

Subpart B—Procedures for Stationary Lot Sampling and Inspection

§ 42.103 Purpose and scope.

(a) This subpart outlines the procedure to be used to establish the condition of containers in stationary lots of packaged foods. This subpart shall be used to determine the acceptability of a lot based on specified acceptable quality levels and defects referenced in § 42.104 or any alternative plan which is approved by the Administrator. In addition, any other sampling plan in the tables with a larger first sample size than that indicated by the lot size range may be specified when approved by the Administrator. This subpart or approved alternative plan will be applied when a Government agency or private user of the inspection or grading services requests that filled primary containers or shipping cases, or both, be certified for condition. Unless the request for certification specifically asks that only the primary container or only the shipping case be examined, both containers will be examined.

(b) Unless otherwise specified by the user of service, this subpart will not apply to inspection lots of less than 50 shipping cases or to inspection lots of less than 300 primary containers. When the primary container is the shipping case, the shipping case limit will apply. When the lot size exceeds either the 50 shipping case limit or the 300 primary container limit or both, the provisions of paragraph (a) of this section will apply.

(c) Under certain conditions, special procedures (Skip Lot Sampling and Inspection) may be used to determine the condition of containers in stationary lots of packaged foods. Subpart C sets forth the requirements and procedures for Skip Lot Sampling and Inspection.

[31 FR 4687, Mar. 19, 1966, as amended at 36 FR 18456, Sept. 15, 1971; 41 FR 42639, Sept. 28, 1976. Redesignated at 42 FR 32514, June 27, 1977, and further amended at 45 FR 69424, Oct. 21, 1980. Redesignated at 46 FR 63203, Dec. 31, 1981]

§ 42.104 Sampling plans and defects.

(a) *Sampling plans.* Sections 42.109 through 42.111 show the number of con-

tainers to examine for condition in relation to lot size ranges. The tables provide acceptance (Ac) and rejection (Re) numbers for lot acceptance (or rejection) based on the number, class, and type of defects present in the sample.

(b) *Defects.* The tables in § 42.112 enumerate and classify defects according to the degree to which the individual defect affects the serviceability, including appearance as well as usability, of the container for its intended purpose. The table in § 42.113 enumerates and classifies defects of the label, marking, or code.

[31 FR 4687, Mar. 19, 1966, as amended at 36 FR 18456, Sept. 15, 1971. Redesignated at 42 FR 32514, June 27, 1977 and 46 FR 63203, Dec. 31, 1981]

§ 42.105 Basis for selection of sample.

(a) *Identification of lot.* Selection of proper samples requires sufficient information to identify the lot; such information includes, but is not limited to:

- (1) The lot size (see § 42.103 for restriction on small lots);
- (2) The type and size of container;
- (3) The code marks or other identification marks and the number of containers represented by each mark.
- (4) The history of the lot regarding previous inspections; and
- (5) The inspection status (normal, tightened, or reduced).

(b) *Preliminary scanning.* Prior to drawing the sample, the lot should be scanned to determine if any segments or portions are abnormal with respect to wet cases, blown cans, top layer rust, leaking bags, etc. If such segments or portions noted are of any consequence, the lot may be rejected for condition of containers without sampling.

(c) *Sample size.* Determination of the number of containers to check for condition:

(1) Refer to the table in §§ 42.109 through 42.111 (sampling plans) and find where the lot size (number of individual containers) fits into the column headed "Lot Size Ranges."

(i) Tables I-A (normal), II-A (tightened), or III-A (reduced), as applicable, will apply to origin inspections, unless