

§ 201.59

7 CFR Ch. I (1-1-14 Edition)

TOLERANCES

§ 201.59 Application.

Tolerances shall be recognized between the percentages or rates of occurrence found by analysis, test, or examination in the administration of the act and percentages or rates of occurrence required or stated as required by the act. Tolerances for purity percentages and germination percentages provided for in §§201.60 and 201.63 shall be determined from the mean of (a) the results being compared, or (b) the result found by test and the figures shown on a label, or (c) the result found by test and a standard. All other tolerances, including tolerances for pure-live seed and fluorescence, and tolerances for purity based on 10 to 1,000 seeds, seedlings, or plants shall be determined from the result or results found in the administration of the Act.

[5 FR 34, Jan. 4, 1940, as amended at 20 FR 7940, Oct. 21, 1955; 24 FR 3954, May 15, 1959; 35 FR 6108, Apr. 15, 1970]

§ 201.60 Purity percentages.

(a)(1) The tolerance for a given percentage of the purity components is the same whether for pure seed, other crop seed, weed seed, or inert matter. Wider tolerances are provided when 33 percent or more of the sample is composed of seed plus empty florets and/or empty spikelets of the following chaffy kinds: bentgrasses, bermudagrasses, bluegrasses, bluestems, bottlebrush-squirreltail, bromes, buffalograss, buffelgrass, carpetgrass, soft chess, dallisgrass, fescues, foxtails, galletagrass, guineagrass, gramas, molassesgrass, tall oatgrass, orchardgrass, redtop, rescuegrass, rhodesgrass, Indian ricegrass, ryegrasses, sweet vernalgrass, vaseygrass, veldtgrass, wheatgrasses, wildryes, and yellow indiagrass. The wider tolerances do not apply to seed devoid of hulls.

(2) To determine the tolerance for any purity percentage found in the administration of the act, the percentage found is averaged (i) with that claimed or shown on a label or (ii) with a specified standard. The tolerance is found from this average. If more than one test is made, all except any test obvi-

ously in error shall be averaged and the result treated as a single percentage.

(b) The tolerances found in columns C and D for the respective purity percentages shown in columns A and B of table No. 3 shall be used for (1) unmixed seed and (2) mixtures in which the particle-weight ratio is 1:1 to 1.49:1, inclusive. Tolerances for intermediate percentages not shown in table 3 shall be obtained by interpolation.

TABLE 3—TOLERANCES FOR ANY COMPONENT OF A PURITY ANALYSIS FOR (1) UNMIXED SEED OR (2) MIXED SEED IN WHICH THE PARTICLE WEIGHT RATIO IS 1: 1 TO 1.49: 1, INCLUSIVE

Average analysis (A)	(B)	Nonchaffy seeds (C)	Chaffy seeds (D)
99.95-100.00	0.00-0.04	0.13	0.16
99.90-99.94	.05-.09	.20	.23
99.85-99.89	.10-.14	.24	.29
99.80-99.84	.15-.19	.28	.34
99.75-99.79	.20-.24	.32	.37
99.70-99.74	.25-.29	.35	.41
99.65-99.69	.30-.34	.37	.45
99.60-99.64	.35-.39	.40	.48
99.55-99.59	.40-.44	.42	.50
99.50-99.54	.45-.49	.44	.53
99.40-99.49	.50-.59	.47	.57
99.30-99.39	.60-.69	.51	.60
99.20-99.29	.70-.79	.54	.64
99.10-99.19	.80-.89	.57	.66
99.00-99.09	.90-.99	.59	.70
98.75-98.99	1.00-1.24	.64	.75
98.50-98.74	1.25-1.49	.71	.82
98.25-98.49	1.50-1.74	.76	.89
98.00-98.24	1.75-1.99	.82	.95
97.75-97.99	2.00-2.24	.87	1.01
97.50-97.74	2.25-2.49	.92	1.07
97.25-97.49	2.50-2.74	.96	1.12
97.00-97.24	2.75-2.99	1.00	1.17
96.50-96.99	3.00-3.49	1.06	1.24
96.00-96.49	3.50-3.99	1.14	1.34
95.50-95.99	4.00-4.49	1.21	1.41
95.00-95.49	4.50-4.99	1.27	1.49
94.00-94.99	5.00-5.99	1.36	1.60
93.00-93.99	6.00-6.99	1.47	1.73
92.00-92.99	7.00-7.99	1.58	1.85
91.00-91.99	8.00-8.99	1.67	1.96
90.00-90.99	9.00-9.99	1.75	2.06
88.00-89.99	10.00-11.99	1.87	2.19
86.00-87.99	12.00-13.99	2.01	2.36
84.00-85.99	14.00-15.99	2.14	2.51
82.00-83.99	16.00-17.99	2.24	2.64
80.00-81.99	18.00-19.99	2.35	2.76
78.00-79.99	20.00-21.99	2.44	2.86
76.00-77.99	22.00-23.99	2.52	2.96
74.00-75.99	24.00-25.99	2.59	3.04
72.00-73.99	26.00-27.99	2.65	3.12
70.00-71.99	28.00-29.99	2.71	3.19
65.00-69.99	30.00-34.99	2.80	3.29
60.00-64.99	35.00-39.99	2.89	3.40
50.00-59.99	40.00-49.99	2.96	3.48

(c) Tolerances calculated by the following formula shall be used for either chaffy or nonchaffy mixtures when the

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average particle-weight ratio is 1.5:1 to 20:1 and beyond:

The symbols used in the formula are as follows:

- T=tolerance being calculated.
- A=percent which the weight of the component with the heavier average particle-weight is of the weight of both components.
- B=percent which the weight of the component with the lighter average particle-weight is of the weight of both components.

H=average particle-weight for the component with the heavier average particle-weight.

L=average particle-weight for the component with the lighter average particle-weight.

R=ratio of the average particle-weight for the component with the heavier average particle-weight to the average particle-weight for the component with the lighter average particle-weight. R=H/L.

$$T = A - \frac{100 R [(100 A / R) / (B + A / R) - T_1]}{[(100 B) / (B + A / R) + T_1] + R [(100 A / R) / (B + A / R) - T_1]}$$

T1=regular tolerance for the kind of seed (chaffy or nonchaffy) and for (100B)/(B+A/R).

In determining the values for A and B in the formula, the sample shall be regarded as composed of two parts:

(1) The kind, type, or variety under consideration, and

(2) All other components. Values for H and L shall be obtained from the last column of Table 1, § 201.46, or by laboratory tests for inert matter, weed seeds, or crop seeds where such values are not obtainable from Table 1. In computing tolerances for nonchaffy kinds the values for T1 are taken from column C of Table 3, and for chaffy kinds the values for T1 are taken from column D of Table 3.

[26 FR 10036, Oct. 26, 1961, as amended at 59 FR 64515, Dec. 14, 1994; 65 FR 1709, Jan. 11, 2000]

§ 201.61 Fluorescence percentages in ryegrasses.

Tolerances for 400-seed fluorescence tests shall be those set forth in the following table plus one-half the regular pure-seed tolerance determined in accordance with § 201.60. When only 200 seeds of a component in a mixture are tested, an additional 2 percent shall be added to the fluorescence tolerance.

PERCENT FOUND FLUORESCENCE TOLERANCE	
100.	
99	1.0
98	1.6

PERCENT FOUND FLUORESCENCE TOLERANCE—
Continued

97	2.0
96	2.3
95	2.6
94	2.9
93	3.2
92	3.4
91	3.6
90	3.8
89	4.0
88	4.1
87	4.3
86	4.5
85	4.7
84	4.8
83	4.9
82	5.0
81	5.2
80	5.3
79	5.4
78	5.5
77	5.6
76	5.7
75	5.8
74	5.8
73	5.9
72	6.0
71	6.1
70	6.2
69	6.2
68	6.3
67	6.3
66	6.4
65	6.5
64	6.5
63	6.5
62	6.6
61	6.6
60	6.7
59	6.7
58	6.8
57	6.8
56	6.8
55	6.8
54	6.9
53	6.9
52	6.9