Agricultural Marketing Service, USDA § 932.153

TABLE III—CANNED WHOLE RIPE OLIVE SIZES AVERAGE COUNT RANGES—Continued

<table>
<thead>
<tr>
<th>Size designation</th>
<th>Variety group 1</th>
<th>Variety group 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Except Ascolano, Barouni, St. Agostino</td>
<td>Ascolano, Barouni, St. Agostino</td>
</tr>
<tr>
<td>Ex. Large</td>
<td>65–75</td>
<td>65–90</td>
</tr>
<tr>
<td>Jumbo</td>
<td>47–60</td>
<td>47–60</td>
</tr>
<tr>
<td>Colossal</td>
<td>33–46</td>
<td>33–46</td>
</tr>
<tr>
<td>Sup. Colossal</td>
<td>(*)</td>
<td>(*)</td>
</tr>
</tbody>
</table>

(1) Size designation: Ex. Large, Jumbo, Colossal, Sup. Colossal.

(h) Canned whole ripe olives, other than those of the “tree-ripened” type, shall be of a size not smaller than the following applicable size requirements, tolerances and percentages:

(1) With respect to variety group 1 olives, except Ascolano, Barouni, and St. Agostino varieties:
   (i) For olives of the extra large size designation, not more than 25 percent, by count, of such olives may weigh less than 1/75 pound each; and
   (ii) For olives of any designation except the extra large size, not more than 5 percent, by count, of such olives may weigh less than 1/82 pound each; and

(2) With respect to variety group 1 olives of the Ascolano, Barouni, and St. Agostino varieties:
   (i) For olives of the large size designation, not more than 25 percent, by count, of such olives may weigh less than 1/105 pound each including not more than 10 percent, by count, of such olives that weigh less than 1/116 pound each; and
   (ii) For olives of any designation except the large size, not more than 5 percent, by count, of such olives may weigh less than 1/135 pound each; and

(3) With respect to variety group 2 olives, except the Obliza variety:
   (i) For olives of the small size designation, not more than 35 percent, by count, of such olives may weigh less than 1/140 pound each including not more than 7 percent, by count, of such olives that weigh less than 1/160 pound each; and
   (ii) For olives of any designation except the small size, not more than 5 percent, by count, of such olives may weigh less than 1/140 pound each; and

(4) With respect to variety group 2 olives of the Obliza variety:
   (i) For olives of the medium size designation, not more than 35 percent, by count, of such olives may weigh less than 1/127 pound each including not more than 7 percent, by count, of such olives that weigh less than 1/135 pound each; and
   (ii) For olives of any designation except the medium size, not more than 5 percent, by count, of such olives may weigh less than 1/127 pound each.

§ 932.153 Establishment of minimum quality and size requirements for processed olives for limited uses.

(a) Minimum quality requirements. On or after August 1, 1996, any handler may use processed olives of the respective variety group in the production of limited use styles of canned ripe olives if such olives were processed after July 31, 1996, and meet the minimum quality requirements specified in § 932.52(a)(1) as modified by § 932.149.

(b) Sizes. On or after August 1, 1996, any handler may use processed olives in the production of limited-use styles
of canned ripe olives if such olives were harvested after August 1, 1996, and meet the following requirements:

(1) The processed olives shall be identified and kept separate and apart from any olives harvested before August 1, 1996.

(2) Variety Group 1 olives, except the Ascolano, Barouni, or St. Agostino varieties, shall be of a size which individually weigh at least \(\frac{1}{105}\) pound: Provided, That no more than 35 percent of the olives in any lot or sublot may be smaller than \(\frac{1}{105}\) pound.

(3) Variety Group 1 olives of the Ascolano, Barouni, or St. Agostino varieties shall be of a size which individually weigh at least \(\frac{1}{180}\) pound: Provided, That no more than 35 percent of the olives in any lot or sublot may be smaller than \(\frac{1}{180}\) pound.

(4) Variety Group 2 olives, except the Obliza variety, shall be of a size which individually weigh at least \(\frac{1}{205}\) pound: Provided, That not to exceed 35 percent of the olives in any lot or sublot may be smaller than \(\frac{1}{205}\) pound.

(5) Variety Group 2 olives of the Obliza variety shall be of a size which individually weigh at least \(\frac{1}{180}\) pound: Provided, That not to exceed 35 percent of the olives in any lot or sublot may be smaller than \(\frac{1}{180}\) pound.


§ 932.154 Handler transfer.

(a) Except as hereinafter provided in paragraph (b) of this section, Form COC-6 “Report of Interhandler Transfer” shall be completed by the transferring handler for all lots of processed, but not packaged, olives transferred to another handler within the area and for all lots and sublots of natural condition olives transferred to another handler within the area or shipped to destinations outside the area except fresh market outlets. For natural condition olives transferred by a handler to a destination outside the area, except fresh market outlets, two copies of said form shall be completed by the transferring handler with the words Outside the Area included in the upper right corner of the form and one copy shall be returned to the committee within 10 days following transfer of the olives. The completed form shall contain at least the following information: (1) Name and address of both the transferor and transferee; (2) date of transfer; (3) condition (natural, processed but not packaged); (4) weight, number and size of each type of container; (5) variety; and (6) other identification (undersize olives, culls, style, etc.).

(b) Undersize or cull olives that are transferred from one handler to another and for which the transferring handler desires credit toward satisfaction of his obligation under § 932.51(a)(2) need only be accompanied by two copies of Form COC-5, report of limited and undersize and cull olives inspection and disposition: Provided, That such transfers are carried out under the supervision of the Inspection Service.

(c) No handler may ship any lot or sublot of natural condition olives to a destination outside the area, except fresh market outlets, unless such olives have first been size-graded and meet the disposition holding requirements applicable under paragraphs (a) (2) and (4) of § 932.51. The size and of such transferred olives shall be verified, prior to transfer, by certification issued to the transferring handler by the appropriate inspection service (Federal or Federal-State Inspection Service or the Processed Products Branch, USDA).


§ 932.155 Special purpose shipments.

(a) The disposition of packaged olives covered by § 932.152(d) which are not reprocessed, and new packaged olive products covered under paragraph (b) of this section which have not been disposed of by the end of the test market period, shall be handled in conformity with the applicable provisions of this paragraph.