

§917.16

7 CFR Ch. IX (1-1-05 Edition)

ADMINISTRATIVE BODIES

§917.16 Designation of Control Committee.

A Control Committee is hereby established consisting of 12 shipper members and 13 commodity committee members, and the members shall be selected in accordance with the provisions of §917.17 through §917.19. The members shall be selected annually for a term ending on the last day of February, and said members shall serve until their respective successors are selected and have qualified.

§917.17 Nomination of shipper members of the Control Committee.

Nominations for the 12 members of the Control Committee to represent shippers shall be made in the following manner:

(a) By February 1 of each year the Control Committee shall announce a time and place for a meeting of all shippers of fruit and shall conduct the election of nominees at such meeting. At said election meeting the shippers present shall select a nominee for each of the shipper member positions on the Control Committee. Each shipper shall cast only one vote.

(b) No shipper shall be entitled to participate in the nomination of members of the Control Committee, or be eligible for membership on such committee, if such shipper has failed to pay the assessments, due to be paid by him pursuant to the provisions of §917.37.

§917.18 Nomination of commodity committee members of the Control Committee.

Nominations for the 13 members of the Control Committee to represent the commodity committees shall be made in the following manner:

(a) A nomination for one member shall be made by each commodity committee selected pursuant to §917.25. Nominations for the remaining members shall be made by the respective commodity committees as provided in this section. The number of remaining members which each respective commodity committee shall be entitled to nominate shall be based upon the proportion that the previous three fiscal periods' shipments of the respective

fruit is of the total shipments of all fruit to which this part is applicable during such periods. In the event provisions of this part are terminated as to any one fruit, nominations of members to the Control Committee shall be composed of representatives of the remaining two fruits. The apportionment shall be determined as aforesaid. In the event provisions of this part are terminated as to any two fruits, the members of the commodity committee of the remaining fruit shall have all of the powers, duties, and functions given to the Control Committee under this part and sections of this part pertaining to the designation of the Control Committee shall be terminated.

(b) A person nominated by any commodity committee for membership on the Control Committee shall be an individual person who is a member or alternate member of the commodity committee which nominates him. Each member of each commodity committee shall have only one vote in the selection of nominees for membership on the Control Committee.

EFFECTIVE DATE NOTE: At 59 FR 10055, Mar. 3, 1994, in §917.18, paragraph (a) the words "The number of remaining members which each respective commodity committee shall be entitled to nominate shall be based upon the proportion that the previous three fiscal period's shipments of the respective fruit is of the total shipments of all fruit to which this part is applicable during such periods. In the event provisions of this part are terminated as to any one fruit, nominations of members to the Control Committee shall be composed of representatives of the remaining two fruits. The apportionment shall be determined as aforesaid. In the event provisions of this part are terminated as to any two fruits, the members of the commodity committee of the remaining fruit shall have all the powers, duties, and functions given to the Control Committee under this part and sections of this part pertaining to the designation of the Control Committee shall be terminated." were suspended, effective Apr. 4, 1994.

§917.19 Selection of members of the Control Committee.

From the nominations made pursuant to §917.17, or from other persons, the Secretary shall select the shipper members of the Control Committee. From the nominations made pursuant to §917.18, or from other persons, the