

§915.120

(b) Any grower who has not filed the statement as prescribed in paragraph (a) of this section must be present at the nomination meeting to be eligible to have his vote counted in connection with the nomination and election of nominees.

(c) Any grower who, pursuant to the provisions of paragraph (a) of this section, has authorized an agent to cast such grower's vote, may rescind such authorization by appearing at the nomination meeting and exercising his right to vote in person.

[21 FR 78, Jan. 5, 1956. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 48 FR 2519, Jan. 20, 1983]

§915.120 Handler registration.

(a) Each handler who desires to handle avocados pursuant to the exceptions in §915.10 shall, prior thereto, register with the committee. Such registration shall be by application for registration filed with the Avocado Administrative Committee on a form, prescribed and furnished by the committee, which shall contain the following information:

- (1) Name and address of applicant;
- (2) Applicant's principal place(s) of business;
- (3) Type of business organization (individual, corporation, partnership, etc.);
- (4) If other than an individual, the names and addresses of officers, partners, etc.;
- (5) Nature of business (handler, trucker, wholesaler, etc.);
- (6) Number of years engaged in avocado business;
- (7) Estimated seasonal volume of avocados handled;
- (8) Place within production area where the avocados will be prepared for market, and name and address of person responsible for such preparation;
- (9) Name and address of three references, one of which shall be a bank;
- (10) Certification of accuracy of information furnished; and
- (11) An agreement to comply with the provisions of this part.

(b) When the committee receives an application for registration, it shall issue the applicant a certificate of registration, if it determines based upon an investigation that the applicant

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may be expected to handle avocados in accordance with this part.

(c) If it is determined from the available information that the applicant is not entitled to be registered with the committee, he shall be so informed by written notice stating why the certificate of registration was not issued.

(d) Any certificate of registration issued to a handler pursuant to this section may be canceled by the committee under circumstances which would have justified denial of his application.

(e) The committee shall suspend the certificate of registration issued under this section of any handler who fails to pay assessments or furnish reports as required under this part, and so advise the handler in writing of the suspension and the effective date. The committee shall lift such suspension at such time as the handler pays such assessments and files such reports, and the committee determines that the handler may be expected to handle avocados in the future in accordance with this part.

[19 FR 5439, Aug. 26, 1954. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 49 FR 33203, Aug. 22, 1984]

§915.140 Avocados not subject to regulation.

(a) *Minimum quantity.* During any one day any handler may handle not to exceed 55 pounds total of avocados exempt from the provisions of §§915.41, 915.51, and 915.54, and the regulations issued thereunder: *Provided*, That such exempted quantity shall not be included as part of a shipment exceeding 55 pounds.

(b) *Gift shipments.* Any handler may, exempt from the provisions of §§915.41, 915.51, and 915.54, and the regulations issued thereunder, handle avocados in individually addressed gift containers not exceeding 20 pounds net weight for use by the addressee other than for resale.

(c) *Commercial processing into products.* The term *commercial processing into products*, as used in §915.55(c), means the manufacture of any avocado product which is preserved by any recognized commercial process, including canning, freezing, dehydrating, drying,