

**§ 810.1202**

**7 CFR Ch. VIII (1–1–14 Edition)**

established under the United States Grain Standards Act and that, after the removal of dockage, contains 50 percent or more of whole rye.

**§ 810.1202 Definition of other terms.**

(a) *Damaged kernels.* Kernels, pieces of rye kernels, and other grains that are badly ground-damaged, badly weather-damaged, diseased, frost-damaged, germ-damaged, heat-damaged, insect-bored, mold-damaged, sprout-damaged, or otherwise materially damaged.

(b) *Dockage.* All matter other than rye that can be removed from the original sample by use of an approved device in accordance with procedures prescribed in FGIS instructions. Also, underdeveloped, shriveled, and small pieces of rye kernels removed in properly separating the material other than rye and that cannot be recovered by properly rescreening and recleaning.

(c) *Foreign material.* All matter other than rye that remains in the sample after the removal of dockage.

(d) *Heat-damaged kernels.* Kernels, pieces of rye kernels, and other grains that are materially discolored and damaged by heat.

(e) *Other grains.* Barley, corn, cultivated buckwheat, einkorn, emmer, flaxseed, guar, hull-less barley, nongrain sorghum, oats, Polish wheat, popcorn, poulard wheat, rice, safflower, sorghum, soybeans, spelt, sunflower seed, sweet corn, triticale, wheat, and wild oats.

(f) *Sieve—0.064 × 3/8 oblong-hole sieve.* A metal sieve 0.032 inch thick with oblong perforations 0.064 by 0.375 (3/8) inch.

(g) *Thin rye.* Rye and other matter that passes through a 0.064 × 3/8 oblong-hole sieve after sieving according to procedures prescribed in FGIS instructions.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

**§ 810.1203 Basis of determination.**

Other determinations not specifically provided for under the general provisions are made on the basis of the grain when free from dockage, except the determination of odor is made on either the basis of the grain as a whole or the grain when free from dockage.

GRADES AND GRADE REQUIREMENTS

**§ 810.1204 Grades and grade requirements for rye.**

Grade	Minimum test weight per bushel (pounds)	Maximum limits of—					Thin Rye (percent)
		Foreign material		Damaged kernels			
		Foreign matter other than wheat (percent)	Total (percent)	Heat damaged (percent)	Total (percent)		
U.S. No. 1 .....	56.0	1.0	3.0	0.2	2.0	10.0	
U.S. No. 2 .....	54.0	2.0	6.0	0.2	4.0	15.0	
U.S. No. 3 .....	52.0	4.0	10.0	0.5	7.0	25.0	
U.S. No. 4 .....	49.0	6.0	10.0	3.0	15.0	.....	

U.S. Sample grade—

U.S. Sample grade is rye that:

- (a) Does not meet the requirements for the grades U.S. Nos. 1, 2, 3, or 4; or
- (b) Contains 8 or more stones or any numbers of stones which have an aggregate weight in excess of 0.2 percent of the sample weight, 2 or more pieces of glass, 3 or more crotalaria seeds (*Crotalaria* spp.), 2 or more castor beans (*Ricinus communis* L.), 4 or more particles of an unknown foreign substance(s) or a commonly recognized harmful or toxic substance(s), 2 or more rodent pellets, bird droppings, or equivalent quantity of other animal filth per 1 1/4 quarts of rye; or
- (c) Has a musty, sour, or commercially objectionable foreign odor (except smut or garlic odor); or
- (d) Is heating or otherwise of distinctly low quality.

SPECIAL GRADES AND SPECIAL GRADE  
REQUIREMENTS**§ 810.1205 Special grades and special grade requirements.**

(a) *Ergoty rye*. Rye that contains more than 0.30 percent of ergot.

(b) *Garlicky rye*. Rye that contains in a 1,000-gram portion more than six green garlic bulblets or an equivalent quantity of dry or partly dry bulblets.

(c) *Light garlicky rye*. Rye that contains in a 1,000-gram portion two or more, but not more than six, green garlic bulblets or an equivalent quantity of dry or partly dry bulblets.

(d) *Light smutty rye*. Rye that has an unmistakable odor of smut, or that contains in a 250-gram portion smut balls, portions of smut balls, or spores of smut in excess of a quantity equal to 14 smut balls but not in excess of a quantity equal to 30 smut balls of average size.

(e) *Plump rye*. Rye that contains not more than 5.0 percent of rye and other matter that passes through a 0.064×% oblong-hole sieve.

(f) *Smutty rye*. Rye that contains in a 250-gram portion smut balls, portions of smut balls, or spores of smut in excess of a quantity equal to 30 smut balls of average size.

[52 FR 24418, June 30, 1987, as amended at 52 FR 24441, June 30, 1987]

**Subpart I—United States Standards for Sorghum**

## TERMS DEFINED

**§ 810.1401 Definition of sorghum.**

Grain that, before the removal of dockage, consists of 50 percent or more of whole kernels of sorghum (*Sorghum bicolor* (L.) Moench) excluding nongrain sorghum and not more than 10.0 percent of other grains for which standards have been established under the United States Grain Standards Act.

**§ 810.1402 Definition of other terms.**

(a) *Broken kernels*. All matter which passes through a 5/64 triangular-hole sieve and over a 2-1/2/64 round-hole sieve according to procedures prescribed in FGIS instructions.

(b) *Broken kernels and foreign material*. The combination of broken kernels and

foreign material as defined in paragraph (a) and (f) of this section.

(c) *Classes*. There are four classes of sorghum: Sorghum, Tannin sorghum, White sorghum, and Mixed sorghum.

(1) *Sorghum*. Sorghum which lacks a pigmented testa (subcoat) and contains less than 98.0 percent White sorghum and not more than 3.0 percent Tannin sorghum. The pericarp color of this class may appear white, yellow, red, pink, orange or bronze.

(2) *Tannin sorghum*. Sorghum which has a pigmented testa (subcoat) and contains not more than 10 percent of kernels without a pigmented testa.

(3) *White sorghum*. Sorghum which lacks a pigmented testa (subcoat) and contains not less than 98.0 percent kernels with a white pericarp, and contains not more than 2.0 percent of sorghum of other classes. This class includes sorghum containing spots that, singly or in combination, cover 25.0 percent or less of the kernel.

(4) *Mixed sorghum*. Sorghum which does not meet the requirements for any of the classes Sorghum, Tannin sorghum, or White sorghum.

(d) *Damaged kernels*. Kernels, pieces of sorghum kernels and other grains that are badly ground damaged, badly weather damaged, diseased, frost-damaged, germ-damaged, heat-damaged, insect-bored, mold-damaged, sprout-damaged, or otherwise materially damaged.

(e) *Dockage*. All matter other than sorghum that can be removed from the original sample by use of an approved device according to procedures prescribed in FGIS instructions. Also, underdeveloped, shriveled, and small pieces of sorghum kernels removed in properly separating the material other than sorghum.

(f) *Foreign material*. All matter, except sorghum, which passes over the number 6 riddle and all matter other than sorghum that remains on top of the 5/64 triangular-hole sieve according to procedures prescribed in FGIS instructions.

(g) *Heat-damaged kernels*. Kernels, pieces of sorghum kernels, and other grains that are materially discolored and damaged by heat.

(h) *Nongrain sorghum*. Seeds of broomcorn, Johnson-grass, *Sorghum almum* Parodi, and sudangrass; and