

**§ 924.160 Reports.**

Each person handling prunes shall submit to the Committee, on or before October 30 of each year, a "Handler Statement for Washington-Oregon Fresh Prunes" containing the following information:

- (a) The handler's name and address;
- (b) The name and address of each producer;
- (c) The quantity, in field run tons, of early and late fresh prunes handled by each handler;
- (d) The assessment due and enclosed;
- (e) The name, telephone number, and signature of the authorized person completing the form; and
- (f) The date the form is signed.

[71 FR 26821, May 9, 2006]

**Subpart—Assessment Rate**

**§ 924.236 Assessment rate.**

On or after April 1, 2009, an assessment rate of \$2.00 per ton is established for the Washington-Oregon Fresh Prune Marketing Committee.

[74 FR 48850, Sept. 25, 2009]

**Subpart—Grade and Size Requirements**

**§ 924.319 Prune Regulation 19.**

(a) During the period beginning July 15 and ending September 30, no handler shall handle any lot of prunes, except prunes of the Brooks variety, unless:

(1) Such prunes grade at least U.S. No. 1, except that at least two-thirds of the surface of the prune is required to be purplish in color, and such prunes measure not less than 1¼ inches in diameter as measured by a rigid ring; *Provided*, That the following tolerances, by count, of the prunes in any lot shall apply in lieu of the tolerance for defects provided in the United States Standards for Grades of Fresh Plums and Prunes: A total of not more than 15 percent for defects, including therein not more than the following percentage for the defect listed:

- (i) 10 percent for prunes which fail to meet the color requirement;
- (ii) 10 percent for prunes which fail to meet the minimum diameter requirement;

(iii) 10 percent for prunes which fail to meet the remaining requirements of the grade: *Provided*, That not more than one-half of this amount, or 5 percent, shall be allowed for defects causing serious damage, including in the latter amount not more than 1 percent for decay; or

(2) Such prunes are handled in accordance with paragraph (b) of this section.

(b) Notwithstanding any other provision of this regulation, any individual shipment which, in the aggregate, does not exceed 500 pounds net weight, of prunes of the Stanley or Merton varieties of prunes, or 350 pounds net weight, of prunes of any variety other than Stanley or Merton varieties of prunes, which meets each of the following requirements may be handled without regard to the provisions of paragraph (a) of this section, and of §§ 924.41 and 924.55:

(1) The shipment consists of prunes sold for home use and not for resale, and

(2) Each container is stamped or marked with the handler's name and address and with the words "not for resale" in letters at least one-half inch in height.

(c) The term *U.S. No. 1* shall have the same meaning as when used in the United States Standards for Grades of Fresh Plums and Prunes (7 CFR 2851.1520 through 2851.1538); the term *purplish color* shall have the same meaning as when used in the Washington State Department of Agriculture Standards for Italian Prunes (April 29, 1978), and in the Oregon State Department of Agriculture Standards for Italian Prunes (October 5, 1977); the term *diameter* means the greatest dimension measured at right angles to a line from the stem to blossom end of the fruit; and, except as otherwise specified, all other terms shall have the same meaning as when used in the marketing agreement and order.

[46 FR 38668, July 29, 1981, as amended at 49 FR 27732, July 6, 1984; 61 FR 40958, Aug. 7, 1996]

EFFECTIVE DATE NOTE: At 71 FR 26821, May 9, 2006, § 924.319 was suspended indefinitely, effective May 10, 2006.