

Agricultural Marketing Service, USDA

§ 966.7

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AUTHORITY: 7 U.S.C. 601–674.

SOURCE: 20 FR 7357, Oct. 4, 1955, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

Subpart A—Order Regulating Handling

DEFINITIONS

§ 966.1 Secretary.

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

§ 966.2 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 (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*; 68 Stat. 906, 1047).

§ 966.3 Person.

Person means an individual, partnership, corporation, association, or any other business unit.

§ 966.4 Production area and regulated area.

(a) *Production area* means the counties of Pinellas, Hillsborough, Polk, Osceola, and Brevard in the State of Florida, and all the counties of that State situated south of such counties.

(b) *Regulated area* means that portion of the State of Florida which is bounded by the Suwannee River, the Georgia border, the Atlantic Ocean, and the Gulf of Mexico.

[33 FR 8585, June 12, 1968, as amended at 34 FR 19186, Dec. 4, 1969]

§ 966.5 Tomatoes.

Tomatoes means all varieties of the edible fruit (*Lycopersicon esculentum*) commonly known as tomatoes and grown within the production area.

§ 966.6 Handler.

Handler is synonymous with *shipper* and means any person (except a common or contract carrier transporting tomatoes for another person) who, as owner, agent, or otherwise, handles fresh tomatoes or causes fresh tomatoes to be handled.

[33 FR 8585, June 12, 1968]

§ 966.7 Handle.

Handle or *ship* means to sell, transport, deliver, or in any other way to place fresh tomatoes, produced in the production area, in the current of commerce within the regulated area or between any point in the regulated area and any point outside thereof. Such term shall not include the transportation, sale or delivery of field-run tomatoes within the production area by the producer thereof to a registered handler for the purpose of having such

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tomatoes prepared for market. A registered handler is a handler who has adequate facilities in the production area for grading and packing tomatoes and who is registered with the committee pursuant to rules established with the approval of the Secretary.

[34 FR 19186, Dec. 4, 1969]

§ 966.8 Producer.

Producer means any person engaged in a proprietary capacity in the production of tomatoes for market.

§ 966.9 Grading.

Grading is synonymous with *preparation for market* and means the sorting or separation of tomatoes into grades, sizes, maturities, and packs for market purposes.

§ 966.10 Grade and size.

Grade means any one of the established grades of tomatoes and *size* means any one of the established sizes of tomatoes as defined and set forth in U.S. Standards for Fresh Tomatoes (§§ 51.1855 to 51.1877 of this title or U.S. Consumer Standards for Fresh Tomatoes (§§ 51.1900 to 51.1913 of this title), both issued by the United States Department of Agriculture, or amendments thereto, or modifications thereof, or variations based thereon recommended by the committee and approved by the Secretary.

§ 966.11 Pack.

Pack means any of the packs of tomatoes as defined and set forth in the United States Standards for Fresh Tomatoes issued by the United States Department of Agriculture (§§ 51.1855 to 51.1877 of this title), or any pack of tomatoes recommended by the committee and approved by the Secretary.

§ 966.12 Maturity.

Maturity means any of the various degrees of ripeness of tomatoes as established by the committee with approval of the Secretary as determined at the time of the inspection, pursuant to § 966.60(a).

[34 FR 19186, Dec. 4, 1969]

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§ 966.13 Container.

Container means a box, bag, crate, hamper, basket, package, tube, bulk load or any other type of unit used in the packaging, transportation, sale, shipment, or handling of tomatoes.

§ 966.14 Varieties.

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

§ 966.15 Committee.

Committee means the Florida Tomato Committee, established pursuant to § 966.22.

§ 966.16 Fiscal period.

Fiscal period means the period beginning August 1 and ending July 31 following.

§ 966.17 District.

District means each one of the geographic divisions of the production area initially established pursuant to § 966.24, or as reestablished pursuant to § 966.25.

§ 966.18 Export.

Export means shipment of tomatoes beyond the boundaries of the 48 contiguous States (including the District of Columbia) of the United States.

[34 FR 19186, Dec. 4, 1969]

COMMITTEE

§ 966.22 Establishment and membership.

(a) The Florida Tomato Committee, consisting of 10 producer members, is hereby established. For each member of the committee there shall be an alternate who shall have the same qualifications as the member.

(b) Each person selected as a committee member or alternate shall be an individual who is a producer, or an officer or an employee of a corporate producer, in the district for which selected and a resident of the production area.

[33 FR 8586, June 12, 1968, as amended at 85 FR 72916, Nov. 16, 2020]