

## § 927.80

or delivered by the Fresh Pear Committee or the Processed Pear Committee or its members, upon direction of the Secretary, as provided in this section, shall be subject to the same obligations and duties with respect to said funds, property, or claims as are imposed upon the members or upon said joint trustees.

### § 927.80 Amendments.

Amendments to this subpart may be proposed from time to time by the Fresh Pear Committee or the Processed Pear Committee or by the Secretary.

## Subpart—Rules and Regulations

SOURCE: 70 FR 59625, Oct. 13, 2005, unless otherwise noted.

### DEFINITIONS

#### § 927.100 Terms.

Each term used in this subpart shall have the same meaning as when used in the marketing order.

[70 FR 59625, Oct. 13, 2005, as amended at 71 FR 7676, Feb. 14, 2006]

#### § 927.101 [Reserved]

#### § 927.102 Order.

*Order* means Marketing Order No. 927, as amended (§§ 927.1 to 927.81), regulating the handling of pears grown in the States of Oregon and Washington.

[71 FR 7676, Feb. 14, 2006]

#### § 927.103 Organically produced pears.

*Organically produced pears* means pears that have been certified by an organic certification organization currently registered with the Oregon or Washington State Departments of Agriculture, or such certifying organization accredited under the National Organic Program.

### COMMUNICATIONS

#### § 927.105 Communications.

Unless otherwise prescribed in this subpart or in the order, or required by the Fresh Pear Committee or the Processed Pear Committee, all reports, applications, submittals, requests, in-

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spection certificates, and communications in connection with the order shall be forwarded to: Fresh Pear Committee, 4382 SE International Way, Suite A, Milwaukie OR 97222-4635 and or the Processed Pear Committee, 105 South 18th Street, Suite 205, Yakima WA 98901.

[71 FR 7676, Feb. 14, 2006]

### EXEMPTIONS AND SAFEGUARDS

#### § 927.120 Pears for charitable or by-product purposes.

Pears which do not meet the requirements of the then effective grade, size, or quality regulations shall not be shipped or handled for consumption by any charitable institution or for distribution by any relief agency or for conversion into any by-product, unless there first shall have been delivered to the manager of the Fresh Pear Committee a certificate executed by the intended receiver and user of said pears showing, to the manager's satisfaction, that said pears actually will be used for one or more of the aforesaid purposes.

[70 FR 59625, Oct. 13, 2005, as amended at 71 FR 7676, Feb. 14, 2006]

#### § 927.121 Pears for gift purposes.

There are exempted from the provisions of the order any and all pears which, in individual gift packages, are shipped directly to, or which are shipped for distribution without resale to, an individual person as the consumer thereof, and any and all pears which, in individual gift packages are shipped directly to, or are shipped for distribution without resale to, a purchaser who will use these pears solely for gift purposes and not for sale.

[70 FR 59625, Oct. 13, 2005, as amended at 71 FR 7676, Feb. 14, 2006]

#### § 927.122 Consumer direct pear sales.

Notwithstanding any other provision of this section, fresh pears may be handled without regard to the provisions of §§ 927.41, 927.51, 927.60, and 927.70 under the following conditions:

(a) Such pears are sold in person and sold directly to consumers on the premises where grown, at packing facilities, at roadside stands, or at farmers' markets.