

Agricultural Marketing Service, USDA

§ 945.341

(b) The committee may require each handler making shipments of potatoes for export to include with his application a copy of the Department of Commerce Shipper's Export Declaration Form No. 7525-V applicable to such shipment.

§ 945.123 Approval.

The committee or its duly authorized agents shall give prompt consideration to each application for a Certificate of Privilege. Approval of an application, based upon a determination as to whether the information contained therein and other information available to the committee supports approval, shall be evidenced by the issuance of a Certificate of Privilege to the applicant. Each certificate shall cover a specified period, and specified qualities and quantities of potatoes to be sold or transported to the designated consignee for the purposes declared.

§ 945.124 Reports.

Each handler of potatoes shipping under Certificates of Privilege shall supply the committee with reports as requested by the committee or its duly authorized agents showing the name and address of the shipper; the car or truck identification; the loading point; destination; consignee; the inspection certificate number when inspection is required; and any other information deemed necessary by the committee.

§ 945.125 Disqualification.

The committee from time to time may conduct surveys of handling of potatoes for special purposes requiring Certificates of Privilege to determine whether handlers are complying with the requirements and regulations applicable to such certificates. Whenever the committee finds that a handler or consignee is failing to comply with requirements and regulations applicable to handling of potatoes in special outlets, and requiring such certificates, a Certificate or Certificates of Privilege issued such handler may be rescinded and further certificates denied. Such disqualification shall apply to, and not exceed, a reasonable period of time as determined by the committee but in no event shall it extend beyond the end of

the succeeding fiscal period. Any handler who has a certificate rescinded or denied may appeal to the committee in writing for reconsideration of his disqualification.

Subpart—Assessment Rates

§ 945.249 Assessment rate.

On and after August 1, 2003, an assessment rate of \$0.0045 per hundredweight is established for Idaho-Eastern Oregon potatoes.

[68 FR 59527, Oct. 16, 2003]

Subpart—Handling Regulations

§ 945.341 Handling regulation.

No person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) through (d) of this section, or unless such potatoes are handled in accordance with paragraphs (e) and (f), or (g) of this section.

(a) *Minimum quality requirements*—(1) *Grade*—All varieties. U.S. No. 2 or better grade.

(2) *Size*—(i) *Round varieties*. 1 $\frac{7}{8}$ inches minimum diameter, unless otherwise specified on the container in connection with the grade.

(ii) *All other varieties*. 2 inches minimum diameter, or 4 ounces minimum weight: *Provided*, That at least 40 percent of the potatoes in each lot shall be 5 ounces or heavier.

(iii) *All varieties, U.S. No. 1 grade or better*. (A) Size B (1 $\frac{1}{2}$ to 2 $\frac{1}{4}$ inches diameter).

(B) Creamer ($\frac{3}{4}$ to 1 $\frac{5}{8}$ inches diameter).

(3) *Cleanness*—All varieties. "Fairly clean."

(b) *Minimum maturity requirements*—(1) *White Rose and red skin varieties*. Each year from August 1 through December 31, "moderately skinned"; during other periods no maturity requirements.

(2) *All other varieties*. "Slightly skinned."

(3) *Exceptions*. (i) Subject to compliance with paragraph (b)(4)(iii) of this section, any lot of potatoes not exceeding a total of 50 hundredweight of such variety may be handled for any producer without regard to the foregoing maturity requirements.