

§ 993.41

7 CFR Ch. IX (1-1-04 Edition)

such projects shall be paid from funds collected pursuant to § 993.81.

MARKETING POLICY

§ 993.41 Marketing policy.

(a) On or before the first Tuesday of each July, the committee shall prepare and submit to the Secretary a report setting forth its recommended marketing policy for the ensuing crop year. If it becomes advisable to modify such policy, because of changed demand, supply, or other conditions, the committee shall formulate a new policy and shall submit a report thereon to the Secretary. Notice of the committee's marketing policy, and of any modifications thereof, shall be given promptly by reasonable publicity to producers, dehydrators, and handlers.

(b) In formulating its marketing policy for the ensuing crop year, the committee shall consider and shall include in its report to the Secretary, the following estimates (natural condition basis) and recommendations:

- (1) The carryover of salable prunes as of August 1;
- (2) The carryover of reserve prunes as of August 1;
- (3) The grade and size composition of the salable and reserve carryovers;
- (4) The quantity of prunes to be produced without regard to possible diversions of prune plums by producers;
- (5) The probable quality and prune sizes in the crop;
- (6) The domestic trade demand by uses of prunes;
- (7) The foreign trade demand by countries or groups of countries;
- (8) The desirable carryout of salable prunes at the end of the ensuing crop year;
- (9) The quantity of undersized prunes in the crop, itemized as to French prunes and non-French prunes;
- (10) The quantity of prunes to be withheld as reserve prunes so as to protect against errors of estimation and permit orderly marketing of the supply;
- (11) The recommended salable and reserve percentages;
- (12) The quantity of prune plums, dried weight basis, deemed desirable to be diverted pursuant to § 993.62;

(13) Any recommended change in regulations pursuant to §§ 993.49 to 993.53, inclusive;

(14) The probable assessable tonnage for the purposes of § 993.81; and

(15) The current prices for prunes, the trend and level of consumer income, whether producer prices are likely to exceed parity, and such other factors as may have a bearing on the marketing of prunes or the administration of this part.

[30 FR 9798, Aug. 6, 1965, as amended at 37 FR 862, Jan. 20, 1972]

EFFECTIVE DATE NOTE: At 68 FR 40757, July 9, 2003, § 993.41 was amended by suspending paragraphs (b)(2), (10), (11) and (12), the words "and reserve" in paragraph (b)(3), and the words "without regard to possible diversions of prune plums by producers" in paragraph (b)(4) effective August 1, 2003 through July 31, 2008.

PROHIBITION ON HANDLING

§ 993.48 Regulation.

No handler shall handle prunes except in accordance with the provisions of this part.

[30 FR 9799, Aug. 6, 1965]

GRADE AND SIZE REGULATIONS

§ 993.49 Incoming regulation.

(a) No handler shall receive prunes from producers or dehydrators, other than substandard prunes and undersized prunes, unless such prunes meet the minimum standards for natural condition prunes set forth in § 993.97 (Exhibit A), or as such standards may be modified, or the more restrictive grade regulation established pursuant to this section, and then in effect: *Provided*, That no handler shall receive any prunes (including substandard prunes and undersized prunes) from producers or dehydrators unless such prunes have been properly dried and cured in original natural condition, without the addition of water, and are free from active insect infestation, so that they are capable of being received, stored, and packed without material deterioration or spoilage. Any "high moisture content prunes," as described in the exception in § 993.5(b), in the possession of a handler, shall be held separate and apart from any prunes held by