

§ 51.2007 Moldy.

Moldy means that there is a visible growth of mold either on the outside or the inside of the kernel.

§ 51.2008 Insect injury.

Insect injury means that the insect, frass or web is present inside the nut or the kernel shows definite evidence of insect feeding.

METRIC CONVERSION TABLE

§ 51.2009 Metric conversion table.

| Inches | Millimeters (mm) |
|--------|------------------|
| 62/64 | 24.6 |
| 59/64 | 23.4 |
| 56/64 | 22.2 |
| 49/64 | 19.4 |
| 48/64 | 19.0 |
| 47/64 | 18.6 |
| 45/64 | 17.9 |
| 44/64 | 17.5 |
| 42/64 | 16.7 |
| 35/64 | 13.9 |
| 34/64 | 13.5 |

Subpart—United States Standards for Grades of Almonds in the Shell

SOURCE: 62 FR 2892, Jan. 21, 1997, unless otherwise noted.

GRADES

§ 51.2075 U.S. No. 1.

“U.S. No. 1” consists of almonds in the shell which are of similar varietal characteristics and free from loose extraneous and foreign material. The shells are clean, fairly bright, fairly uniform color, and free from damage caused by discoloration, adhering hulls, broken shells or other means. The kernels are well dried, free from decay, rancidity, and free from damage caused by insects, mold, gum, skin discoloration, shriveling, brown spot or other means.

(a) Unless otherwise specified, the almonds are of a size not less than 28/64 of an inch (11.1 mm) in thickness.

(b) In order to allow for variations incident to proper grading and handling, the following tolerances are provided as specified:

(1) *For external (shell) defects.* 10 percent, by count, for almonds which fail

to meet the requirements of this grade other than for variety and size;

(2) *For dissimilar varieties.* 5 percent, by count, including therein not more than 1 percent for bitter almonds mixed with sweet almonds;

(3) *For size.* 5 percent, by count, for almonds which are smaller than the specified minimum thickness;

(4) *For loose extraneous and foreign material.* 2 percent, by weight, including therein not more than 1 percent which can pass through a round opening 24/64 inch (9.5 mm) in diameter: Provided, that such material is practically free from insect infestation; and,

(5) *For internal (kernel) defects.* 10 percent, by count, for almonds with kernels failing to meet the requirements of this grade: Provided, that not more than one-half of this tolerance or 5 percent shall be allowed for kernels affected by decay or rancidity, damaged by insects or mold or seriously damaged by shriveling: And provided further, that no part of this tolerance shall be allowed for live insects inside the shell.

§ 51.2076 U.S. No. 1 Mixed.

“U.S. No. 1 Mixed” consists of almonds in the shell which meet the requirements of U.S. No. 1 grade, except that two or more varieties of sweet almonds are mixed.

§ 51.2077 U.S. No. 2.

“U.S. No. 2” consists of almonds in the shell which meet the requirements of U.S. No. 1 grade, except that an additional tolerance of 20 percent shall be allowed for almonds with shells damaged by discoloration.

§ 51.2078 U.S. No. 2 Mixed.

“U.S. No. 2 Mixed” consists of almonds in the shell which meet the requirements of U.S. No. 2 grade, except that two or more varieties of sweet almonds are mixed.

APPLICATION OF TOLERANCES

§ 51.2079 Application of tolerances.

The tolerances for the foregoing grades are applied to the entire lot of almonds, based upon a composite sample drawn from containers throughout the lot.

§ 51.2080

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DETERMINATION OF GRADE

§ 51.2080 **Determination of grade.**

In grading the inspection sample, the percentage of loose hulls, pieces of shell, chaff and foreign material is determined on the basis of weight. Next, the percentages of nuts which are of dissimilar varieties, undersize or have adhering hulls or defective shells are determined by count, using an adequate portion of the total sample. Finally, the nuts in that portion of the sample are cracked, and the percentage having internal defects is determined on the basis of count.

DEFINITIONS

§ 51.2081 **Similar varietal characteristics.**

Similar varietal characteristics means that the almonds are similar in shape, and are reasonably uniform in degree of hardness of the shells, and that bitter almonds are not mixed with sweet almonds. For example, hard-shelled varieties, semi-soft shelled varieties, soft-shelled varieties and paper-shelled varieties are not mixed together, nor are any two of these types mixed under this definition.

§ 51.2082 **Loose extraneous and foreign material.**

Loose extraneous and foreign material means loose hulls, empty broken shells, pieces of shells, external insect infestation and any substance other than almonds in the shell or almond kernels.

§ 51.2083 **Clean.**

Clean means that the shell is practically free from dirt and other adhering foreign material.

§ 51.2084 **Fairly bright.**

Fairly bright means that the shells show good characteristic color.

§ 51.2085 **Fairly uniform color.**

Fairly uniform color means that the shells do not show excessive variation in color, whether bleached or natural.

§ 51.2086 **Well dried.**

Well dried means that the kernel is firm and brittle, not pliable or leathery.

§ 51.2087 **Decay.**

Decay means that part or all of the kernel has become decomposed.

§ 51.2088 **Rancidity.**

Rancidity means that the kernel is noticeably rancid to taste.

§ 51.2089 **Damage.**

Damage means any defect which materially detracts from the appearance of the individual kernel, or the edible or shipping quality of the almond. 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 damage:

(a) Discoloration of the shell which is medium gray to black and affects more than one-eighth of the surface in the aggregate. Normal variations of a reddish or brownish color shall not be considered discoloration;

(b) Adhering hulls which cover more than 5 percent of the shell surface in the aggregate;

(c) Broken shells when a portion of the shell is missing, or the shell is broken or fractured to the extent that moderate pressure will permit the kernel to become dislodged;

(d) Insect injury when the insect, web or frass is present or there is definite evidence of insect feeding;

(e) Mold, when visible on the kernel, except when white or gray and easily rubbed off with the fingers;

(f) Gum, when a film of shiny, resinous appearing substance affects an area aggregating more than the equivalent of a circle one-quarter inch (6.4 mm) in diameter;

(g) Skin discoloration when more than one-half of the surface of the kernel is affected by very dark or black stains contrasting with the natural color of the skin;

(h) Shriveling when the kernel is excessively thin for its size, or when materially withered, shrunken, leathery, tough or only partially developed: Provided, that partially developed kernels are not considered damaged if more