

ALMOND BOARD OF CALIFORNIA
INSTRUCTIONS FOR PARTICIPATION IN THE DIRECT VERIFIABLE (DV) PROGRAM
FOR FURTHER PROCESSING OF UNTREATED ALMONDS
NORTH AMERICA
(Includes U.S., Canada, and Mexico)

SCOPE

Pursuant to § 981.42 of the almond marketing order (order) - 7 CFR Part 981, and as specified in § 981.442(b) of the order's regulations, handlers shall subject their almonds to a treatment process or processes that have been determined to achieve in total a minimum 4-log reduction of *Salmonella* bacteria. Handlers may treat the almonds prior to shipment, ship the almonds under the DV program to approved manufacturers (DV Users) who treat the almonds accordingly before the almonds are moved into consumer channels,¹ or ship untreated almonds outside of the U.S., Canada, and Mexico. Handlers must label each container of untreated almonds with the term "unpasteurized." The Almond Board of California (Board or ABC) locally administers the order, with oversight by the U.S. Department of Agriculture (USDA).

All Applicants Must Meet The Following Criteria:

1. Receive almonds directly² from a handler or from another DV user as specified below:
2. Subject such almonds to a treatment process or processes using a technology that has been determined to achieve in total a minimum 4-log reduction in *Salmonella*, pursuant to a letter of determination issued by the Food and Drug Administration, accepted by a scientific review panel as identified by the Board, or as established by a Board-approved process authority;
3. Have a documented product traceability program in place that tracks the receipt and processing of almonds by such DV User;
4. Identify the manufacturing locations where treatment will occur or the warehouses where raw almonds will be stored by the manufacturer operating under the DV program – handlers may only ship to those **specific approved locations**;
5. DV Users must provide documentation that their treatment technologies and equipment have been validated by a process authority approved by the Board. Treatment technology and equipment that have been modified to the point where operating parameters such as time, temperature, or volume change, must be revalidated;
6. Any almonds which will not be treated must be returned to a handler, shipped to another DV User approved by the Board, shipped to locations outside the U.S., Canada, and Mexico (containers must remain labeled as "unpasteurized"), or disposed of in non-edible channels;
7. Provide for audit by a Board-approved DV auditor; and
8. Maintain all records regarding validation and verification of the treatment method, processing, and product traceability. Such records shall be retained for two years, and will be made available for review by the Board or its agent.
9. Should ABC request further information from the applicant to process an application, an initial response must be received within 30 days to keep the application open; failure to respond within 30 days will result in a rejected application. Correspondence thereafter must be received in a timely fashion as determined by the ABC.

Procedures For Shipping To Approved DV Users:

1. Handlers must obtain a DV User code, issued by the Board, confirming that the DV User agrees to all the requirements specified in the application prior to shipping untreated almonds **directly to DV user facilities**;
2. Handlers must include the Board-issued DV User code on documentation that accompanies the lot, (e.g. shipping documentation) to provide traceability from the handler to the DV User and a basis for inspection. Handler records must be maintained for two years; and
3. Handlers must only ship directly to the approved locations – lots cannot be shipped to a third party, or delivered to a different location than those approved in the DV application.

¹ Applications will be reviewed and approved by the ABC Technical Expert Review Panel (TERP). Should the applicant disagree with TERP's decision, it may appeal the decision in writing to the Board and ultimately to USDA.

² This can include receipt at a manufacturer's warehouse.

4. Handlers must identify each container of almonds shipped to a DV user with the term “unpasteurized.” The lettering must be on one outside principal display panel, at least ½ inch in height, clear and legible.

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APPLICATION FORM

As outlined in the attached document, the Direct Verifiable (DV) Program enables a manufacturer who meets the outlined criteria to become an approved DV User and to receive untreated almonds. Manufacturers approved under the DV program certify that they have a treatment process in place which conforms with the requirements outlined in § 981.442(b) of the Federal marketing order regulating almonds grown in California - 7 CFR Part 981 (order). Authority for this program is provided in § 981.42 of the order.

In consideration of the approval of this application, this document serves as an agreement by (Direct Verifiable applicant) for _____(crop year) to receive and further process untreated almonds from Almond Handlers.

The manufacturing locations or warehouses covered by this agreement include:

Address	City, State, Zip	Country	Processing/Warehouse

The DV User agrees that all untreated almonds received from the almond handler shall meet the requirements outlined in the application criteria.

The DV User agrees to provide with this application documentation, if applicable, from a Board-approved process authority establishing that the technology and equipment provide a treatment process that complies with the requirements outlined in paragraph (6)(i) of § 981.442(b), or that has been established by a Board-approved process authority.

Undersigned hereby certifies to the U.S. Department of Agriculture and the Board that the information supplied herein is complete and correct and that the above agreement as to usage and reporting is accepted. The making of any false statement or representation on this form, knowing it to be false, is a violation of Title 18, section 1001, United States Code, which provides for the penalty of a fine of \$10,000 or imprisonment of not more than 5 years, or both.

Date _____

Company _____

Address _____

Telephone (____) _____ Fax (____) _____

Email _____

By (Authorized Person) _____ Title _____

Printed Name _____

Return completed form to: Almond Board of California, 1150 9th St., Suite 1500, Modesto, CA 95354 fax: (209) 550-5494

For ABC Use:

Date Received by ABC:	
Date Approved by ABC:	
Approved DV User Number:	
Effective for Crop Year:	August 1 – July 31,
Date DV User Notified of Approval:	

Note: The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act of 1995. The authority for requesting this information to be supplied on this form is the Agricultural Marketing Agreement Act of 1937, Secs. 1-19, 48 Stat. 31, as amended, (7 U.S.C. 601-674). Furnishing the requested information is necessary for the administration of the marketing order program.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0242. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.