

## Agricultural Marketing Service, USDA

## § 953.322

circumstance, or thing shall not be affected thereby.

### § 953.83 Amendments.

Amendments to this subpart may be proposed from time to time by the committee or by the Secretary.

## Subpart—Rules and Regulations

### GENERAL

#### § 953.100 General.

(a) *Marketing agreement* means Marketing Agreement No. 104.

(b) *Order* means Order No. 953 (§§953.1 through 953.83).

(c) All other terms shall have the same meaning as when used in the marketing agreement and order.

#### CHANGE IN DATE FOR COMPLETING NOMINATIONS, TERM OF OFFICE, AND FISCAL PERIOD

#### § 953.120 Nomination date.

The names of committee nominees shall be supplied to the Secretary in such manner and form as he may prescribe, pursuant to §953.18, not later than January 31 of each year.

[34 FR 17328, Oct. 27, 1969]

#### § 953.121 Term of office.

The term of office, pursuant to §953.16, which began November 1, 1968, shall end March 31, 1970. Thereafter, each term of office shall begin April 1 of each year and end March 31 of the following year, both dates inclusive.

[34 FR 17828, Oct. 27, 1969]

#### § 953.122 Fiscal period.

The fiscal period, pursuant to §953.9, which began on April 1, 1976, shall end on May 31, 1977. Thereafter, each fiscal period shall begin on June 1 of each year and end on May 31 of the following year, both dates inclusive.

[41 FR 42184, Sept. 27, 1976]

#### § 953.123 Reestablishment of districts and reapportionment of committee membership.

(a) Pursuant to §953.12: (1) The counties of James City and Nansemond and the cities of Chesapeake and Virginia Beach (currently District No. 3) are re-

established as a part of District No. 2; (2) the membership of the Southeastern Potato Committee shall be apportioned among the districts of the production are so as to provide the following representation: Two producer members and one handler member from each of Districts No. 1, 4, and 5; one producer member and two handler members from District No. 2. The respective alternates shall be selected on the same basis of representation as the members.

(b) Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

[37 FR 927, Jan. 21, 1972]

## Subpart—Assessment Rates

#### § 953.253 Assessment rate.

On and after June 1, 1998, an assessment rate of \$0.01 per hundredweight is established for Southeastern States potatoes.

[63 FR 32968, June 17, 1998]

## Subpart—Handling Regulations

#### § 953.322 Handling regulation.

During the period beginning June 5 and ending July 31 each season, no person shall ship any lot of potatoes produced in the production area unless such potatoes meet the requirements of paragraphs (a) and (b) of this section or unless such potatoes are handled in accordance with paragraphs (c) and (d) or (e) of this section.

(a) *Minimum grade and size requirements.* All round white varieties of potatoes shall be U.S. No. 2 or better grade, 1½ inches (38.1 mm) minimum diameter.

(b) *Inspection.* Except as provided in paragraphs (c) and (e), no handler shall ship any round white potatoes unless an appropriate inspection certificate covering them has been issued by the Federal-State Inspection Service and the certificate is valid at the time of shipment.

(c) *Special purpose shipments.* The grade, size, and inspection requirements set forth in paragraphs (a) and (b) of this section shall not apply to potatoes shipped for canning, freezing,