

more than 2 percent damaged kernels or more than 1.00 percent concealed damage caused by rancidity, mold, or decay and which are free from visible *Aspergillus flavus*.

(d) *Segregation 3. Segregation 3 peanuts* means farmers' stock peanuts with visible *Aspergillus flavus*.

**§997.6 Loose shelled kernels.**

*Loose shelled kernels* means peanut kernels or portions of kernels completely free of their hulls and found in deliveries of farmers' stock peanuts.

**§997.7 Fall through.**

*Fall through* means sound split and broken kernels and whole kernels which pass through specified screens.

**§997.8 Pickouts.**

*Pickouts* means those peanuts removed during the final milling process at the picking table, by electronic equipment, or otherwise during the milling process.

**§997.9 Fragmented.**

For the purpose of this part, *fragmented* means that not more than 30 percent of the peanuts shall be whole kernels that ride the following screens, by type: Spanish  $1\frac{5}{64} \times \frac{3}{4}$  inch slot; Runner  $1\frac{5}{64} \times \frac{3}{4}$  inch slot; and Virginia  $1\frac{5}{64} \times 1$  inch slot.)

**§997.11 Producer.**

*Producer* means any person engaged within the area in a proprietary capacity in the production of peanuts for sale.

**§997.12 Production areas.**

*Production areas* mean all States with commercial production of peanuts including:

(a) The Southeastern Area consisting of the States of Alabama, Florida, Georgia, Mississippi, and that part of South Carolina south and west of the Santee-Congaree-Broad Rivers.

(b) The Southwestern Area consisting of the States of Arizona, Arkansas, California, Louisiana, New Mexico, Oklahoma, and Texas.

(c) The Virginia-Carolina Area consisting of the States of Missouri, North Carolina, Tennessee, Virginia, and that

part of South Carolina north and east of the Santee-Congaree-Broad Rivers.

**§997.13 Area association.**

*Area association* means for the Southeastern area, GFA Peanut Association, Camilla, Georgia; Southwestern area, Southwestern Peanut Growers Association, Gorman, Texas; and Virginia-Carolina area, Peanut Growers Cooperative Marketing Association, Franklin, Virginia.

**§997.14 Handle.**

*Handle* means to engage in the receiving or acquiring, cleaning and shelling, cleaning inshell, or crushing of peanuts and in the shipment (except as a common or contract carrier of peanuts owned by another) or sale of cleaned inshell or shelled peanuts or other activity causing peanuts to enter the current of commerce: *Provided*, That this term does not include sales or deliveries of peanuts by a producer to a handler or to an intermediary person engaged in delivering peanuts to handler(s): *And Provided further*, That this term does not include sales or deliveries of peanuts by such intermediary person(s) to a handler.

**§997.15 Handler.**

*Handler* means any person who handles peanuts, in a capacity other than that of a custom cleaner or dryer, an assembler, a warehouseman or other intermediary between the producer and the person handling: *Provided*, That this term does not include handlers signatory to the Peanut Marketing Agreement.

**§997.16 Crop year.**

*Crop year* means the 12-month period beginning with July 1 of any year and ending with June 30 of the following year.

**§997.17 Inspection service.**

*Inspection service* means the Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, USDA.