

**Agricultural Marketing Service, USDA**

**§ 983.28**

handlers and from the orchard to the processing facility is not handling.

**§ 983.15 Handler.**

*Handler* means any person who handles pistachios.

**§ 983.16 Inshell pistachios.**

*Inshell pistachios* means pistachios that have a shell that has not been removed.

**§ 983.17 Inspector.**

*Inspector* means any inspector authorized by the USDA to inspect pistachios.

**§ 983.18 Lot.**

*Lot* means any quantity of pistachios that is submitted for testing purposes under this part.

**§ 983.20 Part and subpart.**

*Part* means the order regulating the handling of pistachios grown in the States of California, Arizona and New Mexico, and all the rules, regulations and supplementary orders issued thereunder. The aforesaid order regulating the handling of pistachios grown in California, Arizona and New Mexico shall be a subpart of such part.

[74 FR 56539, Nov. 2, 2009]

**§ 983.21 Person.**

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

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

**§ 983.22 Pistachios.**

*Pistachios* means the nuts of the pistachio tree of the genus and species *Pistacia vera* grown in the production area, whether inshell or shelled.

[74 FR 56539, Nov. 2, 2009]

**§ 983.23 Processing.**

*Processing* means hulling and drying pistachios in preparation for market.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

**§ 983.24 Producer.**

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

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

**§ 983.25 Production area.**

*Production Area* means the States of California, Arizona, and New Mexico.

[74 FR 56539, Nov. 2, 2009]

**§ 983.26 Production year.**

*Production year* is synonymous with “fiscal period” and means the period beginning on September 1 and ending on August 31 of each year or such other period as may be recommended by the committee and approved by the Secretary. Pistachios harvested and received in August of any year shall be applied to the subsequent production year for marketing order purposes.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

**§ 983.27 Proprietary capacity.**

*Proprietary capacity* means the capacity or interest of a producer or handler that, either directly or through one or more intermediaries, is a property owner together with all the appurtenant rights of an owner including the right to vote the interest in that capacity as an individual, a shareholder, member of a cooperative, partner, trustee or in any other capacity with respect to any other business unit.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

**§ 983.28 Secretary.**

*Secretary* means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to act in his/her stead.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]