

**Agricultural Marketing Service, USDA**

**§ 51.1999**

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
<b>Round type varieties:</b>		
Jumbo .....	No maximum	5/64 inch.
Large .....	5/64 inch .....	49/64 inch.
Medium .....	49/64 inch .....	45/64 inch.
Small .....	45/64 inch .....	No minimum.
<b>Long type varieties:</b>		
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:

(1) *For mixed types.* 20 percent for filberts which are of a different type.

(2) *For defects.* 10 percent for filberts which are below the requirements of this grade: *Provided*, That not more than one-half of this amount or 5 percent shall consist of blanks, and not more than 5 percent shall consist of filberts with rancid, decayed, moldy or insect injured kernels, including not more than 3 percent for insect injury.

(3) *For off-size.* 15 percent for filberts which fail to meet the requirements for the size specified, but not more than two-thirds of this amount, or 10 percent shall consist of undersize filberts.

**APPLICATION OF STANDARDS**

**§ 51.1996 Application of standards.**

(a) The grade of a lot of filberts shall be determined on the basis of a composite sample drawn from containers in various locations in the lot. However, any container or group of containers in which the filberts are obviously of a quality, type or size materially different from that in the majority of containers shall be considered a separate lot, and shall be sampled separately.

(b) In grading the sample, each filbert shall be examined for defects of the shell before being cracked for kernel examination. A filbert shall be classed as only one defective nut even though it may be defective externally and internally.

**DEFINITIONS**

**§ 51.1997 Similar type.**

*Similar type* means that the filberts in each container are of the same general type and appearance. For example, nuts of the round type shall not be mixed with those of the long type in the same container.

**§ 51.1998 Dry.**

*Dry* means that the shell is free from surface moisture, and that the shells and kernels combined do not contain more than 10 percent moisture.

**§ 51.1999 Well formed.**

*Well formed* means that the filbert shell is not materially misshapen.