

§ 51.340

the tolerance or one apple (whichever is the greater amount).

NOTE: "Damage by water core" means externally invisible water core existing around the core and extending to water core in the vascular bundles; or surrounding the vascular bundles when the affected areas surrounding three or more vascular bundles meet or coalesce; or existing in more than slight degree outside the circular area formed by the vascular bundles; or any externally visible water core.

[29 FR 10573, July 30, 1964. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981, as amended at 62 FR 28982, May 29, 1997]

Subpart—United States Standards for Grades of Apples for Processing

SOURCE: 26 FR 3604, Apr. 27, 1961, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

GRADES

§ 51.340 U.S. No. 1.

"U.S. No. 1" consists of apples of one variety, unless designated as mixed varieties, which are not overripe, which are free from decay, worm holes, freezing injury and internal breakdown and free from any other defect, or combination of defects, the removal of which in the usual commercial preparation for use will cause a loss of more than 5 percent, by weight, of the apple.

§ 51.341 U.S. No. 2.

"U.S. No. 2" consists of apples of one variety, unless designated as mixed varieties, which are not overripe, which are free from decay, worm holes, freezing injury and internal breakdown and free from any other defect, or combination of defects, the removal of which in the usual commercial preparation for use will cause a loss of more than 12 percent, by weight, of the apple.

§ 51.342 U.S. Cider.

"U.S. Cider" consists of apples which are free from decay, worm holes and internal breakdown.

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CULLS

§ 51.343 Culls.

"Culls" consist of apples which fail to meet the requirements of U.S. Cider Grade.

SIZE

§ 51.344 Size.

(a) The minimum and maximum sizes or range of sizes shall be determined as agreed upon by buyer and seller.

(b) Unless otherwise specified, the minimum and maximum sizes or range of sizes shall be determined by the use of an approved sizing chain of the exact dimension specified in the agreement between buyer and seller.

(c) Size is the dimension of the apples determined by the smallest opening through which it will pass.

APPLICATION OF STANDARDS

§ 51.345 Application of standards.

(a) When a lot of apples is required to meet a specific U.S. grade, the tolerances as set forth in § 51.346 shall apply. When packed in closed packages the application of tolerances in § 51.347 shall apply. The application of tolerances shall not apply to apples in open or bulk containers.

(b) In the application of these standards to determine the percentage of the lot which meets the requirements of each of the grades, tolerances shall not apply.

TOLERANCES

§ 51.346 Tolerances.

When a lot of apples is required to meet one of the U.S. grades, the apples shall not be further advanced in maturity than generally firm ripe, and the following tolerances, by weight, shall apply:

(a) *For defects.* 10 percent for apples which fail to meet the requirements of the grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for the defects listed:

- (1) 2 percent for apples which are affected by decay;
- (2) 2 percent for apples which are affected by internal breakdown; and,

(3) 5 percent for apples which are affected by worm holes.

(b) *For off-size.* 5 percent for apples which are smaller than any specified minimum size, and 10 percent for apples larger than any specified maximum size.

APPLICATION OF TOLERANCES

§ 51.347 Application of tolerances.

Apples in closed packages are subject to the following limitations provided the averages for the entire lot are within the tolerances specified for the grade:

(a) For a tolerance of 10 percent, individual packages shall have not more than one and one-half times the tolerance specified. For a tolerance of less than 10 percent, individual packages shall have not more than double the tolerances specified.

DEFINITIONS

§ 51.348 One variety.

One variety within the meaning of these standards shall include all bud sports and strains of the specified variety.

§ 51.349 Overripe.

Overripe means apples which are dead ripe, and with flesh very mealy or soft.

Subpart—United States Standards for Grades of Cantaloups¹

SOURCE: 26 FR 2217, Mar. 16, 1961, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

GRADES

§ 51.475 U.S. Fancy.

“U.S. Fancy” consists of cantaloups which meet the requirements of U.S. No. 1 grade except that the cantaloups have very good internal quality and have uniform appearance.

¹Packing in 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 applicable State laws and regulations.

(a) *Tolerances.* In order to allow for variations incident to proper grading and handling the following tolerances, by count, shall be permitted, except that these tolerances shall not apply to the requirements relating to internal quality and uniformity of appearance:

(1) *At shipping point.*² 8 percent for cantaloups in any lot which fail to meet the requirements of this grade: *Provided,* That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than one-half of 1 percent for cantaloups which are affected by decay or mold.

(2) *En route or at destination.* 12 percent for cantaloups in any lot which fail to meet the requirements of this grade: *Provided,* That included in this amount not more than the following percentages shall be allowed for defects listed:

(i) 8 percent for cantaloups which fail to meet the requirements of this grade because of permanent defects; or,

(ii) 6 percent for cantaloups which are seriously damaged, including therein not more than 4 percent for cantaloups which are seriously damaged by permanent defects and not more than 2 percent for cantaloups which are affected by decay. (See § 51.480.)

§ 51.476 U.S. No. 1.

“U.S. No. 1” consists of cantaloups of one type which are mature and have good internal quality but are not overripe or soft or wilted, which are well formed, well netted, and free from decay, wet slip and sunscald, and free from damage caused by liquid in the seed cavity, sunburn, hail, dirt, surface mold or other disease, aphid or other insects, scars, cracks, sunken areas, ground spot, bruises, or mechanical or other means.

(a) *Tolerances.* In order to allow for variations incident to proper grading and handling the following tolerances, by count, shall be permitted, except

²Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.