

sieve with  $\frac{2}{64}$  inch round openings, but that cannot pass through a sieve with  $\frac{1}{64}$  inch round openings. When desired, the actual size ranges within such size ranges may be specified. (See § 51.2285.)

**§ 51.2285 Tolerances for size.**

(a) All percentages shall be calculated on the basis of weight.

(b) In order to allow for variations incident to proper sizing and handling, tolerances shall be permitted for the respective size classifications as indicated in Table III:

TABLE III  
[Percent]

Size classification	Tolerances for size				
	Smaller than three-fourths halves	Will not pass through $\frac{2}{64}$ inch round hole	Pass through $\frac{2}{64}$ inch round hole	Pass through $\frac{1}{64}$ inch round hole	Pass through $\frac{1}{64}$ inch round hole
Halves .....	5 .....	.....	.....	1 (included in 5 percent).	.....
Pieces and halves <sup>1</sup> .....	.....	.....	18 .....	3 (included in 18 percent).	1 (included in 2 percent).
Pieces .....	.....	.....	25 .....	5 (included in 25 percent).	1 (included in 5 percent).
Small pieces <sup>2</sup> .....	.....	10 .....	.....	.....	2.

<sup>1</sup>No part of any tolerance shall be used to reduce the percentage of halves required or specified in a lot of "pieces and halves".

<sup>2</sup>The tolerances of 10 percent and 2 percent for "small pieces" classification shall apply, respectively, to any smaller maximum or any larger minimum sizes specified.

APPLICATION OF TOLERANCES

**§ 51.2286 Application of tolerances.**

The tolerances provided in these standards are on a lot basis, and they shall be applied to a composite sample representative of the lot. However, any container or group of containers in which the walnuts are obviously of a quality materially different from that in the majority of containers shall be considered a separate lot, and shall be sampled separately.

DEFINITIONS

**§ 51.2287 Well dried.**

*Well dried* means that the portion of kernel is firm and crisp, not pliable or leathery.

**§ 51.2288 Clean.**

*Clean* means that the appearance of the individual portion of kernel, or of the lot as a whole, is not materially affected by adhering dust, dirt or other foreign material.

**§ 51.2289 Shell.**

*Shell* means the outer shell and/or the woody partition from between the

halves of the kernel, and any fragments of either.

**§ 51.2290 Insect injury.**

*Insect injury* means that the insect, web, frass or other evidence of insects is present on the portion of kernel.

**§ 51.2291 Rancidity.**

*Rancidity* means that the portion of kernel is noticeably rancid to the taste. Rancidity should not be confused with a slightly astringent flavor of the pellicle (skin) or with staleness (the state at which the flavor is flat but not objectionable).

**§ 51.2292 Damage.**

*Damage* means any defect, other than color, which materially affects the appearance, or the edible or shipping quality of the individual portion of kernel, or of the lot as a whole. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as damage:

(a) Shriveling when more than one-eighth of the portion of kernel is severely shriveled, or a greater area is affected by lesser degrees of shriveling

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producing an equally objectionable appearance, except that kernels which are thin in cross-section but which are otherwise normally developed shall not be considered as damaged;

(b) Mold when plainly visible;

(c) Discoloration of the meat when more than one-eighth the volume of the portion of kernel is severely discolored, or a greater volume is affected by lesser degrees of discoloration producing an equally objectionable appearance;

(d) Not well dried; and,

(e) Not clean.

**§ 51.2293 Serious damage.**

*Serious damage* means any defect, other than color, which seriously affects the appearance, or the edible or shipping quality of the individual portion of kernel or of the lot as a whole. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as serious damage:

(a) Shriveling when more than one-fourth of the kernel is severely shriveled, or a greater area is affected by lesser degrees of shriveling producing an equally objectionable appearance;

(b) Mold when plainly visible on more than one-eighth of the surface of the kernel in the aggregate; and,

(c) Discoloration of the meat when more than one-fourth the volume of the portion of kernel is severely discolored, or a greater volume is affected by lesser degrees of discoloration producing an equally objectionable appearance.

**§ 51.2294 Very serious damage.**

*Very serious damage* means any defect, other than color, which very seriously affects the appearance, or the edible or shipping quality of the individual portion of kernel or of the lot as a whole. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as very serious damage:

(a) Shriveling when more than 50 percent of the portion of kernel is severely shriveled;

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(b) Mold when plainly visible on more than one-fourth of the surface of the portion of kernel in the aggregate;

(c) Discoloration of the meat when more than one-half the volume of the portion of kernel is severely discolored;

(d) Insect injury;

(e) Rancidity or decay; and,

(f) Shell, or any foreign material.

**§ 51.2295 Half kernel.**

*Half kernel* means the separated half of a kernel with not more than one-eighth broken off.

**§ 51.2296 Three-fourths half kernel.**

*Three-fourths half kernel* means a portion of a half of a kernel which has more than one-eighth but not more than one-fourth broken off.

**Subpart—United States Standards for Grades of Kiwifruit**

SOURCE: 47 FR 34513, Aug. 10, 1982, unless otherwise noted.

**§ 51.2335 Grades.**

(a) "U.S. Fancy" consists of kiwifruit which meet the following requirements:

(1) Basic Requirements:

(i) Similar varietal characteristics;

(ii) Mature;

(iii) Not soft, overripe, or shriveled;

(iv) Carefully packed;

(v) Clean; and,

(vi) Well formed.

(2) Free From:

(i) Worm holes;

(ii) Broken skins which are not healed;

(iii) Sunscald;

(iv) Freezing injury;

(v) Internal breakdown; and,

(vi) Decay.

(3) Free From Injury By:

(i) Bruises;

(ii) Leaf or limb rubs;

(iii) Discoloration;

(iv) Hail;

(v) Growth cracks;

(vi) Scab;

(vii) Scars;

(viii) Heat, sprayburn, or sunburn;

(ix) Scale;

(x) Insects;

(xi) Other diseases; and,

(xii) Mechanical or other means.