

§ 925.45

member's possession to the committee, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in the committee full title to all of the property, funds, and claims vested in such member pursuant to this part.

RESEARCH AND MARKET DEVELOPMENT

§ 925.45 Production research and market research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of production research, marketing research and development projects designed to assist, improve or promote the marketing, distribution and consumption or the efficient production of grapes. The expense of such projects shall be paid from funds collected pursuant to this part.

REGULATIONS

§ 925.50 Marketing policy.

Each season prior to making any recommendation pursuant to §925.51 the committee shall submit to the Secretary a report setting forth its marketing policy for the ensuing marketing season. Such marketing policy report shall contain information relative to:

- (a) The estimated total shipments of grapes produced within the production area;
- (b) The expected general quality of grapes in the production area;
- (c) The expected demand conditions for grapes;
- (d) The probable prices for grapes;
- (e) Supplies of competing commodities, including foreign produced grapes;
- (f) Trend and level of consumer income;
- (g) Other factors having a bearing on the marketing of grapes; and
- (h) The type of regulations expected to be recommended during the marketing season.

§ 925.51 Recommendation for regulation.

Upon complying with the requirements of §925.50 the committee may recommend regulations to the Secretary whenever the committee deems that such regulations as are provided

7 CFR Ch. IX (1-1-13 Edition)

in §925.52 will tend to effectuate the declared policy of the act.

§ 925.52 Issuance of regulations.

(a) The Secretary shall regulate, in the manner specified in this section, the handling of grapes upon finding from the recommendations and information submitted by the committee, or from other available information, that such regulation would tend to effectuate the declared policy of the act. Such regulation may:

- (1) Limit the handling of any grade, size, quality, maturity, or pack, or any combination thereof, of any or all varieties of grapes during any period or periods;
 - (2) Limit the handling of any grade, size, quality, maturity, or pack of grapes differently for different varieties, or any combination of the foregoing during any period or periods;
 - (3) Limit the handling of grapes by establishing in terms of grades, sizes, or both, minimum standards of quality and maturity during any period when season average prices are expected to exceed the parity level;
 - (4) Fix the size, capacity, weight, dimensions, markings, materials, or pack of the container which may be used in handling of grapes;
 - (5) Establish holidays by prohibiting the packing of all varieties of grapes during a specified period or periods.
- (b) No handler shall handle grapes that were packed during any period when such packing was prohibited by any regulation issued under paragraph (a)(5) of this section unless such grapes are handled under §925.54.

§ 925.53 Modification, suspension, or termination of regulations.

- (a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to §925.52 should be modified, suspended, or terminated, it shall so recommend to the Secretary.
- (b) Whenever the Secretary finds from the recommendations and information submitted by the committee or from other available information that a regulation should be modified, suspended, or terminated with respect to any or all shipments of grapes in order to effectuate the declared policy of the

Agricultural Marketing Service, USDA

§ 925.60

act, the Secretary shall modify, suspend, or terminate such regulation. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the act, the Secretary shall suspend or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such modification or suspension.

§ 925.54 Special purpose shipments.

(a) Regulations in effect pursuant to § 925.41, § 925.52, or § 925.55 may be modified, suspended, or terminated to facilitate handling of grapes for purposes which may be recommended by the committee and approved by the Secretary.

(b) The committee shall, with the approval of the Secretary, prescribe such rules, regulations, and safeguards as it may deem necessary to prevent grapes handled under the provisions of this section from entering the channels of trade for other than the specific purposes authorized by this section.

INSPECTION AND CERTIFICATION

§ 925.55 Inspection and certification.

(a) Whenever the handling of any variety of grapes is regulated pursuant to § 925.52, each handler who handles grapes shall, prior thereto, cause such grapes to be inspected by the Federal or Federal-State Inspection Service and certified as meeting the applicable requirements of such regulation: *Provided*, That inspection and certification shall not be required for grapes which previously have been so inspected and certified if such prior inspection was performed within such period as may be established pursuant to paragraph (b) of this section. Promptly after the inspection and certification each such handler shall submit, or cause to be submitted, to the committee a copy of the certificate of inspection issued with respect to such grapes.

(b) The committee may, with the approval of the Secretary, establish a period prior to shipment during which the inspection required by this section must be performed.

(c) The committee may enter into an agreement with the Federal and Federal-State Inspection Services with re-

spect to the costs of the inspection required by paragraph (a) of this section, and may collect from handlers their respective pro rata share of such costs.

REPORTS

§ 925.60 Reports.

(a) Each handler shall furnish to the committee, at such times and for such periods as the committee may designate, certified reports covering, to the extent necessary for the committee to perform its functions, each shipment of grapes as follows:

(1) The name of the shipper and the shipping point;

(2) The car or truck license number (or name of the trucker), and identification of the carrier;

(3) The date and time of departure;

(4) The variety;

(5) The number and type of containers in the shipment;

(6) The destination; and

(7) Identification of the inspection certificate pursuant to which the grapes were handled.

(b) Upon request of the committee, made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such times as it may prescribe, such other information as may be necessary to enable the committee to perform its duties under this part.

(c) Each handler shall maintain for at least two succeeding fiscal periods after the end of the fiscal period in which the transactions occurred, such records of the grapes received and disposed of by such handler as may be necessary to verify the reports such handler submits to the committee pursuant to this section.

(d) All reports and records submitted by handlers pursuant to the provisions of this section shall be received by, and at all times be in custody of one or more designated employees of the committee. No such employee shall disclose to any person, other than the Secretary upon request therefor, data or information obtained or extracted from such reports and records which might affect the trade position, financial condition, or business operation of