

## Agricultural Marketing Service, USDA

## § 905.7

905.163 Reports of shipments under repack-  
ing certificate of privilege.  
905.171 Handler supplier report.

### Subpart—Assessment Rates

905.235 Assessment rate.

### Subpart—Grade and Size Requirements

905.306 Orange, Grapefruit, Tangerine and  
Tangelo Regulation.  
905.350 [Reserved]

### Subpart—Interpretative Rule

905.400 Interpretation of certain provisions.

AUTHORITY: 7 U.S.C. 601-674.

## Subpart—Order Regulating Handling

SOURCE: 22 FR 10734, Dec. 27, 1957, unless  
otherwise noted. Redesignated at 26 FR 12751,  
Dec. 30, 1961.

### DEFINITIONS

#### § 905.1 Secretary.

*Secretary* means the Secretary of Ag-  
riculture of the United States, or any  
officer or employee of the United  
States Department of Agriculture to  
whom authority has heretofore been  
delegated, or to whom authority may  
hereafter be delegated, to act in his  
stead.

[42 FR 59368, Nov. 17, 1977]

#### § 905.2 Act.

*Act* means Public Act No. 10, 73d Con-  
gress (May 12, 1933), as amended and as  
reenacted and amended by the Agricul-  
tural Marketing Agreement Act of 1937,  
as amended. (48 Stat. 31, as amended; 7  
U.S.C. 601 *et seq.*; 68 Stat. 906, 1047.)

#### § 905.3 Person.

*Person* means an individual, partner-  
ship, corporation, association, business  
trust, legal representative, or any or-  
ganized group of individuals.

#### § 905.4 Fruit.

*Fruit* means any or all varieties of  
the following types of citrus fruits  
grown in the production area:

- (a) Citrus *sinensis*, Osbeck, com-  
monly called "oranges";
- (b) Citrus *paradisi*, MacFadyen, com-  
monly called "grapefruit";

- (c) Citrus *nobilis deliciosa*, com-  
monly called "tangerines";
- (d) Temple oranges;
- (e) Tangelos; and
- (f) Honey tangerines.

[30 FR 13933, Nov. 4, 1965, as amended at 42  
FR 59368, Nov. 17, 1977]

#### § 905.5 Variety.

*Variety* or *varieties* means any one or  
more of the following classifications or  
groupings of fruit:

(a) Early and Midseason oranges and  
other types commonly called "round  
oranges," except Navel oranges and ex-  
cept Valencia, Lue Gim Gong, and  
similar late maturing oranges of the  
Valencia type;

(b) Valencia, Lue Gim Gong, and  
similar late maturing oranges of the  
Valencia type;

(c) Temple oranges;

(d) Marsh and other seedless grape-  
fruit, excluding pink grapefruit;

(e) Duncan and other seeded grape-  
fruit, excluding pink grapefruit;

(f) Pink seedless grapefruit;

(g) Pink seeded grapefruit;

(h) Tangelos;

(i) Dancy and similar tangerines, ex-  
cluding Robinson and Honey tan-  
gerines;

(j) Robinson tangerines;

(k) Honey tangerines;

(l) Navel oranges; and

(m) Other varieties of citrus fruits  
specified in § 905.4 as recommended by  
the committee and approved by the  
Secretary.

[34 FR 12427, July 30, 1969, as amended at 42  
FR 59368, Nov. 17, 1977; 42 FR 61853, Dec. 7,  
1977]

#### § 905.6 Producer.

*Producer* is synonymous with *grower*  
and means any person who is engaged  
in the production for market of fruit in  
the production area and who has a pro-  
prietary interest in the fruit so pro-  
duced.

[42 FR 59368, Nov. 17, 1977]

#### § 905.7 Handler.

*Handler* is synonymous with *shipper*  
and means any person (except a com-  
mon or contract carrier transporting  
fruit for another person) who, as owner,  
agent, or otherwise, handles fruit in

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fresh form, or causes fruit to be handled.

### § 905.8 Prepare for market.

*Prepare for market* means to wash, grade, size, or place fruit (whether or not wrapped) into any container whatsoever; but such term shall not include the harvesting of fruit.

### § 905.9 Handle or ship.

*Handle or ship* means:

(a) To sell, consign, deliver, or transport fruit, or in any other way to place fruit in the current of commerce between the production area and any point outside thereof in the 48 contiguous States and the District of Columbia of the United States; and

(b) To export fruit from any point in the 48 contiguous States and the District of Columbia of the United States to any destination.

[54 FR 37292, Sept. 8, 1989]

### § 905.10 Carton or standard packed carton.

*Carton or standard packed carton* means a unit of measure equivalent to four-fifths ( $\frac{4}{5}$ ) of a United States bushel of fruit, whether in bulk or in any container.

[42 FR 59368, Nov. 17, 1977]

### § 905.11 Fiscal period.

*Fiscal period* means the period of time from August 1 of any year until July 31 of the following year, both dates inclusive.

### § 905.12 Committee.

*Committee* means the Citrus Administrative Committee established pursuant to § 905.19.

[42 FR 59368, Nov. 17, 1977]

### § 905.13 District.

(a) *Citrus District One* shall include the Counties of Hillsborough, Pinellas, Pasco, Hernando, Citrus, Sumter, and Lake.

(b) *Citrus District Two* shall include the Counties of Osceola, Orange, Seminole, Alachua, Putnam, St. Johns, Flagler, Marion, Levy, Duval, Nassau, Baker, Union, Bradford, Columbia, Clay, Gilchrist, and Suwannee, and

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County Commissioner, Districts One, Two, and Three of Volusia County, and that part of the Counties of Indian River and Brevard not included in Regulation Area II.

(c) *Citrus District Three* shall include the County of St. Lucie and that part of the Counties of Brevard, Indian River, Martin, and Palm Beach described as lying within Regulation Area II, and County Commissioner's Districts Four and Five of Volusia County.

(d) *Citrus District Four* shall include the Counties of Manatee, Sarasota, Hardee, Highlands, Okeechobee, Glades, De Sota, Charlotte, Lee, Hendry, Collier, Monroe, Dade, Broward, and that part of the Counties of Palm Beach and Martin not included in Regulation Area II.

(e) *Citrus District Five* shall include the County of Polk.

[42 FR 59368, Nov. 17, 1977]

### § 905.14 Redistricting.

The committee may with the approval of the Secretary, redefine the districts into which the production area is divided or reapportion or otherwise change the grower membership of districts, or both: *Provided*, That the membership shall consist of at least eight but not more than nine grower members, and any such change shall be based, so far as practicable, upon the respective averages for the immediately preceding five fiscal periods of (1) the volume of fruit shipped from each district; (2) the volume of fruit produced in each district; and (3) the total number of acres of citrus in each district. The committee shall consider such redistricting and reapportionment during the 1980-81 fiscal period, and only in each fifth fiscal period thereafter, and each such redistricting or reapportionment shall be announced on or before March 1 of the then current fiscal period.

[42 FR 59368, Nov. 17, 1977]

### § 905.15 Regulation Area I.

*Regulation Area I* is defined as the "Interior District", and shall include all that part of the production area not included in Regulation Area II.

[54 FR 37292, Sept. 8, 1989]