

## § 51.1907

i.e., bright red varieties shall not be mixed with varieties which have a purplish tinge.

### § 51.1907 **Mature.**

*Mature* means that the tomato has reached the stage of development which will insure a proper completion of the ripening process.

### § 51.1908 **Well developed.**

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

### § 51.1909 **Fairly well formed.**

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

### § 51.1910 **Fairly smooth.**

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

### § 51.1911 **Damaged.**

*Damaged* means any defect which materially affects the appearance, or edible, shipping or keeping quality of the tomatoes. Any one of the following defects or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Cuts which are not shallow, not well healed, or when more than  $\frac{1}{2}$  inch in length.

(b) Puffiness if the open space in one or more locules materially affects the appearance when the tomato is cut through the center at right angles to a line running from the stem to the blossom end.

(c) *Catfaces*. These are irregular, dark, leathery scars at the blossom end of the fruit. Such scars damage the tomato when they are rough or deep, or when channels extend into the locule, or when they are fairly smooth and greater in area than a circle  $\frac{3}{8}$  inch in diameter on a  $2\frac{1}{2}$  inch tomato. Smaller tomatoes shall have lesser areas of fairly smooth catfaces and larger tomatoes may have greater areas, provided that such catfaces do not affect the appearance of the tomatoes to a

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greater extent than that caused by fairly smooth catfaces which are permitted on a  $2\frac{1}{2}$  inch tomato.

(d) *Growth cracks*. These are ruptures or cracks radiating from the stem scar, or concentric to the stem scar. They damage the tomato when not well healed, or when more than  $\frac{1}{2}$  inch in length measured from the margin of the stem scar; except that very narrow, well healed cracks concentric to the stem scar shall not be considered as damage unless they are so numerous as to damage the appearance of the fruit.

(e) Scars (except catfaces), when dark colored and shallow and aggregating more than  $\frac{1}{4}$  inch in diameter on a tomato  $2\frac{1}{2}$  inches in diameter, or lighter colored shallow scars covering a greater area when they detract from the appearance to a greater extent than a dark-colored, shallow scar  $\frac{1}{4}$  inch in diameter. Smaller tomatoes shall have lesser areas of scars and larger tomatoes may have greater areas: *Provided*, That such scars do not affect the appearance of the tomatoes to a greater extent than that caused by scars which are permitted on a  $2\frac{1}{2}$ -inch tomato. A scar which penetrates the wall of the tomato shall be considered as damage.

(f) Dry rot such as dry type *Macrosporium* or *Phoma*, when the spot is not adjacent to the stem scar, or when adjacent to the stem scar and more than  $\frac{3}{16}$  inch in diameter.

### § 51.1912 **Badly misshapen.**

*Badly misshapen* means that the tomato is so badly deformed that its appearance is seriously affected.

### § 51.1913 **Serious damage.**

*Serious damage* means any defect which seriously affects the appearance, or edible, shipping, or keeping quality of the tomatoes. Any one of the following defects or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(a) Soft ripe tomatoes or tomatoes affected by the soft rot.

(b) Fresh holes or cuts, or any holes or cuts through the tomato wall, or healed cuts which seriously affect the appearance of the tomato.

- (c) Tomatoes showing any effects of freezing.
- (d) Puffiness which causes the tomato to be distinctly light in weight.
- (e) Growth cracks, when not well healed, or when so extensive, deep or discolored that the appearance of the tomato is seriously affected.
- (f) Scars (except catfaces), when dark colored and shallow and aggregating more than 1/2 inch in diameter on a tomato 2 1/2 inches in diameter, or lighter colored, shallow scars covering a greater area when they detract from the appearance to a greater extent than a darkcolored, shallow scar 1/2 inch in diameter. Smaller tomatoes shall have lesser areas of scars and larger tomatoes may have greater areas: *Provided*, That such scars do not affect the appearance of the tomatoes to a greater extent than that caused by scars which are permitted on a 2 1/2-inch tomato.
- (g) Dry rot such as dry type *Macrosporium* or *Phoma*, when the spot is not adjacent to the stem scar, or when adjacent to the stem scar and more than 1/4 inch in diameter.
- (h) Fruit actually infested with worms.

- (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.

**Subpart—United States Standards for Grades of Filberts in the Shell <sup>1</sup>**

SOURCE: 35 FR 11453, July 17, 1970, unless otherwise noted. Redesignated at 42 FR 32514, 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.

<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 or with other applicable State laws and regulations.

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
Round type varieties:		
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.
Long type varieties:		
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.