

Farm Service Agency, USDA

§ 740.2

740.78 Conditions and procedure for appeal of grades or other class.

MISCELLANEOUS

- 740.79 Publications.
- 740.80 Information of violations.
- 740.81 Procedure in hearings.
- 740.82 One document and one license to cover several products.
- 740.83 Bond, assets, and fees for combination warehouse.
- 740.84 Amendments.

AUTHORITY: 7 U.S.C. 241 *et seq.*

SOURCE: 41 FR 31163, July 27, 1976, unless otherwise noted. Redesignated at 50 FR 1814, Jan. 14, 1985.

EDITORIAL NOTE: Nomenclature changes to part 740 appear at 62 FR 33540, June 20, 1997.

DEFINITIONS

§ 740.1 Meaning of words.

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 740.2 Terms defined.

For the purposes of the regulations in this part, unless the context otherwise require, the following terms shall be construed, respectively, to mean:

(a) *Nuts*. Unshelled nuts of the following kinds: American-grown peanuts, pecans, filberts, and English or Persian walnuts; and shelled American-grown peanuts.

(b) *The Act*. The United States Warehouse Act, approved August 11, 1916 (39 Stat. 486; (7 U.S.C. 241-273)) as amended.

(c) *Person*. An individual, corporation, partnership, or two or more persons having a joint or common interest.

(d) *Department*. The United States Department of Agriculture.

(e) *Secretary*. The Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(f) *Service*. The Farm Service Agency of the U.S. Department of Agriculture.

(g) *Administrator*. The Administrator of the Service or any other officer or employee of that Service to whom authority has heretofore lawfully been

delegated, or to whom authority may hereafter lawfully be delegated, to act in his stead.

(h) *Regulations*. Rules and regulations made under the Act by the Secretary.

(i) *Warehouse*. Unless the context otherwise clearly indicates, any building, structure, or other protected enclosure licensed or to be licensed under the Act, in which nuts are or may be stored for interstate or foreign commerce, or, if located within any place under the exclusive jurisdiction of the United States, in which nuts are or may be stored.

(j) *Warehouseman*. Any person lawfully engaged in the business of storing nuts, who holds an effective warehouseman's license under the Act, or who has applied for such a license.

(k) *License*. A license issued under the Act by the Secretary.

(l) *Warehouseman's bond*. The bond required by the Act to be given by a warehouseman.

(m) *Licensed inspector*. (1) A person licensed under provisions of section 11 of the United States Warehouse Act (7 U.S.C. 241 *et seq.*), or (2) a Federal employee authorized under provisions of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 *et seq.*), or (3) a person licensed under the provisions of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 *et seq.*) to inspect, grade, and certificate the grade or other class and/or condition of nuts stored or to be stored in a warehouse licensed under the U.S. Warehouse Act (the terms "persons duly licensed to inspect" or "licensed inspector" shall be defined accordingly).

(n) *Licensed weigher*. A person licensed under the provisions of section 11 of the United States Warehouse Act (7 U.S.C. 241 *et seq.*), to weigh and certificate the weight of nuts stored or to be stored in a warehouse licensed under the U.S. Warehouse Act (the terms "persons duly licensed to weigh" or "licensed weigher" shall be defined accordingly).

(o) *Receipt*. A licensed warehouse receipt issued under the Act.

(p) *Package*. A bag, sack, box, or other container.