

1408.22. Avocados, Fruit Drop Caused by Extreme Winds.

~~(a) When abnormal fruit drop is caused by extreme winds, the Department shall set a period of time not to exceed five days for maturity testing of windfall avocados, starting from the end of the extreme winds. During this period, maturity testing shall be permitted on windfall fruit that is not more than two sizes below the smallest size released for harvest for the respective varieties at the time of the beginning of the extreme winds. Where no size release has been made for a variety, testing shall be permitted on avocados weighing not less than 6.25 ounces. Windfall avocados which are more than two sizes smaller than the smallest released size, or those smaller than 6.25 ounces, or those tested and found to be immature shall be rejected and disposed of under supervision of an enforcing officer. Reconditioning and retesting of windfall fruit shall not be permitted.~~

~~Determination of periods that shall qualify as "extreme winds," as well as the factors that permit identification of "windfall fruit," shall be at the discretion of the Department.~~

~~(b) Notwithstanding subsection (a), upon written application, the Department may:~~

- ~~(1) Perform maturity testing at the expense of the grower of fruit which is smaller than the standards set forth in subsection (a); and,~~
- ~~(2) Release for marketing fruit proven by such testing to be mature under the standards established in this article.~~

Note: Authority cited: Sections 407 and 42681, 42684 Food and Agricultural Code. Reference: Section 444971, 44973, 44977 Food and Agricultural Code.