

§ 946.1

7 CFR Ch. IX (1-1-16 Edition)

- 946.52 Issuance of regulations.
- 946.53 Minimum quantities.
- 946.54 Shipments for specified purposes.
- 946.55 Safeguards.

INSPECTION AND CERTIFICATION

- 946.60 Inspection and certification.

EFFECTIVE TIME AND TERMINATION

- 946.62 Effective time.
- 946.63 Termination.
- 946.64 Proceedings after termination.
- 946.65 Effect of termination or amendment.

MISCELLANEOUS PROVISIONS

- 946.70 Reports and records.
- 946.71 Compliance.
- 946.72 Right of the Secretary.
- 946.73 Duration of immunities.
- 946.74 Agents.
- 946.75 Derogation.
- 946.76 Personal liability.
- 946.77 Separability.
- 946.78 Amendments.

Subpart—Rules and Regulations

DEFINITIONS

- 946.100 Order.
- 946.101 Marketing agreement.
- 946.102 Terms.
- 946.103 Reestablishment of districts.
- 946.104 Reestablishment and reapportionment of committee.

SPECIAL PURPOSE CERTIFICATES

- 946.120 Application.
- 946.121 Issuance.
- 946.122 Reports.
- 946.123 Denial and appeals.

MODIFICATION OF INSPECTION REQUIREMENTS

- 946.130 Application.
- 946.131 Issuance.
- 946.132 Reports.
- 946.133 Cancellation.
- 946.140 Handling potatoes for commercial processing into products.
- 946.141 Late payment and interest charge.
- 946.142 Operating reserve.
- 946.143 Assessment reports.
- 946.248 Assessment rate.

Subpart—Handling Regulations

- 946.336 Handling regulation.

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

Subpart—Order Regulating Handling

SOURCE: 17 FR 2912, Apr. 4, 1952, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

DEFINITIONS

§ 946.1 Secretary.

Secretary means the Secretary of Agriculture of the United States, or any other officer, or member of the United States Department of Agriculture, who is, or may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

§ 946.2 Act.

Act means Public Act No. 10, 73d Congress, as amended and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*).

§ 946.3 Person.

Person means an individual, partnership, corporation, association, legal representative, or any organized group or business unit.

§ 946.4 Production area.

Production area means all territory included within the boundaries of the State of Washington.

§ 946.5 Potatoes.

Potatoes means all varieties of Irish potatoes grown within the State of Washington.

§ 946.6 Handler.

Handler is synonymous with *shipper* and means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes or causes potatoes to be handled.

[37 FR 10916, June 1, 1972]

§ 946.7 Handle.

Handle is synonymous with *ship* and means to transport, sell, or in any other way to place potatoes grown in the State of Washington, or cause such potatoes to be placed, in the current of commerce within the production area or between the production area and any point outside thereof, or from any point in the adjoining States of Oregon and Idaho to any other point: *Provided*, That, the definition of "handle" shall not include the transportation of

Agricultural Marketing Service, USDA

§ 946.18

ungraded potatoes within the production area for the purpose of having such potatoes prepared for market, or stored, except that the committee may impose safeguards pursuant to § 946.55 with respect to such potatoes.

[37 FR 10916, June 1, 1972]

§ 946.8 Producer.

Producer means any person engaged in the production of potatoes for market.

§ 946.9 Fiscal period.

Fiscal period means the period beginning on July 1 of each year and ending June 30 of the following year, or such other period as the Secretary may establish pursuant to recommendation of the committee.

[37 FR 10916, June 1, 1972]

§ 946.10 Committee.

Committee means the administrative committee, called the State of Washington Potato Committee, established pursuant to § 946.22.

§ 946.11 Varieties.

Varieties means and includes all classifications or subdivisions of Irish potatoes according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture.

§ 946.12 Seed potatoes.

Seed potatoes means and includes all potatoes officially certified and tagged, marked or otherwise appropriately identified under the supervision of the official seed potato certifying agency of the State of Washington or other seed certification agencies which the Secretary may recognize.

§ 946.13 Grade and size.

Grade means any one of the officially established grades of potatoes, and *size* means any one of the officially established sizes of potatoes as defined and set forth in:

(a) The U.S. Standards for Potatoes issued by the U.S. Department of Agriculture (§§ 51.1540 to 51.1566 of this title), or amendments thereto or modifications thereof, or variations based thereon;

(b) U.S. Standards for Grades of Potatoes for Processing as issued by the U.S. Department of Agriculture (§§ 51.3410 to 51.3424 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(c) U.S. Standards for Grades of Peeled Potatoes (§§ 52.2421 to 52.2433 of this title), or amendments thereto or modifications thereof, or variations based thereon; and

(d) State of Washington Standards for Potatoes issued by the State of Washington Director of Agriculture, or amendments thereto, or modifications thereof, or variations based thereon.

[37 FR 10916, June 1, 1972]

§ 946.14 Grading.

Grading is synonymous with *preparing for market* which means the sorting or separating of potatoes into grades and sizes for market purposes.

[37 FR 10916, June 1, 1972]

§ 946.15 Export.

Export means shipment of potatoes beyond the boundaries of the 48 contiguous States of the United States, or the District of Columbia.

[37 FR 10916, June 1, 1972]

§ 946.16 District.

District means each one of the geographical divisions of the production area established pursuant to § 946.31.

[17 FR 2912, Apr. 4, 1952. Redesignated at 26 FR 12751, Dec. 30, 1961, and further redesignated at 37 FR 10916, June 1, 1972]

§ 946.17 Pack.

Pack means a quantity of potatoes in any type of container and which falls within the specific weight limits or within specific grade and/or size limits, or any combination thereof, recommended by the committee and approved by the Secretary.

[70 FR 41133, July 18, 2005]

§ 946.18 Container.

Container means a sack, box, bag, crate, hamper, basket, carton, package, barrel, or any other type of receptacle