

**Agricultural Marketing Service, USDA**

**§ 51.2335**

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

(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 limbrubs;

(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.

(4) Tolerances. (See § 51.2336)

(b) “U.S. No. 1” 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) Fairly 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 Damage By:

(i) Bruises;

(ii) Leaf or limbrubs;

(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.

(4) Tolerances. (See § 51.2336):

(c) “U.S. No. 2” 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) Fairly clean; and,

(vi) Not badly misshapen.

(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 Serious Damage By:

(i) Bruises;

(ii) Leaf or limbrubs;

(iii) Discoloration;

(iv) Hail;

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- (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.
- (4) Tolerances. (See § 51.2336)

[47 FR 34513, Aug. 10, 1982, as amended at 51 FR 36682, Oct. 15, 1986]

### § 51.2336 Tolerances.

In order to allow for variations incident to proper grading and handling, the following tolerances by count, shall be permitted in any lot:

- (a) U.S. Fancy and U.S. No. 1.

(1) For defects at shipping point.<sup>2</sup> 8 percent for fruit which fail to meet the requirements of the specified grade: *Provided*, That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than 1 percent for fruit affected by internal breakdown or decay.

(2) For defects en route or at destination. 12 percent for fruit which fail to meet the requirements of the specified grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for defects:

- (i) 8 percent for permanent defects;
- (ii) 6 percent for defects causing serious damage, including therein not more than 4 percent for serious damage by permanent defects and not more than 2 percent for fruit affected by internal breakdown or decay.

- (b) U.S. No. 2.

(1) For defects at shipping point.<sup>2</sup> 8 percent for fruit which fail to meet the requirements of this grade: *Provided*, That included in this amount not more than 4 percent shall be allowed for sunscald, insects, internal breakdown or decay, including in this latter amount not more than 1 percent for

<sup>2</sup>Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.

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fruit affected by internal breakdown or decay.

(2) For defects en route or at destination. 12 percent for fruit which fail to meet the requirements of this grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for defects:

- (i) 8 percent for permanent defects including therein not more than 4 percent for sunscald, or insects; and,
- (ii) 2 percent for internal breakdown or decay.

### § 51.2337 Application of tolerances.

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

(a) Individual samples shall not have more than double a specified tolerance except that at least two defective specimens may be permitted in any container: *Provided*, That not more than one fruit which is frozen or affected by decay be permitted in any container 3 pounds or less; and, *Provided further*, That the averages for the entire lot are within the tolerances specified for the grade.

[47 FR 34513, Aug. 10, 1982, as amended at 50 FR 40186, Oct. 2, 1985; 51 FR 4293, Feb. 4, 1986]

### § 51.2338 Standard pack.

(a) Fruit shall be fairly uniform in size and shall be packed in boxes, flats, lugs, or cartons and arranged according to approved and recognized methods. Containers shall be well filled; contents tightly packed but not be excessively or unnecessarily bruised by overfilling or oversizing. Fruit in the shown face of the container shall be reasonably representative in size and quality of the contents.

(b) When packed in closed containers the size shall be indicated by marking the container with the numerical count.

- (c) Boxes, flats, lugs, or cartons:

(1) Fruit packed in containers with cell compartments, cardboard fillers or molded trays shall be of proper size for the cells, fillers, or molds in which they are packed, and conform to the marked count.

(2) In order to allow for variations incident to proper packing in other types