

under the Federal Food, Drug, and Cosmetic Act—Human Foods; Good Manufacturing Practice (Sanitation) in Manufacture, Processing, Packing, or Holding (21 CFR part 110)—as may be modified or augmented by the Federal Food and Drug Administration, U.S. Department of Health, Education, and Welfare or the Administrator of the Agricultural Marketing Service.

**§ 52.83 Reporting results of the plant survey and inauguration of inspection services.**

(a) Results of the plant survey shall be reported in writing to a designated plant official.

(b) When the plant meets the requirements for the survey, inspection services may be inaugurated at a time mutually satisfactory to the plant management and USDA.

(c) When the plant fails the requirements of the survey, contract services shall be withheld until corrective action is completed to the satisfaction of the USDA.

**Subpart—United States Standards for Grades of Canned Red Tart Pitted Cherries<sup>1</sup>**

SOURCE: 39 FR 13963, Apr. 18, 1974, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

IDENTITY AND GRADES

**§ 52.771 Identity.**

*Canned red tart pitted cherries* is the product represented as defined in the standard of identity for canned cherries (21 CFR 145.125(a)), issued pursuant to the Federal Food, Drug, and Cosmetic Act, and packed in one of the liquid media specified in § 52.773; and is sealed in a hermetically sealed container and so processed by heat as to prevent spoilage.

<sup>1</sup>Compliance with the provisions of the standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or with applicable State laws and regulations.

**§ 52.772 Grades.**

(a) “U.S. Grade A” (or “U.S. Fancy”) is the quality of canned red tart pitted cherries that have at least the following attributes:

- (1) At least a reasonably good color;
- (2) Practically free from pits;
- (3) Practically free from defects;
- (4) Good character;
- (5) Normal flavor and odor; and
- (6) Score not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

Canned red tart pitted cherries of this grade may contain not more than eight cherries per sample unit that are less than  $\frac{1}{16}$  inch (14 mm) in diameter.

(b) “U.S. Grade B” (or “U.S. Choice”) is the quality of canned red tart pitted cherries that have at least the following attributes:

- (1) Reasonably good color;
- (2) Reasonably free from pits;
- (3) Reasonably free from defects;
- (4) Reasonably good character;
- (5) Normal flavor and odor; and
- (6) Score not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

Canned red tart pitted cherries of this grade may contain not more than 15 cherries per sample unit that are less than  $\frac{1}{16}$  inch (14 mm) in diameter.

(c) “U.S. Grade C” (or “U.S. Standard”) is the quality of canned red tart pitted cherries that have at least the following attributes:

- (1) Fairly good color;
- (2) Fairly free from pits;
- (3) Fairly free from defects;
- (4) Fairly good character;
- (5) Normal flavor and odor; and
- (6) Score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

There is no size requirement for canned red tart pitted cherries of this grade.

(d) “Substandard” is the quality of canned red tart pitted cherries that fail to meet the requirements of “U.S. Grade C.”

LIQUID MEDIA AND BRIX MEASUREMENTS

**§ 52.773 Liquid media and Brix measurements.**

(a) Brix measurement requirements for the liquid media in canned red tart pitted cherries are not incorporated in