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combination thereof, of any variety or varieties of pears grown in any district or districts of the production area;

(2) Limit the shipment of pears by establishing, in terms of grades, sizes, or both, minimum standards of quality during any period when the season average price is expected to exceed the parity level;

(3) Fix the size, capacity, weight, dimensions, or pack of the container, or containers, which may be used in packaging or handling of pears: *Provided*, That no regulations shall prohibit the use of the 14-pound box or the standard western pear box; and

(4) Prescribe requirements, as provided in this paragraph, applicable to exports of any variety of pears which are different from those applicable to the handling of the same variety to other destinations.

(b) The committee shall be informed immediately of any such regulation issued by the Secretary, and the committee shall promptly give notice thereof to growers and handlers.

§ 931.53 Modification, suspension, or termination of regulations.

(a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to § 931.52 should be modified, suspended, or terminated, it shall so recommend to the Secretary.

(b) Whenever the Secretary finds, from the recommendations and information submitted by the committee or from other available information, that a regulation should be modified, suspended, or terminated with respect to any or all shipments of pears in order to effectuate the declared policy of the act, he shall modify, suspend, or terminate such regulation. On the same basis and in like manner, the Secretary may terminate any such modification or suspension. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such suspension.

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§ 931.54 Special purpose and minimum quantity shipments.

(a) Except as otherwise provided in this section, any person may, without regard to the provisions of §§ 931.41, 931.52, 931.53 and 931.55, and the regulations issued thereunder, handle pears (1) for consumption by charitable institutions; (2) for distribution by relief agencies; or (3) for commercial processing into products.

(b) Upon the basis of recommendations and information submitted by the Committee, or from other available information, the Secretary may relieve from any or all requirements under or established pursuant to § 931.41, § 931.52, § 931.53, or § 931.55, the handling of pears in such minimum quantities, in such types of shipments, including gift fruit shipments, or for such specified purposes (including shipments to facilitate the conduct of marketing research and development projects established pursuant to § 931.45) as the committee, with the approval of the Secretary, may prescribe.

(c) The committee shall, with the approval of the Secretary prescribe such rules, regulations, and safeguards as it may deem necessary to assure compliance with this section. Such rules, regulations, and safeguards may include the requirements that handlers shall file applications and receive approval from the committee for authorization to handle pears pursuant to this section. It may be required that such applications be accompanied by a certification by the intended purchaser or receiver that the pears will not be used for any purpose not authorized by this section.

§ 931.55 Inspection and certification.

Whenever the handling of any variety of pears is regulated pursuant to § 931.52 or § 931.53, each handler who handles pears shall, prior thereto, cause such pears to be inspected by the Federal or Federal-State Inspection Service and certified by it as meeting the applicable requirements of such regulation: *Provided*, That inspection and certification shall be required for pears which previously have been so inspected and certified only if such pears

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have been regarded, resorted, repackaged, or in any other way further prepared for market. Promptly after inspection and certification, each such handler shall submit or cause to be submitted to the committee a copy of the certificate of inspection issued with respect to such pears. The committee may, with the approval of the Secretary, prescribe rules and regulations modifying the inspection requirements of this section as to time and place such inspection shall be performed whenever it is determined it would not be practical to perform the required inspection at a particular location: *Provided*, That all such shipments shall comply with all regulations in effect.

§ 931.56 Exemptions.

The committee shall issue certificates of exemption to any producer who applies for such exemption and furnishes adequate evidence to the committee:

(a) That by reason of a regulation he will be prevented from handling or having handled as large a proportion of his production as the average proportion of production handled by or for all producers in said applicant's production district; and

(b) That the grade, size, or quality of the applicant's pears have been adversely affected by acts beyond the applicant's reasonable expectation or control. Each certificate shall permit the producer to handle or to have handled the amount of pears specified thereon. Such certificates shall be transferred with such pears at time of shipment. The committee shall be permitted at any time to make a thorough investigation of any producer's claim for exemptions and shall determine what conditions constitute acts beyond the grower's reasonable expectation or control.

REPORTS

§ 931.60 Reports.

(a) Upon request of the committee, made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, reports of pears received and disposed of and

such other information as may be necessary for the committee to perform its duties under this part.

(b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers are authorized subject to the prohibition of disclosure of individual handler's identities or operations.

(c) Each handler shall maintain for at least two succeeding years such records of the pears received and of pears disposed of, by such handler as may be necessary to verify reports pursuant to this section.

MISCELLANEOUS PROVISIONS

§ 931.61 Compliance.

Except as provided in this part, no person shall handle pears the shipment of which has been prohibited by the Secretary in accordance with the provisions of this part; and no person shall handle pears except in conformity with the provisions and the regulations issued under this part.

§ 931.62 Right of the Secretary.

The members of the committee (including successors and alternates), and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

§ 931.63 Effective time.

The provisions of this part and of any amendments thereto shall become effective at such time as the Secretary may declare above his signature, and