

## Agricultural Marketing Service, USDA

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

### Subpart—Order Regulating Handling

SOURCE: 27 FR 9094, Sept. 13, 1962, unless otherwise noted.

#### DEFINITIONS

#### § 984.1 Secretary.

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

#### § 984.2 Act.

*Act* means Public Act No. 10, 73d Congress, as amended and as reenacted and

amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

#### § 984.3 Person.

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

#### § 984.4 Area of production.

*Area of production* means the State of California.

[41 FR 31542, July 29, 1976]

#### § 984.5 Grower.

*Grower* is synonymous with *producer* and means any person engaged in a proprietary capacity in the commercial production of walnuts.

#### § 984.6 Board.

*Board* means the California Walnut Board established pursuant to § 934.35.

[73 FR 11336, Mar. 3, 2008]

#### § 984.7 Marketing year.

*Marketing year* means the twelve months from September 1 to the following August 31, both inclusive, or any other such period deemed appropriate and recommended by the Board for approval by the Secretary.

[73 FR 11337, Mar. 3, 2008]

#### § 984.8 Walnuts.

*Walnuts* means only walnuts of the "English" (*Juglans regia*) varieties grown in California.

[41 FR 31542, July 29, 1976]

#### § 984.9 Inshell walnuts.

*Inshell walnuts* means walnuts the kernels of which are contained in the shell.

#### § 984.10 Shelled walnuts.

*Shelled walnuts* means walnut kernels after the shells are removed.

#### § 984.11 Merchantable walnuts.

(a) *Inshell. Merchantable inshell walnuts* means all inshell walnuts meeting the minimum grade and size regulations effective pursuant to § 984.50.

(b) *Shelled. Merchantable shelled walnuts* means all shelled walnuts meeting

**§ 984.12**

the minimum grade and size regulations effective pursuant to § 984.50.

[27 FR 9094, Sept. 13, 1962, as amended at 39 FR 35328, Oct. 1, 1974]

**§ 984.12 Substandard walnuts.**

*Substandard walnuts* means all walnuts (whether inshell or shelled) the kernels of which do not meet the minimum standard prescribed for merchantable shelled walnuts.

**§ 984.13 To handle.**

*To handle* means to pack, sell, consign, transport, or ship (except as a common or contract carrier of walnuts owned by another person), or in any other way to put walnuts, inshell or shelled, into the current of commerce either within the area of production or from such area to any point outside thereof, or for a manufacturer or retailer within the area of production to purchase directly from a grower: The term "to handle" shall not include sales and deliveries within the area of production by growers to handlers, or between handlers.

[73 FR 11337, Mar. 3, 2008]

**§ 984.14 Handler.**

*Handler* means any person who handles inshell or shelled walnuts.

[73 FR 11337, Mar. 3, 2008]

**§ 984.15 Pack.**

*Pack* means to bleach, clean, grade, shell or otherwise prepare walnuts for market as inshell or shelled walnuts.

[73 FR 11337, Mar. 3, 2008]

**§ 984.19 Manufacturer.**

*Manufacturer* means any person who uses walnuts in the production of bakery goods, ice cream, candy, or other food products, except walnut oil.

**§ 984.20 Kernelweight.**

*Kernelweight* means the determined weight of the kernels in a quantity of walnuts regardless of their quality.

[39 FR 35328, Oct. 1, 1974]

**§ 984.21 Handler inventory.**

*Handler inventory as of any date* means all walnuts, inshell or shelled

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(except those held in satisfaction of a reserve obligation), wherever located, then held by a handler or for his or her account.

[73 FR 11337, Mar. 3, 2008]

**§ 984.22 Trade demand.**

(a) *Inshell.* The quantity of merchantable inshell walnuts that the trade will acquire from all handlers during a marketing year for distribution in the United States and its territories.

(b) *Shelled.* The quantity of merchantable shelled walnuts that the trade will acquire from all handlers during a marketing year for distribution in the United States and its territories.

[73 FR 11337, Mar. 3, 2008]

**§ 984.23 Free walnuts.**

*Free walnuts* means walnuts which are included in the free percentage established by the Secretary pursuant to § 984.49.

[39 FR 35328, Oct. 1, 1974]

**§ 984.26 Reserve walnuts.**

*Reserve walnuts* means those walnuts which are held to meet a reserve obligation.

[41 FR 31542, July 29, 1976]

**§ 984.31 Part and subpart.**

*Part* means the order regulating the handling of walnuts grown in California, and all rules, regulations, and supplementary orders issued thereunder. This order regulating the handling of walnuts grown in California shall be a *subpart* of such part.

[41 FR 31542, July 29, 1976]

**§ 984.32 To certify.**

*To certify* means the issuance of a certification of inspection of walnuts by the inspection service.

[41 FR 31542, July 29, 1976]

**§ 984.33 Hold.**

*Hold* means to maintain possession or keep control of, in proper storage at all times, the kernelweight of certified