

## Agricultural Marketing Service, USDA

## § 920.20

### § 920.3 Person.

*Person* means an individual, partnership, corporation, association or any other business unit.

### § 920.4 Production area.

*Production area* means the State of California.

### § 920.5 Kiwifruit.

Kiwifruit means all varieties of kiwifruit, or kiwi grown in the production area.

[58 FR 65102, Dec. 13, 1993]

### § 920.6 Varieties.

*Varieties* means and includes all classifications or subdivisions of kiwifruit.

### § 920.7 Fiscal period.

*Fiscal period* is synonymous with fiscal year and means a 12-month period beginning on August 1 of one year and ending on the last day of July of the following year or such other period as the committee, with the approval of the Secretary, may prescribe.

### § 920.8 Committee.

*Committee* means the Kiwifruit Administrative Committee established pursuant to § 920.20.

### § 920.9 Grower.

*Grower* is synonymous with producer and means any person who produces kiwifruit for the fresh market and who has a proprietary interest therein.

### § 920.10 Handler.

*Handler* is synonymous with shipper and means any person (except a common or contract carrier transporting kiwifruit owned by another person) who handles kiwifruit.

### § 920.11 Handle.

*Handle* and *ship* are synonymous and mean to sell, consign, deliver, or transport kiwifruit, or to cause kiwifruit to be sold, consigned, delivered, or transported, between the production area and any point outside thereof, or within the production area: *Provided*, That the term *handle* shall not include the sale of kiwifruit on the vine, the transportation within the production area of

kiwifruit from the vineyard where grown to a packing facility located within such area for preparation for market, or the delivery of such kiwifruit to such packing facility for such preparation.

### § 920.12 District

*District* means the applicable one of the following described subdivisions of the production area or such other subdivision as may be prescribed pursuant to § 920.31:

(a) *District 1* shall include Butte, Sutter, and Yuba Counties.

(b) *District 2* shall include Tulare County.

(c) *District 3* shall include all counties within the production area not included in Districts 1 and 2.

[75 FR 37291, June 29, 2010]

### § 920.13 Pack.

*Pack* means the specific arrangement, size, weight, count, or grade of a quantity of kiwifruit in a particular type and size of container, or any combination thereof.

### § 920.14 Container.

*Container* means a box, bag, crate, lug, basket, carton, package, or any other type of receptacle used in the packaging or handling of kiwifruit.

### ADMINISTRATIVE BODY

### § 920.20 Establishment and membership.

There is hereby established a Kiwifruit Administrative Committee consisting of 12 members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he or she is an alternate. The 12-member committee shall be made up of the following: One public member (and alternate), and eleven members (and alternates). With the exception of the public member and alternate, all members and their respective alternates shall be growers or employees of growers. In accordance with § 920.31(l), district representation on the committee shall be based upon the previous five-year average production in the district and shall be established so as to provide an equitable relationship between membership and