ALMOND BOARD OF CALIFORNIA
CUSTOM PROCESSOR APPLICATION INSTRUCTIONS

Pursuant to § 981.42 of the almond marketing order - 7 CFR Part 981 (Order), and as specified in § 981.442(b) of the Order's handling 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. In accordance with § 981.442(b)(4)(v), handlers may treat the almonds at an Almond Board of California (Board) approved off-site Custom Processor located within the production area. Processors who conform to the criteria listed below and submit an application will be approved as a Custom Processor under the Order. The Board locally administers the Order, with oversight by the U.S. Department of Agriculture (USDA).

All Custom Processor Applicants Must Meet the Following Criteria:

1. Receive almonds directly from a handler 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;

4. Identify the processing locations where treatment will occur – handlers may only ship to those **specific approved locations**;

5. Custom Processor 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 a Direct Verifiable 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 audit by a Board-approved 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. Custom Processors must submit a new Form No. 55 prior to the start of each crop year.

Procedures for Shipping to Custom Processors:

1. Handlers must obtain a Custom Processor code, issued by the Board, confirming that the Custom Processor agrees to all the requirements specified in the application prior to shipping untreated almonds **directly to Custom Processor facilities**;

2. Handlers must include the Board-issued Custom Processor code on documentation that accompanies the lot, (e.g. shipping documentation) to provide traceability from the handler to the Custom Processor 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 Custom Processor application.

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

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 30 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
CUSTOM PROCESSOR APPLICATION FORM

As outlined in the attached document, handlers may utilize a Custom Processor who meets the criteria to receive untreated almonds regulated under the Federal marketing order regulating almonds grown in California - 7 CFR Part 981 (Order). In completing and submitting this application, the Custom Processor certifies that they have an approved treatment process in place which conforms with the specific requirements contained in § 981.442(b) of the 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 and between the Almond Board of California (Board) and _____ (Custom Processor applicant) for the _____(crop year) to receive and further process untreated almonds from Almond Handlers regulated under the Order.

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 Custom Processor agrees that all untreated almonds received from the almond handler shall meet the requirements outlined in the application criteria listed above. The Custom Processor agrees to provide with this application documentation, if applicable, from a Board-approved process authority establishing that the technology and equipment utilized in its facility provide a treatment process that complies with the requirements outlined in paragraph (6)(i) of § 981.442(b), or 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 Custom Processor Number:	YR/CMPY/___
Effective for Crop Year:	August 1 – July 31, 20___
Date Custom Processor 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, audiotape, 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.