signed copy of the form to the applicant. Each such designation shall con-
tinue in effect during the particular fiscal year so long as the authorized
sheller is in compliance with the re-
quirements and conditions pursuant to
§982.52 applicable to authorized shell-
ers.

(2) When an authorized sheller com-
pletes the shelling of a lot of restricted
hazelnuts, the sheller shall submit a
report thereon to the Board on F/H
Form 7 showing:
(i) The date shelling was completed;
(ii) The inspection certificate or lot
number;
(iii) The quantity shelled;
(iv) The weight of the kernels pro-
duced; and
(v) The location where restricted ha-
zelnuts were held immediately prior to
shelling.

(b) Exports. Any handler who desires
to act as agent of the Board in negoti-
ating export sales of certified mer-
chantable restricted hazelnuts may do
so upon the execution of an “Export
Agreement”, F/H Form A, wherein the
handler agrees, among other things, to
negotiate such export sales at not less
than such price as the Board may pre-
scribe, and in conformity to and com-
pliance with the other terms and condi-
tions of the Export Agreement includ-
ing those set forth in §982.52(b).

(c) Other authorized outlets. Under the
direction or supervision of the Board, a
handler may dispose of restricted ha-
zelnuts for charitable purposes and for
promoting the consumption of hazel-
nuts on behalf of the hazelnut industry
in general. The report required under
§982.67(b) following each such disposi-
tion shall be accompanied by a certifi-
cation by the person receiving such ha-
zelnuts from the handler that they will
be used for charitable or promotional
purposes, as authorized.

[26 FR 4191, May 16, 1961. Redesignated at 26
FR 12751, Dec. 30, 1960, as amended at 54 FR
46721, Nov. 7, 1989]

§982.453 Disposition of substandard
hazelnuts.

The Board shall maintain a list of ap-
proved users who are crushers, live-
stock feed manufacturers, or livestock
feeders, and of the locations of the fa-
cilities to which substandard hazelnuts
may be shipped. Users interested in
purchasing substandard hazelnuts or
hazelnut waste must make prior appli-
cation to the Board on F/H Form D to
be included on the approved list of such
users. Each handler who disposes of
substandard hazelnuts to an approved
user shall, upon shipment, report to
the Board on F/H Form D1 the quan-
tities disposed of or shipped. Sub-
standard hazelnuts disposed of to an
approved user may only be shipped di-
rectly to an approved location where
the crushing, feed manufacture, or
feeding is to take place. The Board
may deny approval to any user applica-
tion, or may remove any user from the
approved list when such denial or re-
moval is deemed necessary to ensure
control over disposition of substandard
hazelnuts. This may occur if the Board
determines that substandard hazelnuts
are not properly shipped to, or utilized
at, approved facilities, in compliance
with this requirement. F/H Form D in-
cludes the location and description of
the disposal facilities to be used as well
as a certification to the Board and the
Secretary of Agriculture that the ap-
plicant will:

(a) Crush, manufacture feed, or feed
to livestock such hazelnuts at the loca-
tion;
(b) Use such hazelnuts for no other
purpose than for crushing into oil,
manufacturing into livestock feed, or
livestock feeding;
(c) Permit such inspection of prem-
ises and of hazelnuts received and held,
and such examination of books and
records covering hazelnut transactions
as the Board may require;
(d) Keep a record of receipts, hold-
ings, and use of substandard hazelnuts
available for examination by author-
ized representatives of the Board and
the U.S. Department of Agriculture for
a period of two years after the end of
the marketing year in which the re-
corded transactions are completed; and
(e) Make such reports, certified to
the Board and the Secretary of Agri-
culture as to their correctness, as the
Board with the approval of the Sec-
retary may require.

[54 FR 24328, June 7, 1989]