

## § 51.1266

part of any tolerance shall be used to reduce the percentage of U.S. No. 1 pears required in the combination, but individual containers may have not more than 10 percent less than the percentage of U.S. No. 1 required: *Provided*, That the entire lot averages within the percentage specified.

### APPLICATION OF TOLERANCES

#### § 51.1266 Application of tolerances.

(a) The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations, provided the averages for the entire lot are within the tolerances specified for the grade:

(1) For packages which contain more than 10 pounds, and a tolerance of 10 percent or more is provided individual packages in any lot shall have not more than one and one-half times the tolerance specified. For packages which contain more than 10 pounds and a tolerance of less than 10 percent is provided, individual packages in any lot shall have not more than double the tolerance specified, except that at least one pear which is seriously damaged by insects or affected by decay or internal breakdown may be permitted in any package.

(2) For packages which contain 10 pounds or less, individual packages in any lot are not restricted as to the percentage of defects or off-size: *Provided*, That not more than four times the tolerance specified may be permitted in any package for pears which are seriously damaged by insects or affected by decay or internal breakdown except that at least one defective pear may be permitted in any package.

### BASIS FOR CALCULATING PERCENTAGES

#### § 51.1267 Basis for calculating percentages.

(a) When the numerical count is marked on the container or when pears are packed in a container to weigh 5 pounds or less, percentages shall be calculated on the basis of count.

(b) When the minimum diameter or minimum and maximum diameters are marked on a container packed to weigh more than 5 pounds or when the pears are jumbled in a container packed to weigh more than 5 pounds, percentages

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shall be calculated on the basis of weight or an equivalent basis.

### CONDITION AFTER STORAGE OR TRANSIT

#### § 51.1268 Condition after storage or transit.

Decay, scald, or other deterioration which may have developed on pears after they have been in storage or transit shall be considered as affecting condition and not grade.

### STANDARD PACK

#### § 51.1269 Sizing.

(a) The numerical count, or the minimum size of the pears packed in closed containers shall be indicated on the package. The number of pears in the box shall not vary more than 3 from the number indicated on the box.

(b) When the numerical count is marked on western standard pear boxes the pears shall not vary more than three-eighths inch in their transverse diameter for counts 120 or less; one-fourth inch for counts 135 to 180, inclusive; and three-sixteenths inch for counts 193 or more.

(c) When the numerical count is marked on western standard half boxes or special half boxes packed three tiers deep, the pears shall not vary more than three-eighths inch for counts 75 or less; one-fourths inch for counts 80 to 110, inclusive; and three-sixteenths inch for counts 115 or more.

(d) When the numerical count is marked on western standard half boxes or special half boxes packed two tiers deep, the pears shall not vary more than three-eighths inch for counts 50 or less; one-fourth inch for counts 55 to 70, inclusive; and three-sixteenths inch for counts 80 or more.

(e) When the numerical count is not shown, the minimum size shall be plainly stamped, stenciled or otherwise marked on the container in terms of whole inches, whole and half inches, whole and quarter inches, or whole and eighth inches, as 2½ inches minimum, 2¼ inches minimum, or 2⅝ inches minimum, in accordance with the facts. It is suggested that both minimum and maximum sizes be marked on the container, as 2¼ to 2¾ inches, 2½ to 2¾ inches, as such marking is especially

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desirable for pears marketed in the export trade.

(f) "Size" means the greatest transverse diameter of the pear taken at right angles to a line running from the stem to the blossom end.

### §51.1270 Packing.

(a) Each package shall be packed so that the pears in the shown face shall be reasonably representative in size and quality of the contents of the package.

(b) Pears packed in any container shall be tightly packed. All packages shall not be well filled but the contents shall not show excessive or unnecessary bruising because of overfilled packages.

(c) Pears packed in boxes shall be arranged in containers according to the approved and recognized methods with the pears packed lengthwise. A bridge shall not be allowed in any standard pack. When wrapped, each pear shall be fairly well enclosed by its individual wrapper.

(d) Pears packed in round stave bushel baskets, tubs or in barrels shall be ring faced.

### §51.1271 Tolerances for standard pack.

(a) In order to allow for variations incident to proper sizing, not more than 5 percent of the pears in any lot may fail to meet the size requirements: *Provided*, That when the maximum and minimum sizes are both stated, an additional 10 percent tolerance shall be allowed for pears which are larger than the maximum size stated.

(b) In order to allow for variations incident to proper packing, not more than 10 percent of the containers in any lot may fail to meet these requirements, but no part of this tolerance shall be allowed for bridge packs, or for packs with different sizes and arrangements such as layers of 195 size and arrangement, and layers of 180 size and arrangement packed in the same box.

#### DEFINITIONS

### §51.1272 Mature.

(a) *Mature* means that the pear has reached the stage of maturity which

will insure the proper completion of the ripening process.

(b) Before a mature pear becomes overripe it will show varying degrees of firmness, depending upon the stage of the ripening process. Therefore, a statement of firmness should be given in order to indicate the stage of the ripening process. A description of the ground color should also be given.

(1) The following terms should be used for describing the ground color: *Green, Light Green, Yellowish Green, and Yellow.*

(2) The following terms should be used for describing the firmness of pears:

(i) *Hard* means that the flesh of the pear is solid and does not yield appreciably even to considerable pressure.

(ii) *Firm* means that the flesh of the pear is fairly solid but yields somewhat to moderate pressure.

(iii) *Firm ripe* means that the flesh of the pear yields readily to moderate pressure.

(iv) *Ripe* means that the pear is at the stage where it is in its most desirable condition for eating.

### §51.1273 Overripe.

*Overripe* means dead ripe, very mealy or soft, past commercial utility.

### §51.1274 Carefully hand-picked.

*Carefully hand-picked* means that the pears do not show evidence of rough handling or of having been on the ground.

### §51.1275 Clean.

*Clean* means free from excessive dirt, dust, spray residue or other foreign material.

### §51.1276 Black end.

*Black end* is evidenced by an abnormally deep green color around the calyx, or black spots usually occurring on the one-third of the surface nearest to the calyx, or by an abnormally shallow calyx cavity.

### §51.1277 Fairly well formed.

*Fairly well formed* means that the pear may be slightly abnormal in shape but not to an extent which detracts materially from the appearance of the fruit.