

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

REC'D - USDA/OALJ/HCO
2022 JUN 8 12:16 PM

In re:)
)
Walnuts Grown in California) AO Docket No. 22-J-0011
) AMS-SC-22-0010
) SC22-981-1
)

ORDER CERTIFYING TRANSCRIPT

Appearances:

On Behalf of the U.S. Department of Agriculture:

Rupa Chilukuri, Esq., Office of the General Counsel, United States Department of Agriculture; and

Christy Pankey, Marketing Specialist, and Geronimo Quinones, Marketing Specialist, Agricultural Marketing Service (“AMS”), United States Department of Agriculture.

On Behalf of the California Walnut Board:

Heather Donoho, Director of Operations, California Walnut Board.

Pursuant to Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), The Administrative Procedures Act (5 U.S.C. § 553), and notice published in the Federal Register,¹ a hearing on proposed amendments to the marketing order that regulates the handling of walnuts grown in California, Federal Marketing Order No. 984 (7 C.F.R. § 984), was held remotely via ZOOM audio-video conferencing system on April 19 and 20, 2022.²

On May 19, 2022, the Agricultural Marketing Service (“AMS”), via counsel Rupa Chilukuri, and the California Walnut Board (“Board”), via representative Heather Donoho, each

¹ Marketing Order for Walnuts Grown and Handled in California (M.O. No. 984); Hearing, 87 Fed. Reg. 19020 (Apr. 1, 2022).

² The online hearing location was at <https://www.zoomgov.com/j/1609318451>.

filed proposed corrections to the record transcript of the hearing. No other proposed corrections have been filed or otherwise received from any participant, and no objections have been raised as to the proposed corrections. Upon my review the following proposed corrections, with rejections and changes to proposed corrections noted by footnote, are hereby **ADOPTED**, as follows:

April 19, 2022

Page	Line	Correction
Cover		Strike “SC-22-981-1” insert “SC22-981-1”
1		Strike “SC-22-981-1” insert “SC22-981-1”
1		Strike “ESQUIRE” after “PANKEY”, “DONOHO” and “HULL”
2		Strike “USDA” after “Guerra” and insert “CWB” ³
2	8	Change “Rachel” to “Rachael”
2		Add to “also present”: Jack [REDACTED], CWB Eric [REDACTED], CWB Chuck [REDACTED], CWB Bill [REDACTED], CWB Bill [REDACTED], CWB
3		Change “For the California Walnuts Board” to “For the California Walnut Board”
5	16	Insert “them” between “have” and “post”
5	24	Strike “and the” after “Judge” and insert “in the”
5	25	Strike “officer” and insert “office”
6	15	(Correction Rejected) ⁴
6	20-21	Strike “chief administrative law judge” insert “Chief Administrative Law Judge”

³ Line numbers removed as there are no line numbers on this page.

⁴ AMS’s proposed correction to page 6, line 15 is rejected as unnecessary because it does not change or add to the meaning of the text in context.

6	23	(Correction rejected) ⁵
7	1	Strike “SC-22-981-1” insert “SC22-981-1”
7	9	Strike “7CFR” insert “7 C.F.R.”
7	9	Strike “900.8C1” insert “900.8 (c)(1)”
9	25	Strike “participants” insert “participants”
12	15	(Correction rejected) ⁶
12	15	(Correction rejected) ⁷
12	22	Strike “7CFR” insert “7 C.F.R.”
12	22	Strike “900.D1ii” insert “900.8(d)(1)(ii)”
13	7	Insert comma after “witness”
13	8	Insert comma after “USDA”
14	4	Strike comma and replace with period after the first “affiliation” ⁸
14	4	Capitalize second “affiliation”
16	24	Strike “7CFR900.9D” insert “7 C.F.R. § 900.9(d)” ⁹
19	16	Capitalize “thanks”
20	4	Strike “Special” insert “Specialty”
20	9	(Correction rejected) ¹⁰
20	10	(Correction rejected) ¹¹
20	20	Insert period after “Christy”

⁵ AMS’s proposed correction to page 6, line 23 is rejected as unnecessary. The word “federal” in “federal marketing order” does not appear to have been consistently given an initial capital letter in USDA materials.

⁶ AMS’s proposed correction to page 12, line 15 is rejected as unnecessary. The addition of a comma at the suggested point does not appear to change or clarify the meaning of the text there, nor to render it more grammatical.

⁷ AMS’s proposed correction to page 12, line 15 is rejected as unverifiable and unnecessary. The addition of the word “basically” does not appear to change or clarify the meaning of the text.

⁸ Board proposed correction (“Insert period after ‘affiliation’”) edited and clarified.

⁹ AMS proposed correction with extra space removed.

¹⁰ Board proposed correction to page 20, line 9 rejected as inappropriate. Honorifics/titles such as “mister” are not usually capitalized, as here, when not appearing directly before a person’s name.

¹¹ Board proposed correction to page 20, line 9 rejected as inappropriate. Honorifics/titles such as “mister” are not usually capitalized, as here, when not appearing directly before a person’s name.

20	20	Insert “Pankey” between “Christy” and “that’s”
20	20	Capitalize “that’s”
21	13	Insert period after “raised”, capitalize “Where”, and insert question mark after “it” ¹²
21	13	(Correction rejected) ¹³
21	24	Insert “the” after second “I’m” ¹⁴
21	24	Capitalize “Executive”
21	25	Capitalize “Coordinator”
24	15	Strike “7CFR900.4” insert “7 C.F.R. § 900.4”
26	16	Strike “7CFR900.16” insert “7 C.F.R. § 900.16”
27	23	Strike “you” insert “you’ll”
27	23	Strike “can”
27	25	Strike “7CFR984.67” insert “7 C.F.R. § 984.67”
27-28	25-1	Strike “code of federal regulations” insert “Code of Federal Regulations”
28	1	Strike “texts” insert “text”
28	5	Strike “.67b” insert “§ 984.67 (b)”
34	4	Insert “grower” before “price”
34	4	Strike “comp” insert “crop”
34	22	Strike “comp” insert “crop”
35	1	Strike “NAS” insert “NASS”
35	2	Strike “comp” insert “crop”
35	3	Strike “product” insert “production”
35	14	Strike “with” insert “to an”
35	17	Strike “NAS” insert “NASS”
37	3	Insert comma after “table”
37	19	Strike “our” insert “their”
40	3	Change “Walnuts” to “Walnut”
40	11	Strike “Poindexter, can you hear me” insert “Poindexter, can you hear me?”

¹² Board proposed correction (“Insert comma after ‘raised’”) rejected in part, corrected in part.

¹³ See immediately preceding Board proposed correction and note 12.

¹⁴ Board proposed correction (“Insert ‘the’ after ‘I’m’”) edited to clarify.

40	11	Insert “Are you ready to testify,” between “Poindexter, can you hear me?” and “because”
40	12	(Correction rejected) ¹⁵
41	4	Change “Walnuts” to “Walnut”
41	6	Change “Walnuts” to “Walnut”
41	12	Strike “Latha” insert “Lathan”
41	16	Strike “Latha” insert “Lathan”
41	21	Insert period after “handler”
43	11	Change “USD” to “USDA” Strike “USD” insert “USDA”
44	25	Strike “ultimate” insert “alternate”
45	6	Strike “ultimate” insert “alternate”
51	15	Strike “NAS” insert “NASS”
51	23	Strike “capped in” insert “catkin”
53	24	Strike “Situnia” insert “Tootelian”
54	2	(Correction rejected) ¹⁶
54	3	(Correction rejected) ¹⁷
56	14	Insert comma after second “that”
57	25	Strike “jargon-ease” insert “jargon-ese”
62	17	Strike “out manned” insert “outmanned”
62	25	Strike “wallets” insert “walnuts”
72	13	Insert space between “carry” and “over”
75	20	Change “Walnuts” to “Walnut”
76	15	Strike “slide” insert “slides”
76	17	Strike “side” insert “slide”
79	14	Strike “containership” insert “container ship”
79	22	Strike “containerships” insert “container ships”

¹⁵ AMS proposed correction to page 40, line 12 rejected as unnecessary. It would not appear to change or clarify the meaning of the text.

¹⁶ Board proposed correction to page 54, line 2 rejected as the misspoken error in referring to CWB was corrected on the record, immediately below, *see* page 54, line 5.

¹⁷ *See* note 16.

79	25	Strike “containerships” insert “container ships”
80	12	Strike “containerships” insert “container ships”
80	14	Strike “containerships” insert “container ships”
80	18	Strike “containerships” insert “container ships”
81	5	Strike “containerships” insert “container ships”
82	8	Insert comma after “it”
82	9	Insert comma after “generally”
84	1	(Correction Rejected) ¹⁸
85	5	(Correction Rejected) ¹⁹
96	18	Strike “or” insert “to”
100	8	Insert comma after “that”
101	7	Strike “FISMA” insert “FSMA”
103	10	Strike “hexanil” insert “hexanol”
103	14	Strike “hexanil” insert “hexanol”
103	21	Strike “hexanil” insert “hexanol”
103	23	Change “do” to “down”
103	24	Strike “hexanil” insert “hexanol”
104	3	Strike “hexanil” insert “hexanol”
105	7	Strike “vanities” insert “varieties”
108	9	Strike “their” insert “they’re”
108	22	Strike “the hulling is drying isn’t” insert “the huller whose drying isn’t”
109	1	Change “operations” to “operation”
109	25	Strike “skill” insert “kill”
110	7	Strike “apha toxin” insert “aflatoxin”
110	7	Strike “oper toxin” insert “ochratoxin”
110	9	Strike “Listera” insert “Listeria”
110	11	Strike “antheral” insert “antiviral”

¹⁸ Board proposed correction to page 84, line 1 rejected as suggested addition of comma does not appear to change meaning of text or to clarify it.

¹⁹ Board proposed correction to page 85, line 5 rejected as suggested addition of comma does not appear to change meaning of text or to clarify it.

111	3	Change “pasturized” to “pasteurized”
111	13	Strike “third” ²⁰
111	13	(Correction rejected) ²¹
113	15	Insert period after “Grade B”
113	16	Capitalize “it’s”
113	25	Strike “Mr.” insert “Judge”
115	2	Insert period after “rules”
115	3	Capitalize “at”
119	19	Strike “state” insert “stated”
119	20	Insert period after “language”
119	20	Capitalize “therefore”
120	15	Change “Walnuts” to “Walnut”
121	24	Strike “Dr. Good, he” insert “Dr. Goodhue”
122	3	Insert period after “absent”
122	3	Capitalize “that’s”
122	14	Strike “overseas” insert “oversees”
123	8	Strike “DFAs” insert “DFA’s”
125	14	Strike “and” insert “in”
128	9	Change “?” to a period
137	6	Insert period after “less”
137	6	Capitalize “they’ll”
138	11	Insert “Q” at beginning of line ²²
140	13	Strike “a assessments” insert “assessments”
141	24	Strike “both” insert “fumigation,”
141	24	Strike “with” insert “accessible to”
142	3	(Correction rejected) ²³

²⁰ AMS proposed corrections to page 111, line 13 accepted in part and rejected in part because as proposed they appear to diminish clarity of the text.

²¹ AMS proposed correction to page 111, line 13 is rejected due to lack of clarity. *See* note 20.

²² Board proposed correction (“Insert ‘Q:’ at beginning of line”) edited for consistency of format.

²³ AMS proposed correction to page 142, line 3 rejected as unverifiable and because it does not appear to change or clarify the meaning of the text.

142	23	Insert “pasteurization” between “like” and “to”
143	15	(Correction rejected) ²⁴
144	18	Strike “984.5B” insert “984.50(b)” ²⁵
144	23	Strike “984.50A and B” insert “984.50 (a) and (b)”
148	23	Change “your entitled” to “you’re entitled”
149	3	Change “Mariana” to “Mariani”
153	10	Strike “market” insert “marketing”
153	11	Strike “a section” insert “inspection and”
153	17	Strike “excessive” insert “assessment”
153	19	Strike “decertify” insert “to certify”
153	23	Strike “and” insert “to”
154	1	Strike “I’m here with” insert “I am the Chair of the”
154	4	Strike “market” insert “marketing”
155	22	Strike “and section” insert “inspection”
156	6	Strike “works for” insert “were explored”
157	13	Strike “basic grant” insert “base in print”
159	1	Change “Grade” to “Grades”
159	5	Change “Grade” to “Grades”
159	10	Change “Grade” to “Grades”
161	4	Strike “SUF” insert “SQF”
162	7	Strike “to reverse back in” insert “who were inspecting”
163	24	(Correction rejected) ²⁶
163	25	Insert “and” after “Board”
166	21	Strike “affects” insert “effects”
169	9	Strike “ECFR” insert “eCFR”
170	22	Strike “notice” insert “noticed”
175	19	Strike “administrate” insert “industry”

²⁴ AMS proposed correction to page 143, line 15 rejected as unverifiable and because it does not appear to change or clarify the meaning of the text.

²⁵ AMS proposed correction edited to remove extra space.

²⁶ Board proposed correction to page 163, line 24 rejected as inappropriate and the suggested comma does not appear to change or clarify the meaning of the text.

175	20	Strike “cross” insert “costs”
179	8	Strike “Ms.” insert “Mrs.”
180	18	Strike “federal” insert “Federal”
182	3	Insert “reduced” after “through”
182	8	Insert “No.” before “1”
182	16	Insert “of goods” between “cost” and “.”
182	19	Strike “Affairs” insert “figures”
188	8	Strike “Market” insert “Marketing”
189	11	Strike “a” insert “for”
192	6	Change “Cain” to “Crain”
196	15	Change “onto” to “on to”
197	13	Change “let’s” to “lets”
197	13	(Correction rejected) ²⁷
202	3	Strike “on rolls” insert “or loads”
203	5	Change “in-shell” to “inshell”
209	23	Change “in-shell” to “inshell”
211	1	Strike “filt” insert “filth”
211	5	Strike “filt” insert “filth”
214	12	Strike “carrier” insert “- Carriere.”
229	6	Insert “the” before “removal”
229	22	Insert “No.” between “Form” and “1”
230	12	Strike “rates” insert “rate”
231	18	Strike “post” insert “proposed”
232	18	Strike “receipt” insert “receive”
232	19	Strike “fo” insert “of”
232	20	Insert “No.” before “1”
237	3	Strike “inline” insert in-line”
238	9	Change “years” to “years”
240	19	Change “in shell” to “inshell”
240	24	Strike “didn’t”

²⁷ AMS proposed correction to page 197, line 13 rejected as unverifiable and it does not appear to change or clarify the text.

245	9	Change “almond’s order” to “almond order”
250	7	Change “your” to “yours”
256	15	Change “ways” to “way”
258	8	Strike “the” insert “they”
263	1	Change “Hill” to “Hull”
268	13	Strike “tot” insert “to”
269	9	Change “it’s” to “it”
274	7	Insert “a” between “and” and “week”
275	22	Change “walnut’s” to “walnuts”
276	5	Change “is” to “has”
277		Strike “SC-22-981-1” insert “SC22-981-1”

April 20, 2022

Page	Line	Correction
Cover		Strike “SC-22-981-1” insert “SC22-981-1”
278		Strike “SC-22-981-1” insert “SC22-981-1”
278		Strike “ESQUIRE” after “PANKEY”, “DONOHO” and “HULL”
279		Strike "USDA" after Guerra and insert "CWB" ²⁸
279	8	Change “Rachel” to “Rachael”
279		Also present should include: Jack [REDACTED], CWB Eric [REDACTED], CWB Chuck [REDACTED], CWB Bill [REDACTED], CWB
282	10	Strike “want to” insert “know if you’ve made”
283	2	Change “Rachel” to “Rachael”
283	7	Change “Walnuts” to “Walnut”
283	15	Change “Rachel” to “Rachael”
283	15	Change “R-A-C-H-E-L” to “R-A-C-H-A-E-L”
284	11	Delete comma after “Commission”

²⁸ Line numbers removed as there are no line numbers on this page.

284	14	Strike “cause” insert “costs”
284	19	Insert period after “crop”
284	19	Change “based” to capitalized
285	6	Change “in-shell” to “inshell”
285	11	Change “in-shell” to “inshell”
285	18	Change “Handler” to “Handlers”
285	22	Strike “does” insert “should”
286	9	Change “Walnuts” to “Walnut”
289	25	Strike “are” insert “of”
291	5	Strike “effected” insert “affected”
292	16	Insert “Mr.” before “Poindexter”
294	19	Strike “interactional” insert “international”
295	15	Change “commissions” to “commission”
297	7	Strike “broader-plate” insert “vertically”
297	17	Strike “tower” insert “power”
298	8	Strike “Because” insert “Thanks,” ²⁹
299	4	Change “in-shell” to “inshell”
299	8	Change “in-shell” to “inshell”
299	20	Change “brand” to “burden”
301	14	Strike “this is out” insert “is at the”
302	18	Strike “CDW” insert “CWB” ³⁰
303	7	Strike “elastic” insert “inelastic”
303	9	Strike “elastic” insert “inelastic”
304	4	Strike “(tech glitch)” insert “monopsony”
304	10	Strike “and” insert “in”
304	21	Insert “among any different markets” between “number” and “that’s”
305	8	Strike “So is there” insert “Sounds good”
306	8	Strike “the earlier” insert “Dr. Goodhue”
306	20	Strike “published that 70 or 85,000” insert “NASS publishes

²⁹ AMS proposed correction (“Strike ‘Because’ insert ‘Thank’s,’” edited).

³⁰ AMS proposed correction page number corrected.

		the figure, it's actually slightly larger, it's 785,000"
307	11	Strike "770" insert "\$7.70"
307	12	Strike "770" insert "\$7.70"
309	3	Strike "particularly when you" insert "if people wanted to"
309	6	Strike "calculation" insert "computation"
309	13	Change "in-shell" to "inshell"
311	18	(Correction rejected) ³¹
311	24	Change "Rachel" to "Rachael"
313	20	Strike "Gott" insert "dot"
313	21	Strike "lashawngottwilliams@usda.gov" insert "lashawn.williams@usda.gov"
315	8	Strike "Ms." Insert "Mrs."
315	10	Change "Walnuts" to "Walnut"
316	12	Strike "MS. DONOHO" insert "MS. CHILUKURI"
317	21	Strike "calculation" insert "application"
317	24	Strike "compromised" insert "compromise"
318	17	Change "Walnuts" to "Walnut"
319	6	Strike "will be" insert "is CWB"
319	22	Strike "a" insert "the"
321	5	Strike "preferred" insert "quicker"
321	18	Strike "exhibits" insert "exhibit"
322	18	Strike "Fifteen/20" insert "15/20"
323	19	Strike "ways" insert "weeks"
327	12	Change "operations director" to "Operations Director"
328	6	Change "in-shell" to "inshell"
328	9	Strike "by" insert "of"
328	23	Strike "for" insert "or"
329	3	Strike "float" insert "flow"
329	16	Strike "is"
330	2	Insert comma after "addition"

³¹ AMS proposed correction to page 311, line 18 rejected as unverifiable. In context, the current text appears to be correct, whereas the proposed change would be incorrect.

330	19	Strike “note-in” insert “million”
332	8	Strike “Walnuts” insert “walnut”
332	14	Strike “Walnuts” insert “Walnut”
333	1	Change “operations director” to “Operations Director”
333	23	Strike “that commits them” insert “mechanism”
333	2	Change “operations director” to “Operations Director” ³²
334	15	Strike “equatability” insert “equitability”
334	16	Strike “equatability” insert “equitability”
335	7	Strike “a”
336	9	Change “are” to “were”
336	21	Strike “providing” insert “regarding”
338	7	Change “filed” to “can find”
338	10	Delete “and”
339	6	Change “rating” to “rate”
339	8	Delete “assisting”
339	24	Change “in-shell” to “inshell”
340	2	Delete “a”
340	12	Strike “acquisitional part” insert “acquisition report”
340	14	Change “in-shell” to “inshell”
341	13	Strike “self-purported” insert “self-reported”
341	20	Change “in-shell” to “inshell”
343	6	Change “in-shell” to “inshell”
343	9	Change “in-shell” to “inshell”
343	10	Change “in-shell” to “inshell”
343	15	Change “clearer” to “clear”
345	15	Strike “requires” insert “acquires”
346	25	Change “secretary” to “Secretary” ³³
347	5	Change “150” to “115”
348	10	Change “that” to “they”
349	5	Strike “for” insert “form”

³² Board proposed correction page number corrected.

³³ Board proposed correction page number corrected.

349	13	Strike “mass” insert “NASS”
352	15	Strike “practice” insert “process”
352	22/23	Change “in-shell” to “inshell”
353	9	Change “in-shell” to “inshell”
353	14	Insert “to” between “could” and “handle”
355	12	Strike “we have” insert “CWB has”
359	18	Change “reback” to “go back”
360	15	Strike “984.69C” insert “984.69(c)” ³⁴
360	15	Strike “984.69B” insert “984.69 (b)” ³⁵
361	21	Change “in-shelled” to “inshell”
364	1	Change “in-shelled” to “inshell”
364	7	Change “in-shelled” to “inshell”
364	18	Strike “\$770” insert “\$7.70”
364	25	Strike “770” insert “\$7.70”
365	1	Strike “6.09” insert “\$6.09”
365	4	Strike “6.09” insert “\$6.09”
365	4	Change “in-shelled” to “inshell”
365	5	Strike “8.87” insert “\$8.87”
365	6	Change “in-shelled” to “inshell”
366	1	Change “in-shelled” to “inshell”
366	4	Change “in-shelled” to “inshell”
368	8	Strike “918” insert “2918”
370	1	Strike “class” insert “cost”
370	4	Strike “class” insert “cost”
371	13	Change “in-shelled” to “inshell”
371	22	Delete “the” before “multiplying”
372	2	Strike “778” insert “\$7.70”
372	11	Change “when” to “we”
372	25	Change “in-shelled” to “inshell”
373	6	Change “in-shelled” to “inshell”

³⁴ AMS proposed corrected edited to remove extra space.

³⁵ AMS proposed corrected edited to remove extra space.

374	19	Strike “they” insert “the problem”
374	21	Change “in-shelled” to “inshell”
375	10	Change “in-shelled” to “inshell”
375	10	Strike “887” insert “\$8.87”
375	10	Strike “609” insert “\$6.09”
375	16	Change “in-shell” to “inshell”
380	20	Change “in shell” to “inshell”
380	25	Change “in shell” to “inshell”
381	3	Change “in-shell” to “inshell”
381	5	Change “in-shell” to “inshell”
381	6	Change “in shell” to “inshell”
381	6	Strike “for” insert “per”
381	10	Delete “in”
381	12	Change “in-shell” to “inshell”
381	14	Change “shelled-inspection” to “shelled inspection”
381	21	Change “in-shell” to “inshell”
382	5	Change “in-shell” to “inshell”
382	7	Change “in-shell” to “inshell”
382	10	Change “in-shell” to “inshell”
382	15/16	Change “in-shell” to “inshell”
382	17	Strike “parenthesese” insert “parentheses”
382	18	Change “in-shell” to “inshell”
382	20	Change “in-shell” to “inshell”
382	21	Change “in-shell” to “inshell”
382	22	Change “shelled-share” to “shelled share”
382	25	Change “in-shell” to “inshell”
383	2	Change “in-shell” to “inshell”
383	5	Change “cost” to “costs”
383	16	Insert “greatly” between “are” and “clarifiant”
383	16	Strike “clarifiant” and insert “clarify it”
384	8	(Correction rejected) ³⁶

³⁶ Board proposed correction to page 384, line 8 suggested comma rejected as unnecessary.

385	7	Strike “ECFR” insert “eCFR”
385	16	Change “in-shell” to “inshell” (both instances)
388	17	Strike “yo” insert “you”
388	25	Strike “is” insert “its”
391	24	Strike “DR. HINMAN” insert “MR. HATCH”
392	20	Strike “marisasantana@usda.gov” insert “marisa.santana@usda.gov”
392	20	Strike “marilynkennedy@usda.gov” insert marilyn.kennedy@usda.gov
392	22	Delete “to”
393	9	Insert the word “take” after “we’ll”
394	19	Change “Walnuts” to “Walnut”
394	22	Strike “MALE VOICE” insert “MR. JONES”
395		Strike “SC-22-981-1” insert “SC22-981-1”

The undersigned has, *sua sponte*, identified additional corrections to be made to the record transcript, which are hereby **ADOPTED** as follows:

April 19, 2022

Page	Line	Correction
7	15	Strike “in-shell” and insert “inshell”
20	20	Insert period after “Pankey”
34	12, 13	Strike “in-shell” and insert “inshell” (both instances)
34	13	Strike “in-shell” and insert “inshell”
35	14	Strike “shell” and insert “shelled”
76	25	Strike “in-shell” and insert “inshell”
89	11, 21	Strike “in-shell” and insert “inshell” (both instances)
90	11/12, 19	Strike “in-shell” and insert “inshell” (both instances)
117	19/20	Strike “in-shell” and insert “inshell”
118	21	Strike “in-shell” and insert “inshell”
141	24	Strike “in-shell” and insert “inshell”
143	17/18	Strike “in-shell” and insert “inshell”
144	11, 12, 15, 16	Strike “in-shell” and insert “inshell” (all instances)

203 6, 12 Strike “in-shell” and insert “inshell” (both instances)

April 20, 2022

Page	Line	Correction
285	8, 12/13	Strike “in-shell” and insert “inshell” (both instances)
298	8	Strike “in-shell” and insert “inshell”
308	15	Strike “in-shell” and insert “inshell”
309	16/17, 21/22	Strike “in-shell” and insert “inshell” (both instances)
348	14/15	Strike “in-shell” and insert “inshell”
365	24	Strike “in-shell” and insert “inshell”
376	8/9	Strike “in-shell” and insert “inshell”

Pursuant to 7 C.F.R. § 900. 10, I hereby certify that to the best of my knowledge and belief, the transcript of the testimony given during the hearing is a true rendition of the testimony, except for any remaining obvious or immaterial spelling and any typographical or grammatical errors, and with the corrections as adopted hereinabove.³⁷

Also in accordance with 7 C.F.R. § 900. 10, on April 21, 2022, the undersigned, via email by OALJ Attorney Advisor Marisa Santana, notified the Hearing Clerk’s Office of the close of hearing, submissions dates decided during hearing, and transmitted all copies of exhibits. I hereby further certify that the record includes the following exhibits, which were each received into evidence at the indicated transcript page, as follows, and that these exhibits are all of the exhibits as introduced at the hearing:

³⁷ Given the circumstances of this proceeding, I find that it would be counterproductive for the Hearing Clerk to note the corrections on the “hard copy” of the transcript; therefore, I find the Hearing Clerk need not follow the specifications set forth to that effect in 7 C.F.R. § 900.10. The above-referenced corrections that are adopted herein are deemed to be a part of the transcript as if the Hearing Clerk had actually noted those corrections on a hard copy, and a copy of this Order Certifying Transcript shall accompany any and all official copies of the transcript in this matter.

April 19, 2022

Exhibit	Description	Marked	Received
1	Notice of Hearing	24	25
2	Certificate of Mailing	25	25
3	Certificate of News Release	25	25
4	Certificate of Officials Notified	25	25
5	Notice of Ex Parte	27	27
6	Section 984.67 Exemptions	27	29
7	Don [REDACTED] USDA Walnut Testimony	32	39
8	Don [REDACTED] USDA Walnut Tables 1-6	33	39
9	Mike [REDACTED] CWB Testimony	42	114
10	Mike [REDACTED] CWB Testimony Exhibit: PowerPoint Industry Overview	42	114
11	Jack [REDACTED] CWB Testimony	149	149
12	Eric [REDACTED] CWB Testimony	178	178
13	Chuck [REDACTED] CWB Testimony	226	226
14	William [REDACTED] CWB Testimony	249	249
15	Frank [REDACTED] CWB Testimony	262	262
17	William [REDACTED] CWB Testimony	271	271

April 20, 2022

Exhibit	Description	Marked	Received
16	Rachel [REDACTED] CWB Testimony	314	314
16A	Prof. Goodhue CWB Supplement to Testimony	363	384
18	Heather Donoho CWB Testimony	326	356
19	Heather Donoho CWB Testimony Exhibit: Assessment Presentation	326	356

Pursuant to the schedule established at the hearing, all briefs shall be filed with the Hearing Clerk by **4:30 p.m. (Eastern) on Thursday, June 23, 2022.**³⁸

³⁸ See Transcript at 393: 1-3.

Copies of this Certification of Transcript shall be served upon the parties by the Hearing Clerk. The Hearing Clerk shall also email copies to the following persons:

Rupa Chilukuri, Esq.
USDA, OGC
rupa.chilukuri@usda.gov

Matthew Pavone, Branch Chief
USDA, OGC
Matthew.Pavone@usda.gov

Christy Pankey, Marketing
Specialist
USDA, AMS
christy.pankey@usda.gov

Geronimo Quinones,
Marketing Specialist
USDA, AMS
Geronimo.Quinones@usda.gov

Andrew Hatch, Supervisory
Marketing Specialist (Deputy
Director)
USDA, AMS
Andrew.Hatch@usda.gov

Don Hinman, Economist
USDA, AMS
donald.hinman@usda.gov

Pushpa Kathir, Marketing
Specialist
USDA, AMS
pushpa.kathir@usda.gov

[REDACTED]

CWB Witnesses:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Done at Washington, D.C.,
this 8th day of June 2022

CHANNING
STROTHER

Digitally signed by CHANNING
STROTHER
Date: 2022.06.08 12:00:15 -04'00'

Channing D. Strother
Chief Administrative Law Judge

U.S. Department of Agriculture
South Building, Room 1031
1400 Independence Avenue, SW
Washington, D.C. 20250-9203
Tel: 1-202-720-4443
Fax: 1-844-325-6940
SM.OHA.HearingClerks@USDA.GOV