$\textbf{1218.1} \quad \textbf{MISCELLANEOUS}

1218.70 Right of the Secretary.
1218.71 Referenda.
1218.72 Suspension and termination.
1218.73 Proceedings after termination.
1218.74 Effect of termination or amendment.
1218.75 Personal liability.
1218.76 Separability.
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1218.78 OMB control numbers.

\textbf{Subpart B—Procedure for the Conduct of Referenda in Connection with the Blueberry Promotion, Research, and Information Order}

1218.100 General.
1218.101 Definitions.
1218.102 Voting.
1218.103 Instructions.
1218.104 Subagents.
1218.105 Ballots.
1218.106 Referendum report.
1218.107 Confidential information.


\textbf{SOURCE:} 65 FR 7654, Feb. 15, 2000, unless otherwise noted.

\textbf{Subpart A—Blueberry Promotion, Research, and Information Order}

\textbf{SOURCE:} 65 FR 43963, July 17, 2000, unless otherwise noted.


\textbf{DEFINITIONS}

\textbf{\$1218.1 Act.}


\textbf{\$1218.2 Blueberries.}

\textit{Blueberries} means cultivated blueberries grown in or imported into the United States of the genus 	extit{Vaccinium Corymbosum} and 	extit{Ashei}, including the northern highbush, southern highbush, rabbit eye varieties, and any hybrid, and excluding the lowbush (native) blueberry 	extit{Vaccinium Angustifolium}.

\textbf{\$1218.3 Conflict of interest.}

\textit{Conflict of interest} means a situation in which a member or employee of the U.S. Highbush Blueberry Council has a direct or indirect financial interest in a person who performs a service for, or enters into a contract with, the Council for anything of economic value.


\textbf{\$1218.4 Crop year.}

\textit{Crop year} means the 12-month period from November 1 through October 31 of the following year or such other period approved by the Secretary.

\textbf{\$1218.5 Department.}

\textit{Department} means the U.S. Department of Agriculture.

\textbf{\$1218.6 Exporter.}

\textit{Exporter} means a person involved in exporting blueberries from another country to the United States.

\textbf{\$1218.7 First handler.}

\textit{First handler} means any person, (excluding a common or contract carrier), receiving blueberries from producers and who as owner, agent, or otherwise ships or causes blueberries to be shipped as specified in the Order. This definition includes those engaged in the business of buying, selling and/or offering for sale; receiving; packing; grading; marketing; or distributing blueberries in commercial quantities. This definition includes a retailer, except a retailer who purchases or acquires from, or handles on behalf of any producer, blueberries. The term first handler includes a producer who handles or markets blueberries of the producer’s own production.

\textbf{\$1218.8 Fiscal period.}

\textit{Fiscal period} means a calendar year from January 1 through December 31, or such other period as approved by the Secretary.

\textbf{\$1218.9 Importer.}

\textit{Importer} means any person who imports fresh or processed blueberries into the United States as a principal or as an agent, broker, or consignee of