

**§51.1862**

**7 CFR Ch. I (1-1-13 Edition)**

for defects causing very serious damage, including therein not more than 1 percent for tomatoes which are soft or affected by decay; and,

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

(i) Five percent for tomatoes which are soft or affected by decay;

(ii) Ten percent for tomatoes which are seriously damaged by shoulder bruises or by discolored or sunken scars on any parts of the tomatoes; and,

(iii) Ten percent for tomatoes which are otherwise defective: *And provided further*, That not more than 5 percent shall be allowed for tomatoes which are very seriously damaged by any cause, exclusive of soft or decayed tomatoes.

(d) *U.S. No. 3—(1) For defects at shipping point.*<sup>2</sup> Ten percent for tomatoes in any lot which fail to meet the requirements of this grade: *Provided*, That not more than one-half of this tolerance, or 5 percent, shall be allowed for tomatoes which are very seriously damaged by insects and not more than one-tenth of the tolerance, or 1 percent, for tomatoes which are soft or affected by decay; and,

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

(i) Five percent for tomatoes which are soft or affected by decay;

(ii) Ten percent for tomatoes which are very seriously damaged by shoulder bruises or by discolored or sunken scars on any parts of the tomatoes; and,

(iii) Ten percent for tomatoes which are otherwise defective: *And provided further*, That not more than 5 percent shall be allowed for tomatoes which are very seriously damaged by insects.

(e) *For off size.* Ten percent for tomatoes in any lot which are smaller than the specified minimum diameter, or larger than the specified maximum diameter.

(f) *For off color.* Ten percent for tomatoes in any lot which fail to meet the color specified, including therein not more than 5 percent for tomatoes which are green in color, when any term other than "Green" is specified.

APPLICATION OF TOLERANCES

**§51.1862 Application of tolerances.**

The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations:

(a) For packages which contain more than 5 pounds (2.27 kg), and a tolerance of 10 percent or more is provided, individual packages shall have not more than 1½ times the tolerance specified, and for a tolerance of less than 10 percent individual packages shall have not more than double the tolerance specified, except that at least one defective and one off size specimen may be allowed in any package: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade; and,

(b) For packages which contain 5 pounds (2.27 kg) or less individual packages shall have not more than 4 times the tolerance specified, except that at least one tomato which is soft, or affected by decay, and one off-size specimen may be permitted in any package: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade.

STANDARD WEIGHT

**§51.1863 Standard weight.**

(a) When packages are marked to a net weight of 15 pounds (6.80 kg) or more, the net weight of the contents shall not be less than the designated net weight and shall not exceed the designated weight by more than 2 pounds (0.91 kg).

(b) In order to allow for variations incident to proper sizing, not more than 15 percent, by count, of the packages in any lot may fail to meet the requirements for standard weight.

## DEFINITIONS

**§ 51.1864 Similar varietal characteristics.**

*Similar varietal characteristics* means that the tomatoes are alike as to firmness of flesh and shade of color (for example, soft-fleshed, early maturing varieties are not mixed with firm-fleshed, midseason or late varieties, or bright red varieties mixed with varieties having a purplish tinge).

**§ 51.1865 Mature.**

*Mature* means that the tomato has reached the stage of development which will insure a proper completion of the ripening process, and that the contents of two or more seed cavities have developed a jelly-like consistency and the seeds are well developed.

**§ 51.1866 Soft.**

*Soft* means that the tomato yields readily to slight pressure.

**§ 51.1867 Clean.**

*Clean* means that the tomato is practically free from dirt or other foreign material.

**§ 51.1868 Well developed.**

*Well developed* means that the tomatoe shows normal growth. Tomatoes which are ridged and peaked at the stem end, contain dry tissue, and usually contain open spaces below the level of the stem scar, are not considered well developed.

**§ 51.1869 Fairly well formed.**

*Fairly well formed* means that the tomato is not more than moderately kidney-shaped, lop-sided, elongated, angular, or otherwise moderately deformed.

**§ 51.1870 Fairly smooth.**

*Fairly smooth* means that the tomato is not conspicuously ridged or rough.

**§ 51.1871 Damage.**

*Damage* means any specific defect described in § 51.1877, table II; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or marketing quality of the tomato.

**§ 51.1872 Reasonably well formed.**

*Reasonably well formed* means that the tomato is not decidedly kidney-shaped, lop-sided, elongated, angular, or otherwise decidedly deformed.

**§ 51.1873 Slightly rough.**

*Slightly rough* means that the tomato is not decidedly ridged or grooved.

**§ 51.1874 Serious damage.**

*Serious damage* means any specific defect described in § 51.1877, table II; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which seriously detracts from the appearance, or the edible or marketing quality of the tomato.

**§ 51.1875 Misshapen.**

*Misshapen* means that the tomato is decidedly kidney-shaped, lop-sided, elongated, angular or otherwise decidedly deformed: *Provided*, That the shape is not affected to an extent that the appearance or the edible quality of the tomato is very seriously affected.

**§ 51.1876 Very serious damage.**

*Very serious damage* means any specific defect described in § 51.1877, Table II; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which very seriously detracts from the appearance, or the edible or marketing quality of the tomato.