

**§ 982.467**

**§ 982.467 Report of receipts and dispositions of hazelnuts grown outside the United States.**

Each handler who receives hazelnuts grown outside the United States shall report to the Board monthly on *F/H Form* If the receipt and disposition of such hazelnuts. All reports submitted shall include transactions through the end of each month, or other reporting periods established by the Board, and are due in the Board office on the tenth day following the end of the reporting period. The report shall include the quantity of such hazelnuts received, the country of origin for such hazelnuts, inspection certificate number, whether such hazelnuts are inshell or kernels, the disposition outlet, and shipment date of such hazelnuts. With each report, the handler shall submit copies of the applicable inspection certificates.

[67 FR 5445, Feb. 6, 2002]

**§ 982.468 Report of hazelnut receipts, disposition, and inventory.**

On or before January 15 and July 15, or any other date requested by the Board with the approval of the Secretary, each handler shall:

(a) Report to the Board on *F/H Form* 6 such handler's receipts and disposition of inshell hazelnuts and production of hazelnut kernels during the respective preceding six-month period of July 1 to December 31, and the preceding 12-month period of July 1 to June 30; and

(b) Report to the Board on *F/H Form* 5 such handler's inventory of hazelnuts as of January 1 and July 1, respectively, showing the quantities of inshell hazelnuts separately in terms of certified merchantable, graded uncertified merchantable, restricted, and ungraded. The certified merchantable hazelnuts shall be reported on the basis of whether located within or outside the production area and whether or not the restricted obligation has been met.

[54 FR 46721, Nov. 7, 1989]

**§ 982.471 Records.**

Each handler shall maintain complete and accurate records showing the receipt, shipment and sale of all hazelnuts handled, used or otherwise disposed of and shall retain such records for the two-year period prescribed in § 982.71. Handlers shall also maintain a current record of all hazelnuts held in inventory.

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[54 FR 46721, Nov. 7, 1989]

**PART 983—PISTACHIOS GROWN IN CALIFORNIA**

**Subpart—Order Regulating Handling**

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

SOURCE: 69 FR 17850, Apr. 4, 2004, unless otherwise noted.

### DEFINITIONS

#### § 983.1 Accredited laboratory.

An *accredited laboratory* is a laboratory that has been approved or accredited by the U.S. Department of Agriculture for testing aflatoxin.

#### § 983.2 Act.

*Act* means Public Act No. 10, 73rd Congress (May 12, 1933), as amended and as re-enacted and amended by the Agricultural Marketing Order Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*).

#### § 983.3 Affiliation.

*Affiliation*. This term normally appears as “affiliate of”, or “affiliated with”, and means a person such as a

producer or handler who is: A producer or handler that directly, or indirectly through one or more intermediaries, owns or controls, or is controlled by, or is under common control with the producer or handler specified; or a producer or handler that directly, or indirectly through one or more intermediaries, is connected in a proprietary capacity, or shares the ownership or control of the specified producer or handler with one or more other producers or handlers. As used in this part, the term “control” (including the terms “controlling”, “controlled by”, and “under the common control with”) means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a handler or a producer, whether through voting securities, membership in a cooperative, by contract or otherwise.

#### § 983.4 Aflatoxin.

*Aflatoxin* is one of a group of mycotoxins produced by the molds *Aspergillus flavus* and *Aspergillus parasiticus*. Aflatoxins are naturally occurring compounds produced by molds, which can be spread in improperly processed and stored nuts, dried fruits and grains.

#### § 983.5 Aflatoxin inspection certificate.

*Aflatoxin inspection certificate* is a certificate issued by an accredited laboratory or by a USDA laboratory.

#### § 983.6 Assessed weight.

*Assessed weight* means pounds of inshell pistachios, free of internal defects as defined in § 983.39(b)(4) and (5), with the weight computed at 5 percent moisture, received for processing by a handler within each production year: *Provided*, That for loose kernels, the actual weight shall be multiplied by two to obtain an inshell weight; or based on such other elements as may be recommended by the committee and approved by the Secretary.

#### § 983.7 Certified pistachios.

*Certified pistachios* are those for which aflatoxin inspection and minimum quality certificates have been issued.