

ALMOND BOARD OF CALIFORNIA
INSTRUCTIONS FOR PARTICIPATION IN THE DIRECT VERIFIABLE (DV) PROGRAM
FOR FURTHER PROCESSING OF UNTREATED ALMONDS

Pursuant to § 981.42 of the almond marketing order - 7 CFR Part 981, and as specified in § 981.442(b) of the marketing 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, transport the almonds to a facility (Custom Processor) within California for treatment, 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 United States, 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 marketing order, with oversight by the U.S. Department of Agriculture (USDA).

All DV User 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, or established by a process authority and accepted by the ABC Technical Expert Review Panel (TERP);
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 United States, Canada, and Mexico (containers must remain labeled as "unpasteurized"), or disposed of in non-edible channels;
7. Provide for audit⁵ by a Board-approved DV auditor at least one time per year; and
8. Maintain all records regarding validation and verification of the treatment method, processing, and product traceability. All validation records shall be retained as long as the equipment is in operation; all treatment, processing and traceability records including receipt and use of almonds received from a handler must be maintained for two years, and will be made available for review by the Board or its agent.
9. Upon approval, DV Users must annually provide written notification to the Board indicating that there are no changes to the application on file, or submit a new Form No. 52 if there are changes.

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.
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.

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.

5. DV Users failing to schedule, provide for and report audit findings to the Board annually may be suspended from the 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 OMB 0581-0242. The time required to complete this information collection is estimated to average 60 minutes 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.

ALMOND BOARD OF CALIFORNIA

DIRECT VERIFIABLE (DV) PROGRAM FOR FURTHER PROCESSING OF UNTREATED ALMONDS 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. 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)	(Country) (Processing/Warehouse)
(Address)	(City)	(State)	(Country)(Processing/Warehouse)
(Address)	(City)	(State)	(Country)(Processing/Warehouse)
(Address)	(City)	(State)	(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 or imprisonment, or both.

Date _____ Company _____

Address _____

Telephone (_____) _____ Fax (_____) _____

Email Address _____

By _____ Title _____

(Authorized person)

For ABC Use:

Date Received by ABC:	MM/DD/YR
Date Approved by ABC:	MM/DD/YR
Approved DV User Number:	YR/CMPY/____
Effective for Crop Year:	August 1 – July 31, 20____
Date DV User Notified of Approval:	MM/DD/YR

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.