

under the U.S. Department of Agriculture Marketing Agreement for Peanuts, 7 CFR part 998, which administers the terms and provisions of this Agreement, including the aflatoxin control program for domestically produced raw peanuts, for peanut shellers.

*Peanut Marketing Agreement.* The agreement concerning the regulations and instructions set forth since July 12, 1965, by the Peanut Administrative Committee for the marketing of peanuts entered into by handlers of domestically produced peanuts under the authority of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

*Peanuts.* The seeds of the legume *Arachis hypogaea*, and includes both inshell and shelled nuts.

*Seed.* Any vegetable or other agricultural plant ovule having an embryo that is capable of germinating to produce a plant.

**§93.12 Analyses available and locations of laboratories.**

(a) *Aflatoxin testing services.* The aflatoxin analyses for peanuts, other nuts, corn, and other oilseed products are performed at the following 8 locations for Science and Technology Division (S&TD) Aflatoxin Laboratories:

- (1) USDA, AMS, S&TD, 1557 Reeves Street, Mail: P.O. Box 1368, Dothan, AL 36302.
- (2) USDA, AMS, S&TD, 1211 Schley Avenue, Albany, GA 31707.
- (3) USDA, AMS, S&TD, 610 North Main Street, Blakely, GA 31723.
- (4) USDA, AMS, S&TD, 107 South Fourth Street, Madill, OK 73446.
- (5) USDA, AMS, S&TD, 308 Culloden Street, Mail: P.O. Box 1130, Suffolk, VA 23434.
- (6) USDA, AMS, S&TD, c/o Golden Peanut Company, 200 West Washington Street, Mail: P.O. Box 488, Ashburn, GA 31714.
- (7) USDA, AMS, S&TD, c/o Golden Peanut Company, 301 West Pearl Street, Mail: P.O. Box 279, Aulander, NC 27805.
- (8) USDA, AMS, S&TD, c/o Stevens Industries, Cargill, Inc., 715 North Main Street, Mail: P.O. Box 272, Dawson, GA 31742.

(b) *Peanuts, peanut products, and oilseed testing services.* (1) The Science and

Technology Division Aflatoxin Laboratories at Dothan, Alabama and Albany and Blakely, Georgia will perform other analyses for peanuts, peanut products, and a variety of oilseeds. The analyses for oilseeds include testing for free fatty acids, ammonia, nitrogen or protein, moisture and volatile matter, foreign matter, and oil (fat) content.

(2) All of the analyses described in paragraph (b)(1) of this section performed on a single seed sample are billed at the rate of one hour per sample. Any single seed analysis performed on a single sample is billed at the rate of one-half hour per sample. The standard hourly rate shall be as specified in 7 CFR 91.37(b).

(c) *Vegetable oil testing services.* The analyses for vegetable oils are performed at the Science and Technology Division Midwestern Laboratory, 3570 North Avondale Ave., Chicago, IL 60618. The analyses for vegetable oils will include the flash point test, smoke point test, acid value, peroxide value, phosphorus in oil, and specific gravity. The fee charged for any single laboratory analysis for vegetable oils shall be obtained from the schedules of charges in 7 CFR 91.37(a).

**§93.13 Analytical methods.**

Official analyses for peanuts, nuts, corn, oilseeds, and related vegetable oils are found in the following manuals:

(a) Analyst's Instruction for Aflatoxin (August 1994), S&TD Instruction No. 1, USDA, Agricultural Marketing Service, Science and Technology Division, South Agriculture Building, 14th & Independence Avenue, SW, P.O. Box 96456, Washington, DC 20090-6456.

(b) Official Methods and Recommended Practices of the American Oil Chemists' Society (AOCS), American Oil Chemists' Society, 1608 Broadmoor Drive, P.O. Box 3489, Champaign, IL 61826-3489.

(c) Official Methods of Analysis of AOAC INTERNATIONAL, Suite 500, 481 North Frederick Avenue, Gaithersburg, MD 20877-2417.

(d) Standard Analytical Methods of the Member Companies of Corn Industries Research Foundation, Corn Refiners Association (CRA), Suite 1120, 1100

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Connecticut Avenue, NW, Washington, DC 20036.

**§93.14 Fees for aflatoxin testing.**

(a) The fee charged for any single laboratory analysis for aflatoxins shall be obtained from the schedules of charges in 7 CFR 91.37(a).

(b) The charge for the aflatoxin testing of raw peanuts under the Peanut Marketing Agreement for subsamples 1-AB, 2-AB, 3-AB, and 1-CD is a set cost per pair of analyses and shall be set by cooperative agreement between the Peanut Administrative Committee and AMS Science and Technology Division.

(c) The charge for any requested laboratory analysis for aflatoxins not listed shall be based on the standard hourly rate specified in 7 CFR 91.37(b).

**§93.15 Fees for analytical testing of oilseeds.**

(a) The fee charged for any single laboratory analysis for oilseeds shall be obtained from the schedules of charges in 7 CFR 91.37(a).

(b) The charge for any requested laboratory analysis for oilseeds not listed shall be based on the standard hourly rate specified in 7 CFR 91.37(b).

**PART 94—POULTRY AND EGG PRODUCTS**

**Subpart A—Mandatory Analyses of Egg Products**

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**Subpart B—Voluntary Analyses of Egg Products**

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**AUTHORITY:** Secs. 2-28 of the Egg Products Inspection Act (84 Stat. 1620-1635; 21 U.S.C. 1031-1056), Agricultural Marketing Act of 1946, Secs. 202-208 as amended (60 Stat. 1087-1091; 7 U.S.C. 1621-1627).

**SOURCE:** 58 FR 42428, Aug. 9, 1993, unless otherwise noted.

**EDITORIAL NOTE:** Nomenclature changes to part 94 appear at 61 FR 51352, Oct. 2 1996.

**Subpart A—Mandatory Analyses of Egg Products**

**§94.1 General.**

Microbiological, chemical, and physical analysis of liquid, frozen, and dried egg products is performed under authority of the Egg Products Inspection Act (21 U.S.C. 1031-1056).

**§94.2 Definitions.**

Words used in the regulations in this subpart in the singular form will import the plural, and vice versa, as the case may demand. As used throughout the regulations in this subpart, unless the context requires otherwise, the following terms will be construed to mean:

*Egg.* The shell egg of the domesticated chicken, turkey, duck, goose, or guinea. Some of the terms applicable to shell eggs are defined by the Poultry Division in §59.5.

*Egg product.* Any dried, frozen, or liquid eggs, with or without added ingredients. However, products which contain eggs only in a relatively small proportion or historically have not been, in the judgment of the Secretary, considered by consumers as products of the egg food industry may be exempted by the Secretary under such conditions as may be prescribed to assure that the egg ingredients are not adulterated and such products are not represented as egg products. Some of the products exempted as not being egg products are specified by the Poultry Division in §59.5.