

be considered under the definition of russetting.

(10) Insects: (i) More than two healed codling moth stings, or any insect sting which is over three thirty-seconds of an inch in diameter, or other insect stings affecting the appearance to an equal extent.²

(ii) Blister mite or canker worm injury which is not shallow or superficial, or where the injury affects an aggregate area of more than three-eighths inch in diameter.²

(11) Disease: (i) Scab spots which are black and which cover an aggregate area of more than one-fourth inch in diameter, except that scab spots of a russet character shall be considered under the definition of russetting.²

(ii) Sooty blotch which is thinly scattered over more than 5 percent of the surface, or dark, heavily concentrated spots which affect an area of more than three-eighths inch in diameter.²

§ 51.1322 Seriously misshapen.

Seriously misshapen means that the pear is excessively flattened or elongated for the variety, or is constricted or deformed so it will not cut three fairly uniform good quarters, or is so badly misshapen that the appearance is seriously affected.

§ 51.1323 Serious damage.

Serious damage means any injury or defect which seriously affects the appearance, or the edible or shipping quality.

(a) Russetting which in the aggregate exceeds the following shall be considered as serious damage:

(1) On all varieties, excessively rough russetting (russetting which shows "frogging" or slight cracking) when the aggregate area exceeds three-fourths inch in diameter.²

(2) On all varieties, thick russetting such as is characteristic of frost injury, 15 percent of the surface.

(3) On Anjou, smooth solid or smooth netlike russetting when the aggregate area exceeds two-thirds of the surface,

except that, in addition, any amount of characteristic smooth russetting shall be permitted on that portion of the calyx end not visible for more than one-half inch along the contour of the pear, when it is placed calyx end down on a flat surface. On Flemish Beauty smooth russetting shall be permitted on the entire surface.

(b) Any one of the following defects or combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(1) Limbrubs which are more than slightly cracked, or excessively rough limbrubs or dark brown or black discoloration caused by limbrubs which exceeds an aggregate area of three-fourths inch in diameter.²

(2) Other limbrubs which affect an aggregate area of more than one-tenth of the surface.

(3) Hail marks or other similar depressions or scars which affect an aggregate area of more than three-fourths inch in diameter, or which materially deform or disfigure the fruit.²

(4) Cork spot when more than two in number are visible externally or when the flesh is seriously affected.

(5) Drought spot when more than two in number, or where the external injury affects an aggregate area of more than three-fourths inch in diameter, or when the appearance of the flesh is seriously affected by corky tissue or brownish discoloration.²

(6) Sunburn or sprayburn where the skin is blistered, cracked or shows any brownish color, or where the shape of the pear is materially flattened, or the flesh is softened or materially changed in color, except that sprayburn of a russet character shall be considered under the definition of russetting.

(7) Insects: (i) Worm holes. More than three healed codling moth stings, of which not more than two may be over three thirty-seconds of an inch in diameter, or other insect stings affecting the appearance to an equal extent.²

¹Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

²Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

§ 51.1345

7 CFR Ch. I (1-1-01 Edition)

(ii) Blister mite or canker worm injury which affects an aggregate area of more than three-fourths inch in diameter or which materially deforms or disfigures the fruit.²

(8) Disease: (i) Scab spots which are black, and which cover an aggregate area of more than one-half inch in diameter, except that scab spots of a russet character shall be considered under the definition of russetting.²

(ii) Sooty blotch which is thinly scattered over more than 15 percent of the surface, or dark heavily concentrated spots which affect an area of more than three-fourths inch in diameter.²

Subpart—United States Standards for Pears for Canning

SOURCE: 35 FR 6957, May 1, 1970, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

GENERAL

§ 51.1345 General.

All percentages shall be calculated on the basis of weight.

GRADES

§ 51.1346 U.S. No. 1.

“U.S. No. 1” consists of pears of one variety which are mature, handpicked, firm, well formed, free from scald, hard end, black end, internal breakdown, decay, worms and worm holes, and from damage caused by broken skins, limbrubs, sprayburn, sunburn, scab, russetting, bruises, hail, frost, drought spot, disease, insects, mechanical or other means. Unless otherwise specified, the pears shall not be further advanced than yellowish green. Tree-ripened pears and pears grown from late blooms shall not be considered as meeting the requirements of this grade. (See §§ 51.1349 and 51.1350.)

§ 51.1347 U.S. No. 2.

“U.S. No. 2” consists of pears of one variety which are mature, handpicked, firm, not seriously deformed, free from scald, hard end, black end, internal breakdown, decay, worms and worm holes, and free from serious damage by any other cause. Unless otherwise spec-

ified, the pears shall not be further advanced than yellowish green. Tree-ripened pears and pears grown from late blooms shall not be considered as meeting the requirements of this grade. (See §§ 51.1349 and 51.1350.)

CULLS

§ 51.1348 Culls.

“Culls” are pears which do not meet the requirements of either of the foregoing grades.

SIZE

§ 51.1349 Size.

Size may be specified in connection with a grade by agreement between buyer and seller and stated in terms of minimum diameter or minimum and maximum diameters. Diameters shall be specified in inches and not less than eighth-inch fractions thereof. In addition, size may be stated in terms of ratio of length to diameter.

APPLICATION OF STANDARDS

§ 51.1350 Application of standards.

(a) Tolerances shall not apply in the application of the standards to determine the percentages of U.S. No. 1 and U.S. No. 2 quality, culls and off-size in a lot of pears; for example, when determining compliance with a grower-processor contract.

(b) *Tolerances.* The following tolerances, by weight, shall apply when a lot of pears has been sorted to meet a specific grade, such as a shipment to a processor which is intended to meet the requirements of the U.S. No. 1 grade:

(1) *For defects.* 10 percent for pears which fail to meet the requirements of the grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for the defects listed:

(i) 2 percent for pears which are affected by decay.

(ii) 5 percent for pears which are infested by worms or have worm holes.

(2) *For off-size.* 5 percent for pears which are smaller than any specified minimum size, and 10 percent for pears larger than any specified maximum size.