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(5) Type of olives used, either black or green ripe;
(6) Container sizes;
(7) Varieties used, whether Ascolano, Barouni, Manzanillo, Mission, Sevillano, etc.;
(8) Sizes of olives utilized;
(9) Approximate dates when the new product will be packaged;
(10) Name and address of requesting handler;
(11) Place of inspection;
(12) Certification that all assessment and reporting requirements in effect under the marketing order will be met prior to shipment;
(13) Certification that all such fruit will be kept separate from other packaged olives and will be so identified by control cards or other means acceptable to the Inspection Service;
(14) Purpose and nature of the request, whether for test marketing, evaluation, market research, etc.; and
(15) An estimate of the amount of time required to complete the test. The committee shall promptly approve or deny the application, and may add limitations to any such approval. Upon approval, the applicant handler shall notify the Inspection Service. Packaged olives so identified and remaining unused at the end of the approved test-market period shall be disposed of according to paragraph (a) of this section.

§ 932.161 Reports.

(a) Reports of olives received. Each handler shall submit to the committee, on a form provided by the committee, for each week (Sunday through Saturday, or such other 7-day period for which the handler has submitted a request and received approval from the committee) and not later than the fourth day after the close of such week, a report showing by size designation and culls the respective quantities of each variety of olives received. In addition thereto, he shall also report the seasonal totals to date of the report.

(b) Sales reports. (1) Each handler shall submit to the committee, on COC Form 21 as provided by the committee, for each month and not later than the 15th day following the end of that month, a report showing the handler’s total sales of packaged olives to commercial outlets in the United States, to governmental agencies, and to foreign countries. Such sales shall be reported in the following categories:

(i) Whole and whole pitted styles of canned ripe olives in consumer size containers;
(ii) Whole and whole pitted styles of canned ripe olives in institutional size containers;
(iii) Chopped style of canned ripe olives in all types of containers; and
(iv) Halved, segmented (wedged), and sliced styles of canned ripe olives in all types of containers.

The quantity in each category shall be reported in terms of the equivalent number of cases of 24 No. 300 (300 × 407) size cans.

(2) Each handler shall submit to the committee, on a form provided by the committee, for each month and not more than 15 days after the end of such month, a report showing the total quantity of packaged olives of the ripe and green ripe types sold during the month. Such reports shall include the following information, as applicable:

(i) With respect to the whole, pitted, and broken pitted styles of packaged olives, the quantity of packaged olives of each type sold during the month, stated in terms of the equivalent number of cases of 24 No. 300 (300 × 407) size cans.
olives of the ripe or green ripe type, each style shall be reported separately on COC Form 29a in terms of the quantity of each size of olives as designated on the form. Such quantity, or quantities, shall be reported in terms of the total amount packaged in each of the container sizes listed on said form except that the committee may require such reporting in terms of the equivalent number of cases of 24 No. 300 (300×407) size cans. Each handler shall report separately the total quantity of any packaged olives of the green ripe type held in storage at all locations.

(ii) Limited use styles of packaged olives of the ripe or green ripe type shall be reported in terms of the quantity of each style packaged in each of the container sizes listed on COC Form 29b except that the committee may require such reporting in terms of the equivalent number of cases of 24 No. 300 (300×407) size cans.

(c) Report of handler’s utilization of limited size olives. Each handler shall submit to the committee, on a form provided by the committee, upon completion of the handler’s canning season, but not later than August 1st of each crop year, a report showing the quantities of limited canning size olives used in (1) halved; (2) segmented (wedged), and chopped styles of packaged olives of the ripe or green ripe type shall be reported in terms of the quantity of each style packaged in each of the container sizes listed on COC Form 27b except that the committee may require such reporting in terms of the equivalent number of cases of 24 No. 300 (300×407) size cans.

(e) Processed olive bulk inventory reports. Each handler shall submit an inventory report to the committee, on a form provided by the committee, not later than the 15th day of each month showing the total quantity of processed olives of the ripe and green ripe types held in bulk storage at all locations on the last day of the preceding month. Such reports shall contain the following information, as applicable:

(1) The total tonnage of processed olives of the ripe and green ripe types, held in storage by the handler, which are of any size that may be used in the production of packaged olives of the whole or the pitted styles shall be reported on COC Form 27c in terms of the total quantity of each size designated on the form.

(2) The total tonnage of processed olives of the ripe and green ripe types, held in storage by the handler, which are of sizes that may be used in the production of packaged olives of the halved, sliced, segmented (wedged), or chopped style shall be reported on COC Form 27b.

(f) Packout reports. Each handler shall submit to the committee, on a form provided by the committee, for each month and not more than 15 days after the end of such month, a report showing the total production of packaged olives of the ripe and green ripe types, each style shall be reported separately on COC Form 28a in terms of

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the total quantity of each size of olives as designated on the form. Such quantity, or quantities, shall be reported in terms of the total amount packaged in each of the container sizes listed on said form except that the committee may require such reporting in terms of the equivalent number of cases of 24 No. 300 (300×407) size cans. Each handler shall report separately the total monthly production of packaged olives of the green ripe type.

(2) Halved, sliced, segmented (wedged), and chopped styles of packaged olives of the ripe or green ripe type shall be reported in terms of the quantity of each style packaged in each of the container sizes listed on COC Form 28b except that the committee may require such reporting in terms of the equivalent number of cases of 24 No. 300 (300×407) size cans.

§ 932.230 Assessment rate.

On and after January 1, 2010, an assessment rate of $44.72 per ton is established for California olives.

[75 FR 22213, Apr. 29, 2010]

EDITORIAL NOTE: After January 1, 1979, import regulations which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

PART 944—FRUITS; IMPORT REGULATIONS

Sec.
944.28 Avocado Import Grade Regulation.
944.31 Avocado import maturity regulation.
944.106 Grapefruit import regulation.
944.312 Orange import regulation.
944.350 Safeguard procedures for avocados, grapefruit, kiwifruit, olives, oranges, prune variety plums (fresh prunes), and table grapes regulated under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.
944.401 Olive Regulation 1.
944.503 Table Grape Import Regulation 4.
944.550 Kiwifruit import regulation.
944.700 Fresh prune import regulation.


EDITORIAL NOTE: After January 1, 1979, import regulations which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 944.28 Avocado Import Grade Regulation.

(a) Pursuant to section 8e of the act and Part 944-Fruits; Import Regulations, the importation into the United States of any avocados is prohibited on and after May 28, 1985, unless such avocados grade at least U.S. No. 2, as such grade is defined in the United States Standards for Florida Avocados (7 CFR 51.3050 through 51.3069). Such grade requirement is the same as that specified in §915.306 for avocados grown in South Florida under M.O. 915 (7 CFR part 915).

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is designated as the government inspection service for certifying the grade, size, quality, and maturity of avocados that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of avocados, is required on all imports. The inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR part 51) and in accordance with the regulations designating inspection services and procedure for obtaining inspection and certification (7 CFR 944.400).

(c) The term importation means release from custody of the United States Customs Service. The term commercial