

§ 51.1913 Serious damage.

Serious damage means any defect which seriously affects the appearance, or edible, shipping, or keeping quality of the tomatoes. Any one of the following defects or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

- (a) Soft ripe tomatoes or tomatoes affected by the soft rot.
- (b) Fresh holes or cuts, or any holes or cuts through the tomato wall, or healed cuts which seriously affect the appearance of the tomato.
- (c) Tomatoes showing any effects of freezing.
- (d) Puffiness which causes the tomato to be distinctly light in weight.
- (e) Growth cracks, when not well healed, or when so extensive, deep or discolored that the appearance of the tomato is seriously affected.
- (f) Scars (except catfaces), when dark colored and shallow and aggregating more than 1/2 inch in diameter on a tomato 2 1/2 inches in diameter, or lighter colored, shallow scars covering a greater area when they detract from the appearance to a greater extent than a darkcolored, shallow scar 1/2 inch in diameter. Smaller tomatoes shall have lesser areas of scars and larger tomatoes may have greater areas: *Provided*, That such scars do not affect the appearance of the tomatoes to a greater extent than that caused by scars which are permitted on a 2 1/2-inch tomato.
- (g) Dry rot such as dry type *Macrosporium* or *Phoma*, when the spot is not adjacent to the stem scar, or when adjacent to the stem scar and more than 1/4 inch in diameter.
- (h) Fruit actually infested with worms.

Subpart—United States Standards for Grades of Filberts in the Shell ¹

SOURCE: 35 FR 11453, July 17, 1970, unless otherwise noted. Redesignated at 42 FR 32514.

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 other applicable State laws and regulations.

June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

GRADE

§ 51.1995 U.S. No. 1.

“U.S. No. 1” consists of filberts in the shell which meet the following requirements:

- (a) Similar type; and,
- (b) Dry.
- (c) Shells:
 - (1) Well formed; and,
 - (2) Clean and bright.
- (3) Free from:
 - (i) Blanks; and,
 - (ii) Broken or split shells.
- (4) Free from damage caused by:
 - (i) Stains; and,
 - (ii) Adhering husk; or,
 - (iii) Other means.
- (d) Kernels:
 - (1) Reasonably well developed; and,
 - (2) Not badly misshapen.
- (3) Free from:
 - (i) Rancidity;
 - (ii) Decay;
 - (iii) Mold; and,
 - (iv) Insect injury.
- (4) Free from damage caused by:
 - (i) Shriveling; and,
 - (ii) Discoloration; or,
 - (iii) Other means.
- (e) Size: The size shall be specified in connection with the grade in terms of minimum diameter, minimum and maximum diameters, or in accordance with one of the size classifications in Table I.

TABLE I

Size classifications	Maximum size—Will pass through a round opening of the following size	Minimum size—Will not pass through a round opening of the following size
Round type varieties:		
Jumbo	No maximum	56/64 inch.
Large	56/64 inch	49/64 inch.
Medium	49/64 inch	45/64 inch.
Small	45/64 inch	No minimum.
Long type varieties:		
Jumbo	No maximum	47/64 inch.
Large	48/64 inch	44/64 inch.
Medium	45/64 inch	34/64 inch.
Small	35/64 inch.	No minimum.

(f) Tolerances: In order to allow for variations incident to proper grading and handling, the following tolerances, by count, are permitted as specified: