any pears not theretofore inspected, and a certificate issued with respect thereto, by a duly authorized representative of the Federal-State Inspection Service: *Provided*, That such inspection and certification of shipments of pears may be performed by such other inspection service as the Control Committee, with the approval of the Secretary, may designate. Promptly after shipment of any pears, the handler shall submit, or cause to be submitted, to the Control Committee a copy of the inspection certificate issued on such shipment.

(b) Any handler may ship pears, on any one conveyance and in such quantity as the committee, with the approval of the Secretary, may prescribe, exempt from the inspection and certifi-

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cation requirements of paragraph (a) of this section.

[15 FR 6071, Sept. 9, 1950. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 27 FR 93, Jan. 5, 1962]

### EXCEPTIONS

#### § 927.65 Exemption from regulation.

(a) Nothing contained in this subpart shall limit or authorize the limitation of shipment of pears for consumption by charitable institutions or distribution by relief agencies or conversion into by-products, nor shall any assessment be computed on pears so shipped. The Control Committee may prescribe regulations to prevent pears shipped for either of such purposes from entering commercial fresh-fruit channels of trade contrary to the provisions of this subpart.

(b) The Control Committee may prescribe rules and regulations, to become effective upon the approval of the Secretary, whereby quantities of pears or types of pear shipments may be exempted from any or all provisions of this subpart.

(c) The Control Committee may, with the approval of the Secretary, designate storage warehouses within the area and prescribe rules and regulations whereby pears may be shipped to such storage warehouses exempt from the provisions of this subpart: *Provided*, That pears so shipped shall not thereafter be handled contrary to the provisions of this subpart.

[15 FR 6071, Sept. 9, 1950. Redesignated at 26 FR 12751, Dec. 30, 1961, as amended at 61 FR 17555, Apr. 22, 1996]

### MISCELLANEOUS PROVISIONS

#### § 927.70 Reports.

Upon the request of the Control Committee, subject to the disapproval of the Secretary, each handler shall furnish to the Control Committee, in such manner and at such times as it prescribes, such information as will enable it to perform its duties under this subpart.

#### § 927.71 Compliance.

Except as provided in § 927.65, no handler shall ship any pears contrary to