

- T.2.4. Jewelers' Scales (all sections)
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 UR.1.4. Grain Test Scales: Value of Scale Divisions
 UR.3.1. Recommended Minimum Load
 UR.3.1.1. Minimum Load, Grain Dockage

Automatic Bulk Weighing Systems (2.22)

- N.1.3. Decreasing-Load Test

[68 FR 34522, June 10, 2003, as amended at 69 FR 18803, Apr. 9, 2004]

§ 802.1 Qualified laboratories.

(a) *Metrology laboratories.* (1) Any State metrology laboratory currently approved by the NBS ongoing certification program having auditing capability is automatically approved by the Service.

(2) Any county or city weights and measures jurisdiction approved by NBS or by their respective NBS-Certified State laboratory as being equipped with appropriate traceable standards and trained staff to provide valid calibration is approved by the Service. The State approval may be documented by a certificate or letter. The jurisdiction must be equipped to provide suitable certification documentation.

(3) Any commercial industrial laboratory primarily involved in the business of sealing and calibrating test weights (standards) will be approved by the Service provided:

(i) It requests written authority to perform tolerance testing of weights used within the Service's program(s) through their approved State jurisdiction. Copies of its request and written reference regarding the State decision shall be provided to the Service. A positive decision by the State will be required as a prerequisite to the Service's granting approval to any commercial laboratory to tolerance test the weights used in testing scales under the jurisdiction of the Service;

(ii) It has NBS traceable standards (through the State) and trained staff to perform calibrations in a manner prescribed by NBS and/or the State;

(iii) It is equipped to provide suitable certification documentation;

(iv) It permits the Service to make onsite visits to laboratory testing space.

(4) Approval of the commercial industrial laboratory will be at the Service's discretion. Once it has obtained approval, the commercial industrial laboratory maintains its site in a manner prescribed by the State and the Service.

(b) *Type evaluation laboratories.* Any State measurement laboratory currently certified by NBS in accordance with its program for the Certification of Capability of State Measurement Laboratories to conduct evaluations under the National Type Evaluation Program is approved by the Service.

(Approved by the Office of Management and Budget under control number 0580-0011)

[51 FR 7052, Feb. 28, 1986, as amended at 54 FR 5925, Feb. 7, 1989]

PART 810—OFFICIAL UNITED STATES STANDARDS FOR GRAIN

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- 810.301 Definition of canola.
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PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.303 Basis of determination.

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- 810.304 Grades and grade requirements for canola.

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- 810.401 Definition of corn.
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PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.403 Basis of determination.

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- 810.404 Grades and grade requirements for corn.

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- 810.405 Special grades and special grade requirements.

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TERMS DEFINED

- 810.601 Definition of flaxseed.
- 810.602 Definition of other terms.

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PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.603 Basis of determination.

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- 810.604 Grades and grade requirements for flaxseed.

Subpart F—United States Standards for Mixed Grain

TERMS DEFINED

- 810.801 Definition of mixed grain.
- 810.802 Definition of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.803 Basis of determination.

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- 810.804 Grades and grade requirements for mixed grain.

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- 810.805 Special grades and special grade requirements.

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TERMS DEFINED

- 810.1001 Definition of oats.
- 810.1002 Definition of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.1003 Basis of determination.

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- 810.1004 Grades and grade requirements for oats.

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- 810.1005 Special grades and special grade requirements.

Subpart H—United States Standards for Rye

TERMS DEFINED

- 810.1201 Definition of rye.
- 810.1202 Definition of other terms.

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- 810.1203 Basis of determination.

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- 810.1204 Grades and grade requirements for rye.

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810.1401 Definition of sorghum.

810.1402 Definition of other terms.

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810.1403 Basis of determination.

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810.1404 Grades and grade requirements for sorghum.

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810.1405 Special grades and special grade requirements.

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TERMS DEFINED

810.1601 Definition of soybeans.

810.1602 Definition of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

810.1603 Basis of determination.

GRADES AND GRADE REQUIREMENTS

810.1604 Grades and grade requirements for soybeans.

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810.1605 Special grades and special grade requirements.

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TERMS DEFINED

810.1801 Definition of sunflower seed.

810.1802 Definition of other terms.

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810.1803 Basis of determination.

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810.1804 Grades and grade requirements for sunflower seed.

Subpart L—United States Standards for Triticale

TERMS DEFINED

810.2001 Definition of triticale.

810.2002 Definition of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

810.2003 Basis of determination.

GRADES AND GRADE REQUIREMENTS

810.2004 Grades and grade requirements for triticale.

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810.2005 Special grades and special grade requirements.

Subpart M—United States Standards for Wheat

TERMS DEFINED

810.2201 Definition of wheat.

810.2202 Definition of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

810.2203 Basis of determination.

GRADES AND GRADE REQUIREMENTS

810.2204 Grades and grade requirements for wheat.

SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

810.2205 Special grades and special grade requirements.

AUTHORITY: 7 U.S.C. 71–87k.

EFFECTIVE DATE NOTE: At 72 FR 39732, July 20, 2007, the authority citation to part 810 was revised, effective June 1, 2008. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 7 U.S.C. 71–87k.

SOURCE: 52 FR 24418, June 30, 1987, unless otherwise noted.

Subpart A—General Provisions

NOTE: Compliance with the provisions of these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal laws.

§ 810.101

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TERMS DEFINED

§ 810.101 Grains for which standards are established.

Grain refers to barley, canola, corn, flaxseed, mixed grain, oats, rye, sorghum, soybeans, sunflower seed, triticale, and wheat. Standards for these food grains, feed grains, and oilseeds are established under the United States Grain Standards Act.

[57 FR 3274, Jan. 29, 1992]

§ 810.102 Definition of other terms.

Unless otherwise stated, the definitions in this section apply to all grains. All other definitions unique to a particular grain are contained in the appropriate subpart for that grain.

(a) Distinctly low quality. Grain that is obviously of inferior quality because it is in an unusual state or condition, and that cannot be graded properly by use of other grading factors provided in the standards. Distinctly low quality includes the presence of any objects too large to enter the sampling device; i.e., large stones, wreckage, or similar objects.

(b) Moisture. Water content in grain as determined by an approved device according to procedures prescribed in FGIS instructions.

(c) Stones. Concreted earthy or mineral matter and other substances of similar hardness that do not disintegrate in water.

(d) Test weight per bushel. The weight per Winchester bushel (2,150.42 cubic inches) as determined using an approved device according to procedures prescribed in FGIS instructions. Test weight per bushel in the standards for corn, mixed grain, oats, sorghum, and soybeans is determined on the original sample. Test weight per bushel in the standards for barley, flaxseed, rye, sunflower seed, triticale, and wheat is determined after mechanically cleaning the original sample. Test weight per bushel is recorded to the nearest tenth pound for corn, rye, soybeans, triticale, and wheat. Test weight per bushel for all other grains, if applicable, is recorded in whole and half pounds with a fraction of a half pound disregarded. Test weight per bushel is not an official factor for canola.

(e) Whole kernels. Grain with 1/4 or less of the kernel removed.

[52 FR 24418, June 30, 1987, as amended at 60 FR 61196, Nov. 29, 1995; 71 FR 52406, Sept. 6, 2006]

EFFECTIVE DATE NOTE: At 72 FR 39732, July 20, 2007, § 801.102 was amended by revising paragraph (d), effective June 1, 2008. For the convenience of the user, the revised text is set forth as follows:

§ 810.102 Definition of other terms.

* * * * *

(d) Test Weight per bushel. The weight per Winchester bushel (2,150.42 cubic inches) as determined using an approved device according to procedures prescribed in FGIS instructions. Test weight per bushel in the standards for corn, mixed grain, oats, sorghum, and soybeans is determined on the original sample. Test weight per bushel in the standards for barley, flaxseed, rye, sunflower seed, triticale, and wheat is determined after mechanically cleaning the original sample. Test weight per bushel is recorded to the nearest tenth pound for corn, rye, sorghum, soybeans, triticale, and wheat. Test weight per bushel for all other grains, if applicable, is recorded in whole and half pounds with a fraction of a half pound disregarded. Test weight per bushel is not an official factor for canola.

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PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

§ 810.103 Basis of determination.

(a) Distinctly low quality. The determination of distinctly low quality is made on the basis of the lot as a whole at the time of sampling when a condition exists that may or may not appear in the representative sample and/or the sample as a whole.

(b) Certain quality determinations. Each determination of rodent pellets, bird droppings, other animal filth, broken glass, castor beans, cocklebur, crotalaria seeds, dockage, garlic, live insect infestation, large stones, moisture, temperature, an unknown foreign substance(s), and a commonly recognized harmful or toxic substance(s) is made on the basis of the sample as a whole. When a condition exists that may not appear in the representative sample, the determination may be made on the basis of the lot as a whole