

February 1 to April 30; and on or before August 5 for such walnuts received during the period May 1 to July 31. The report shall include the quantity of such walnuts received, the country of origin for such walnuts, and whether such walnuts are inshell or shelled. With each report, the handler shall submit a copy of a product tag issued by a DFA of California inspector for each receipt of such walnuts that includes the name of the person from whom such walnuts were received, the date such walnuts were received by the handler, the number of containers and the U.S. Custom's Service entry number, whether such walnuts are inshell or shelled, the quantity of such walnuts received, the country of origin for such walnuts, the name of the DFA of California inspector who issued the product tag, and the date such tag was issued.

[64 FR 58327, Oct. 29, 1999]

§ 984.480 Books and other records.

Each handler shall maintain true and complete records of all inshell and shelled walnuts and walnut material, by categories, received, held, or disposed of by him. The records shall be maintained in such form as to permit verification of all transactions involved and shall be made available during normal business hours to authorized representatives of the Board or the Secretary of Agriculture. These records shall include the following:

- (a) The names and addresses of the persons from whom received, and the quantities received from each such person;
- (b) The names and addresses of the persons to whom disposal is made, and the quantities disposed of to each such person;
- (c) The quantities used by the handler for such purposes as manufacturing, production of oil, and livestock feeding; and
- (d) The quantities held on August 1, January 1, and April 1 of each marketing year.

[40 FR 22268, May 22, 1975]

PART 985—MARKETING ORDER REGULATING THE HANDLING OF SPEARMINT OIL PRODUCED IN THE FAR WEST

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

SOURCE: 45 FR 25040, Apr. 14, 1980, unless otherwise noted.

Subpart—Order Regulating Handling

DEFINITIONS

§ 985.1 Secretary.

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

§ 985.2 Act.

Act means Public Act No. 10, 73d Congress, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (sections 1-19, Stat. 31, as amended; 7 U.S.C. 601-674).

§ 985.3 Person.

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

§ 985.4 Spearmint oil.

Spearmint oil, hereinafter referred to as *oil*, means essential oil extracted by distillation from plants, grown in the production area, of the genus *Mentha*, species *Cardiaca* (commonly referred to

as Scotch Spearmint), *Spicata* (commonly referred to as Native Spearmint), or such other species, grown in the production area, that produce a spearmint flavored oil. Oil shall be segregated into the following classes:

Class 1: Oil extracted from the first cutting of Scotch Spearmint.

Class 2: Oil extracted from the second cutting of Scotch Spearmint.

Class 3: Oil extracted from Native Spearmint.

Class 4: Oil which has a spearmint flavor, extracted from plants other than Scotch or Native Spearmint.

The Committee, with the approval of the Secretary, may change these classes to recognize new, or delete obsolete, classes.

§ 985.5 Production area.

Production area means all the area within the States of Washington, Idaho, Oregon, and that portion of Nevada north of the 37th parallel and that portion of Utah west of the 111th meridian. The area shall be divided into the following districts:

(a) District 1. State of Washington

(b) District 2. The State of Idaho and that portion of the States of Nevada and Utah included in the production area.

(c) District 3. The State of Oregon.

[61 FR 32924, June 26, 1996]

§ 985.6 Producer.

Producer is synonymous with *grower* and means any person engaged in a proprietary capacity in the commercial production of oil or who causes it to be produced.

§ 985.7 Handler.

Handler means any person who handles oil.

§ 985.8 Handle.

Handle means to prepare oil for market, acquire oil from a producer, use oil commercially of own production, or sell, transport, or ship (except as a common or contract carrier of oil owned by another), or otherwise place oil into the current of commerce within the production area or from the area to points outside thereof: *Provided*, That (a) the preparation for market of salable oil by producers who are not