

Pt. 981

7 CFR Ch. IX (1-1-05 Edition)

(c) It is the responsibility of the importer to notify the Marketing Order Administration Branch of any lot of exempt commodity rejected by a receiver, shipped to an alternative exempt receiver, returned to the country of origin, or otherwise disposed of. In such cases, a second "Importer's Exempt Commodity Form" must be filed by the importer providing sufficient information to determine ultimate disposition of the exempt lot and such disposition shall be so certified by the final receiver.

(d) All FV-6 forms and other correspondence regarding entry of 8e commodities must be mailed to the Marketing Order Administration Branch, USDA, AMS, P.O. Box 96456, room 2523-S, Washington, D.C. 20090-6456, telephone (202) 720-4607. FV-6 forms submitted by fax must be followed by a mailed, original copy of the FV-6. Fax transmissions may be sent to the MOAB at (202) 720-5698.

[61 FR 13060, Mar. 26, 1996]

PART 981—ALMONDS GROWN IN CALIFORNIA

Subpart—Order Regulating Handling

DEFINITIONS

- Sec.
- 981.1 Secretary.
- 981.2 Act.
- 981.3 Person.
- 981.4 Almonds.
- 981.5 Unshelled almonds.
- 981.6 Shelled almonds.
- 981.7 Edible kernel.
- 981.8 Inedible kernel.
- 981.9 Kernel weight.
- 981.10 Almonds received for his own account.
- 981.11 Area of production.
- 981.12 Grower.
- 981.13 Handler.
- 981.14 Cooperative handler.
- 981.15 Almond product.
- 981.16 To handle.
- 981.17 Inspection agency.
- 981.18 Settlement weight.
- 981.19 Crop year.
- 981.20 Handler carryover.
- 981.21 Trade demand.
- 981.21a Salable almonds.
- 981.21b Reserve almonds.
- 981.22 Board.
- 981.23 Part and subpart.

ALMOND BOARD OF CALIFORNIA

- 981.30 Establishment.
- 981.31 Membership representation.
- 981.32 Nominations.
- 981.33 Selection and term of office.
- 981.34 Qualification and acceptance.
- 981.35 Alternates.
- 981.36 Vacancy.
- 981.37 Expenses.
- 981.38 Powers.
- 981.39 Duties.
- 981.40 Procedure.

RESEARCH

- 981.41 Research and development.

QUALITY CONTROL

- 981.42 Quality control.

VOLUME REGULATION

- 981.45 General.
- 981.46 Withholding reserve.
- 981.47 Method of establishing salable and reserve percentages.
- 981.48 Increase of salable percentage.
- 981.49 Board estimates and recommendations.
- 981.50 Reserve obligation.
- 981.51 Requirements for reserve.
- 981.52 Holding requirement and delivery.
- 981.54 Payment to handlers for services rendered.
- 981.55 Interhandler transfers.
- 981.56 Assistance of Board in accounting for reserve.
- 981.57 Application of salable and reserve percentages after end of crop year.
- 981.59 Adjustment upon increase of salable percentage.
- 981.60 Determination of kernel weight.
- 981.61 Redetermination of kernel weight.

DISPOSITION OF RESERVE

- 981.65 Prohibition on the use or disposition of reserve almonds.
- 981.66 Conditions governing disposition of reserve.
- 981.67 Disposition by handler.

RECORDS AND REPORTS

- 981.70 Records and verification.
- 981.71 Record of receipts.
- 981.72 Reports of receipts.
- 981.73 Periodic reports.
- 981.74 Other reports.
- 981.75 Confidential nature of records and reports.
- 981.76 Handler list of growers.

EXPENSES AND ASSESSMENTS

- 981.80 Expenses.
- 981.81 Assessment.

MISCELLANEOUS PROVISIONS

- 981.85 Personal liability.

Agricultural Marketing Service, USDA

§ 981.9

- 981.86 Separability.
- 981.87 Derogation.
- 981.88 Duration of immunities.
- 981.89 Agents.
- 981.90 Effective time, suspension, or termination.
- 981.91 Effect of termination or amendment.
- 981.92 Amendments.

Subpart—Assessment Rates

- 981.343 Assessment rate.

Subpart—Administrative Rules and Regulations

- 981.401 Adjusted kernel weight.
- 981.408 Inedible kernel.
- 981.413 Roadside stand exemption.
- 981.441 Credit for market promotion activities, including paid advertising.
- 981.442 Quality control.
- 981.450 Exempt dispositions.
- 981.455 Interhandler transfers.
- 981.466 Almond butter.
- 981.467 Disposition in reserve outlets by handlers.
- 981.472 Reports of almonds received.
- 981.473 Redetermination reports.
- 981.474 Other reports.
- 981.481 Interest and late payment charges.

AUTHORITY: 7 U.S.C. 601-674.

SOURCE: 35 FR 11372, July 16, 1970, unless otherwise noted.

Subpart—Order Regulating Handling

DEFINITIONS

§ 981.1 Secretary.

Secretary means the Secretary of Agriculture of the United States, or any other officer or employee of the United States Department of Agriculture who is, or who may be, authorized to perform the duties under this part of the Secretary of Agriculture of the United States.

§ 981.2 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; 62 Stat. 1247; 63 Stat. 282, 1051; 7 U.S.C. 601 *et seq.*).

§ 981.3 Person.

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

§ 981.4 Almonds.

Almonds means (unless otherwise specified) all varieties of almonds (except bitter almonds), either shelled or unshelled, grown in the State of California, and for the purposes of research includes almond shells and hulls.

[41 FR 26852, June 30, 1976]

§ 981.5 Unshelled almonds.

Unshelled almonds means almonds the kernels of which are contained in the shell.

§ 981.6 Shelled almonds.

Shelled almonds mean raw or roasted almonds after the shells are removed and includes blanched, diced, sliced, slivered, cut, halved, or broken almonds, or any combination thereof. Additional almond products may be included by the Secretary from time to time upon consideration of a recommendation from the Board or other pertinent information.

§ 981.7 Edible kernel.

Edible kernel means a kernel, piece, or particle of almond kernel that is not inedible.

[41 FR 26852, June 30, 1976]

§ 981.8 Inedible kernel.

Inedible kernel means a kernel, piece, or particle of almond kernel with any defect scored as serious damage, or damage due to mold, gum, shrivel, or brown spot, as defined in the United States Standards for Shelled Almonds, or which has embedded dirt not easily removed by washing. This definition may be modified by the Board with the approval of the Secretary: *Provided*, That the Board shall submit any recommendation for modification to the Secretary not later than August 1.

[41 FR 26852, June 30, 1976]

§ 981.9 Kernel weight.

Kernel weight means the weight of kernels, including pieces and particles,