

**Agricultural Marketing Service, USDA**

**§ 51.1265**

(b) Discolored shells which have dark discoloration caused by mildew, staining or other means affecting one-half or more of the shell surface. Talc powder or other similar material which may have been applied to the shells during the cleaning process shall not be removed to determine the amount of discoloration beneath, but the peanut shall be judged as it appears with the talc.

(c) Kernels which are rancid or decayed.

(d) Moldy kernels.

(e) Kernels showing sprouts extending more than one-eighth inch from the end of the kernel.

(f) Distinctly dirty kernels.

(g) Kernels which are wormy, or have worm frass adhering, or have worm cuts which are more than superficial.

(h) Kernels which have dark yellow color penetrating the flesh, or yellow pitting extending deep into the kernel.

**§ 51.1242 Count per pound.**

*Count per pound* means the number of peanuts in a pound. When determining the count per pound, one single kernel peanut shall be counted as one-half peanut.

**Subpart—United States Standards for Summer and Fall Pears <sup>1</sup>**

SOURCE: 20 FR 5620, Aug. 5, 1955, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

**GENERAL**

**§ 51.1260 General.**

These standards apply to varieties such as Bartlett, Hardy and other similar varieties.

**GRADES**

**§ 51.1261 U.S. No. 1.**

“U.S. No. 1” consists of pears of one variety which are mature, but not over-ripe, carefully hand-picked, clean, fairly well formed, free from decay, in-

<sup>1</sup>Packing of 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.

ternal breakdown, scald, freezing injury, worm holes, black end, and from damage caused by hard end, bruises, broken skins, russeting, limb-rubs, hail, scars, drought spot, sunburn, sprayburn, stings or other insect injury, disease, or mechanical or other means. (See §§ 51.1265 and 51.1268.)

**§ 51.1262 U.S. Combination.**

A combination of U.S. No. 1 and U.S. No. 2 may be packed. When such a combination is packed, at least 50 percent of the pears in any container shall meet the requirements of U.S. No. 1. (See §§ 51.1265 and 51.1268.)

**§ 51.1263 U.S. No. 2.**

“U.S. No. 2” consists of pears of one variety which are mature, but not over-ripe, carefully hand-picked, clean, not seriously misshapen, free from decay, internal breakdown, scald, freezing injury, worm holes, black end, and from damage caused by hard end, or broken skins. The pears shall also be free from serious damage caused by bruises, russeting, limb-rubs, hail, scars, drought spot, sunburn, sprayburn, stings or other insect injury, disease, or mechanical or other means. (See §§ 51.1265 and 51.1268.)

**UNCLASSIFIED**

**§ 51.1264 Unclassified.**

“Unclassified” consists of pears which have not been classified in accordance with any of the foregoing grades. The term “unclassified” is not a grade within the meaning of these standards, but is provided as a designation to show that no grade has been applied to the lot.

**TOLERANCES**

**§ 51.1265 Tolerances.**

(a) In order to allow for variations incident to proper grading and handling, not more than a total of 10 percent of the pears in any lot may fail to meet the requirements of grade: *Provided*, That not more than 5 percent shall be seriously damaged by insects, and not more than 1 percent shall be allowed for decay or internal breakdown.

(b) When applying the foregoing tolerances to the combination grade no