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AUTHORITY: 7 U.S.C. 601–674.

Subpart—Order Regulating Handling

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DEFINITIONS

§ 948.1 Secretary.

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

§ 948.2 Act.

Act means Public Act No. 10 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (sections 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

§ 948.3 Person.

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

§ 948.4 Area.

Area means any of the subdivisions of the State of Colorado as set forth in this section or as reestablished pursuant to § 948.53.

(a) *Area No. 1*, commonly known as the Western Slope, includes and consists of the counties of Routt, Eagle, Pitkin, Gunnison, Hinsdale, La Plata, in the State of Colorado, and all counties in said State west of the aforesaid counties.

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(b) *Area No. 2*, commonly known as the San Luis Valley, includes and consists of the counties of Saguache, Huerfano, Las Animas, Mineral, Archuleta, in the State of Colorado, and all counties in said State, south of the counties enumerated in this definition of Area No. 2.

(c) *Area No. 3* includes and consists of all the remaining counties in the State of Colorado which are not included in Area No. 1 or Area No. 2.

§ 948.5 Potatoes.

Potatoes means and includes all varieties of Irish potatoes grown within any of the aforesaid areas.

§ 948.6 Seed potatoes.

Seed potatoes or *seed* means any potatoes which have been certified by the official seed certification agency of the State of Colorado and bear the official tags, seals, or other appropriate identification indicating such certification.

§ 948.7 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.

§ 948.8 Handle or ship.

Handle or *ship* means to transport, sell, or in any way to place potatoes in the current of the commerce between the State of Colorado and any point outside thereof.

§ 948.9 Producer.

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

§ 948.10 Fiscal period.

Fiscal period means the period beginning and ending on the dates approved by the Secretary pursuant to recommendations by an area committee.

§ 948.11 Grade, size and maturity.

Grade, means any of the officially established grades of potatoes, *Size* means any of the officially established sizes of potatoes, and *Maturity* means any of the stages of development or condition of the outer skin (epidermis)

of potatoes, as defined in the United States Standards for Potatoes issued by the United States Department of Agriculture (§§51.1540 to 51.1556, inclusive of this title) or Colorado grades established by the Commissioner, or amendments thereto, or modifications thereof, or variations based on any of the foregoing.

§ 948.12 Varieties.

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

§ 948.13 Pack.

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

§ 948.14 Container.

Container means a sack, bag, crate, box, basket, barrel, or bulk load or any other receptacle used in the packaging, transportation, or sale of potatoes.

§ 948.15 Culls.

Culls means potatoes which do not meet the requirements set forth in § 948.20.

§ 948.16 Committee.

Committee means any of the area committees established pursuant to § 948.50 or the Colorado Potato Committee established pursuant to § 948.51.

§ 948.17 Export.

Export means the shipment of potatoes to any destination which is not within the 48 contiguous States, or the District of Columbia, of the United States.

REGULATION

§ 948.20 Marketing policy.

(a) *General cull regulation*. (1) It shall be the marketing policy for the production area to maintain a general cull regulation in effect prohibiting the handling of potatoes for fresh market, except as otherwise provided in this