

§ 956.163 Handling for specified purposes.

(a) Assessment and container marking requirements specified in this part shall not be applicable to shipments of onions for any of the following purposes:

- (1) Shipments of Walla Walla Sweet Onions for relief or to charitable institutions: *Provided*, That such shipments must be donated and not sold in order for this exemption to apply;
- (2) Shipments of Walla Walla Sweet Onions for livestock feed;
- (3) Shipments of Walla Walla Sweet Onions for planting and for plants;
- (4) Shipments of Walla Walla Sweet Onions as salad onions;
- (5) Shipments of Walla Walla Sweet Onions for all processing uses including, pickling, peeling, dehydration, juicing, or other processing;
- (6) Shipments of Walla Walla Sweet Onions for disposal;
- (7) Shipments of Walla Walla Sweet Onions for seed.

(b) *Market preparation outside the production area.* (1) Persons desiring to ship or receive Walla Walla sweet onions for grading, packing, or storing outside the production area, but within Oregon and Washington, shall apply to the Committee on a "*Shippers/Receivers Application for Certificate of Privilege*" form. Such application shall contain the following:

- (i) Company name, contact name, address, contact telephone numbers, date, and signature of the applicant;
- (ii) Whether the applicant is the shipper or receiver;
- (iii) Agreement to provide a *Special Purpose Shipment Report* to the Committee as required after shipping or receiving Walla Walla sweet onions for grading, packing, or storing out of the production area under a Certificate of Privilege.
- (iv) Certification by the applicant that all provisions of the rules and regulations of this part will be adhered to including, but not limited to, any grade, size, quality, maturity, pack, or container requirements that may be currently in effect;
- (v) Certification by the applicant, if a receiver under the Certificate of Privilege, that they will forward to the

Committee office all assessments due on Walla Walla sweet onions handled.

(vi) Such other information as the Committee may require.

(2) Each approved applicant shall furnish to the Committee a *Special Purpose Shipment Report* form no later than thirty (30) days after the final shipment of sweet onions are shipped or received pursuant to the Certificate of Privilege. That report shall contain the following information:

- (i) Company name, contact name, address, contact telephone numbers, signature, and date;
- (ii) Names of shippers or receivers who have either shipped Walla Walla sweet onions out of the production area or received the same;
- (iii) The total quantity of Walla Walla sweet onions shipped or received under this section during the period covered;
- (iv) Certification by the receiver that all assessments due on Walla Walla sweet onions handled under the respective Certificate of Privilege are being forwarded to the Committee; and
- (v) Such other information as the Committee may require.

(3) The Committee may cancel any Certificate of Privilege if proof satisfactory to the Committee is obtained that any Walla Walla sweet onions shipped or received were done so contrary to the provisions of this section. Upon cancellation of such Certificate of Privilege the shipper or receiver may appeal to the Committee for reconsideration.

[62 FR 18026, Apr. 14, 1997, as amended at 69 FR 22382, Apr. 26, 2004]

§ 956.180 Reports.

(a) Each handler shall furnish to the Committee, no later than May 31 each year, a preseason *Walla Walla Sweet Onion Handler Registration Form*. Such form shall include:

- (1) Company name, contact name, mailing and physical addresses, contact telephone numbers, and signature of handler;
- (2) Season covered by registration;
- (3) Brand names or labels to be used; and
- (4) Estimated number of acres of fall planted and spring planted Walla Walla