

Agricultural Marketing Service, USDA

§ 51.2542

§ 51.2341 Sample size for grade determination.

For fruit place-packed in tray pack containers, the sample shall consist of the contents of the individual container. For fruit jumble-packed in volume filled containers, the sample shall consist of at least 50 fruit. When individual containers contain at least 50 fruit, each individual sample is drawn from one container. When individual containers contain less than 50 fruit, a sufficient number of adjoining containers are opened to form a 50 fruit sample.

[50 FR 40186, Oct. 2, 1985; 50 FR 40961, Oct. 8, 1985; 51 FR 4293, Feb. 4, 1986]

Subpart—United States Standards for Grades of Pistachio Nuts in the Shell

SOURCE: 51 FR 27814, Aug. 4, 1986, unless otherwise noted.

§ 51.2540 General.

(a) Compliance with the provisions of these standards shall not excuse failure to comply with provisions of applicable Federal or State laws.

(b) These standards are applicable to pistachio nuts in the shell which may be in a natural, dyed, raw, roasted, or salted state; or in any combination thereof. However, nuts of obviously dissimilar forms shall not be commingled.

§ 51.2541 U.S. Fancy, U.S. Extra No. 1, U.S. No. 1 And U.S. Select Grades.

“U.S. Fancy,” “U.S. Extra No. 1,” “U.S. No. 1,” and “U.S. Select” consists of pistachio nuts in the shell which meet the following requirements:

- (a) Basic requirements:
 - (1) Free from:
 - (i) Foreign material;
 - (ii) Loose kernels;
 - (iii) Shell pieces;
 - (iv) Particles and dust; and,
 - (v) Blanks.
 - (b) Shells:
 - (1) Free from:
 - (i) Non-split shells; and,
 - (ii) Shells not split on suture.
 - (2) Free from damage by:
 - (i) Adhering hull material;
 - (ii) Light stained;

- (iii) Dark stained; and,
- (iv) Other External (shell) defects.
- (c) Kernels:
 - (1) Well dried, or, very well dried when specified in connection with the grade.
 - (2) Free from damage by:
 - (i) Immature kernels;
 - (ii) Kernel spotting; and,
 - (iii) Other Internal (kernel) defects.
 - (3) Free from serious damage by:
 - (i) Minor insect or vertebrate injury;
 - (ii) Insect damage;
 - (iii) Mold;
 - (iv) Rancidity;
 - (v) Decay; and,
 - (vi) Other Internal (kernel) defects.
 - (d) The nuts are of a size not less than $\frac{3}{64}$ inch in diameter as measured by a round hole screen.
 - (e) For tolerances, see § 51.2544.

[68 FR 50682, Aug. 22, 2003]

§ 51.2542 U.S. Artificially Opened.

“U.S. Artificially Opened” consists of artificially opened pistachio nuts in the shell which meet the following requirements:

- (a) Basic Requirements:
 - (1) Free from:
 - (i) Foreign material;
 - (ii) Loose kernels;
 - (iii) Shell pieces;
 - (iv) Particles and dust; and,
 - (v) Blanks.
 - (b) Shells:
 - (1) Free from:
 - (i) Non-split shells; and,
 - (ii) Shells not split on suture.
 - (2) Free from damage by:
 - (i) Adhering hull material;
 - (ii) Light stained;
 - (iii) Dark stained; and,
 - (iv) Other External (shell) defects.
 - (c) Kernels:
 - (1) Well dried, or, very well dried when specified in connection with the grade.
 - (2) Free from damage by:
 - (i) Immature kernels;
 - (ii) Kernel spotting; and,
 - (iii) Other Internal (kernel) defects.
 - (3) Free from serious damage by:
 - (i) Minor insect or vertebrate injury;
 - (ii) Insect damage;
 - (iii) Mold;
 - (iv) Rancidity;
 - (v) Decay; and,
 - (vi) Other Internal (kernel) defects.

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(d) The nuts are of a size not less than $\frac{3}{64}$ inch in diameter as measured by a round hole screen.

(e) For tolerances, see § 51.2544.

[68 FR 50683, Aug. 22, 2003]

§ 51.2543 U.S. Non-Split.

“U.S. Non-Split” consists of non-split pistachio nuts in the shell which meet the following requirements:

(a) Basic requirements:

- (1) Free from:
 - (i) Foreign material;
 - (ii) Loose kernels;
 - (iii) Shell pieces;
 - (iv) Particles and dust; and,
 - (v) Blanks.
- (b) Shells:

- (1) Free from damage by:
 - (i) Adhering hull material; and,
 - (ii) Dark stain.
- (c) Kernels:

(1) Well dried, or very well dried when specified in connection with the grade.

(2) Free from damage by:

- (i) Immature kernels;
- (ii) Kernel spotting; and,
- (iii) Other internal (kernel) defects.

(3) Free from serious damage by:

- (i) Minor insect or vertebrate injury;
- (ii) Insect damage;
- (iii) Mold;
- (iv) Rancidity;
- (v) Decay; and,
- (vi) Other Internal (kernel) defects.

(d) The nuts are of a size not less than $\frac{3}{64}$ inch in diameter as measured by a round hole screen.

(e) For Tolerances, see § 51.2544.

[68 FR 50683, Aug. 22, 2003]

§ 51.2544 Tolerances.

(a) In order to allow for variations incident to proper grading and handling, the tolerances in Tables I, II, and III of this section are provided.

TABLE I—TOLERANCES
[Percent]

Factor	U.S. fancy	U.S. extra No. 1	U.S. No. 1	U.S. select	U.S. artificially opened	U.S. non-split
External (shell) Defects (tolerances by weight):						
(a) Non-split and not split on surface	2	3	6	10	10	N/A
(1) Non-split included in (a)	1	2	3	4	4	N/A
(b) Adhering hull material	1	1	1	2	2	2
(c) Light stained	7	12	25	N/A	N/A	N/A
(1) Dark stained, included in (c) ...	2	3	3	3	3	3
(d) Damage by other means	1	1	2	3	10	N/A
(e) Total External Defects	9	16	N/A	N/A	N/A	N/A
(f) Undersized (Less than $\frac{3}{64}$ inch in diameter)	5	5	5	5	4	5

TABLE II—TOLERANCES

Factor internal (kernel) defects (tolerances by weight)	U.S. fancy (percent)	U.S. extra No. 1 (percent)	U.S. No. 1 (percent)	U.S. select (percent)	U.S. artificially opened (percent)	U.S. non-split (percent)
(a) Damage	3	6	6	6	6	6
(b) Serious Damage (Minor Insect or Vertebrate Injury, Mold, Rancid, Decay)	3	4	4	4	4	4
(1) Insect Damage, included in (b)	1	2	2	2	2	2
(c) Total Internal Defects	4	8	9	9	9	9

TABLE III—TOLERANCES
[Percent]

Factor	U.S. fancy	U.S. extra No. 1	U.S. No. 1	U.S. select	U.S. artificially opened	U.S. non-split
Other Defects (tolerances by weight):						
(a) Shell pieces and blanks	2	2	2	2	2	2