CERTIFICATION TO PRODUCER AS TO SALE OF HIS LAMBS AND YEARLINGS FOR SLAUGHTER

---------- (Date)

To: ----------
(Producer)

With reference to the sale of your lambs and yearlings as set forth in the account of sale or bill of sale of which this certification is a part, or in the account or bill of sale which was issued by the undersigned to you and was dated ----------, the undersigned will file, or has filed, with the ---------- ASC county office, a "Certification to ASC County Office as to Sale of Lambs and Yearlings for Slaughter," on CCC Wool Form 48–1, dated ----------, to the effect that the lambs and yearlings were purchased by a slaughterer for slaughter and that the pelt classification was as follows:

| | Number of head | Liveweight |
|---|---|---|
| Never shorn | | |
| Shorn at some time prior to purchase by slaughterer | | |

Signature ----------
(If pool manager, name of pool is----------)

(f) *Different forms.* The requirements of this section as to specfic forms in support of an application for payment may be waived as to transactions which occurred between April 1 and September 30, 1955, both dates inclusive. Such waiver may take place if acceptance of the submitted forms, though they differ from those required under this section, will result in otherwise proper payments and it appears that there will be no duplication of payments on wool from the same lambs and yearlings under this program, or under this and the shorn wool programs. Applications on the basis of such different forms may be filed with the ASC county offices which will notify the applicant if additional evidence will be required. As to transactions which took place on or after October 1, 1955, if submitted forms differ from the forms herein prescribed but such differences are not material, such forms may be accepted and the differences waived.

§ 472.672 *Other forms.* CCC Wool Form 47, "Application for Payment—Lambs and Yearlings (Pulled Wool);" CCC Wool Form 48, "Certification for a Prior Owner to Collect Payments on Lambs or Yearlings Sold for Slaughter;" CCC Wool Form 48–1, "Certification to ASC County Office as to Sale of Lambs and Yearlings for Slaughter;" CCC Wool Form 48–2, "Supporting Schedule for CCC Wool Form 48–1;" CCC Wool Form 49, "Assignment of Payment under National Wool Act of 1954" and other forms issued by the United States Department of Agriculture for use in connection with this program may be obtained from the ASC county offices. These forms may be reproduced, provided they retain the same language, format and size, except that the printer's identification shall not be reproduced.

§ 472.673 *Definitions.* As used in this subpart, the terms enumerated in this section have the following meaning:

(a) "Commission firm" is a market agency registered under the Packers and Stockyards Act as selling for others on a commission basis. When this subpart refers to sales by a commission firm, it includes only sales which take place at stockyards posted under the Packers and Stockyards Act or which otherwise are posted stockyard transactions.

(b) "Dealer" is a person registered as a dealer under the Packers and Stockyards Act. A dealer buys and takes title to lambs and yearlings and resells them as his own. When this subpart refers to a dealer's purchases and sales, it includes only those of his purchases and sales which take place at stockyards posted under the Packers and Stockyards Act or which otherwise are posted stockyard transactions.

(c) "Financing agency" means any bank, trust company, or Federal lending agency. It also includes any other financing institution which customarily makes loans or advances to finance production of sheep, lambs, or wool.

(d) "Full wool pelts" means pelts of lambs and yearlings that have never been shorn or, if shorn, that have a growth of wool of 1½ inches or longer at the time of sale to a slaughterer for slaughter or, in cases under § 472.654 (f) (5), at the time of slaughter.

(e) "Lamb" means a young ovine animal, the first pair of permanent teeth of which has not developed to the extent of being in full wear.

(f) "Liveweight," for the purposes of this program, is the weight of lambs and yearlings which a producer sells and as to which he submits proof, as a part of his application for payment, that they were sold by himself or another person to a slaughterer for slaughter; except that in §§ 472.660 and 472.661 it shall mean the liveweight sold by the person to whom the sales document constituting the evidence of sale was originally issued.

(g) "1955 marketing year" is the period beginning April 1, 1955, and ending March 31, 1956, both dates inclusive.

(h) "Order buyer" is a market agency registered under the Packers and Stockyards Act as buying for others on a commission basis. When this subpart refers to purchases by an order buyer, it includes only those of his purchases which he makes for a commercial slaughterer and which takes place at stockyards posted under the Packers and Stockyards Act or which otherwise are posted stockyard transactions.

(i) The "1955 Payment Program for Lambs and Yearlings (Pulled Wool)" means the regulations contained in this subpart and identifies the program operating pursuant thereto.

(j) "Person" means an individual, partnership, association, business trust, corporation, or any organized unincorporated group of individuals, and includes a State and any subdivision thereof.

(k) "Posted stockyard transaction" is a transaction which takes place at a stockyard posted under the Packers and Stockyards Act or takes place in part at such a stockyard and in part elsewhere, with the result that the transaction as a whole is subject to that Act. Posted stockyard transactions mentioned in this subpart are transactions undertaken by commission firms, dealers, or order buyers registered under that Act.

(l) "Producer" under this program is a person who is a breeder, feeder, or pasturer of lambs and yearlings.

(m) "Sale for slaughter," "sold for slaughter," or "selling for slaughter" refers to a sale by a producer of lambs and yearlings as to which he submits proof, as a part of his application, that they were sold by himself or another person to a slaughterer for slaughter; except that these terms, when used in connection with sales described in §§ 472.660 and 472.661, refer to the sale by the person to whom the sales document constituting the evidence of sale was originally issued.

(n) "Sales document" means the account of sale, bill of sale, invoice, and any other document evidencing the sale by the producer on which he bases his application for payment. However, in §§ 472.660 and 472.661, it means the document by which the person desiring to transfer it to one or more prior producer-owners, sold the animals, except that, in the case of a sales document endorsed to such person pursuant to § 472.661 (c), it means the document by which the endorser sold the animals.

(o) "Slaughterer" means a commercial slaughterer, that is, a person who slaughters for sale as distinguished from a person who slaughters for home consumption.

(p) "Yearling" means a young ovine animal with not more than one pair of permanent teeth in full wear.

§ 472.674 *Violation of program.* Whoever issues a false certification or otherwise acts in violation of the provisions of this program, shall become liable to CCC for any payment which CCC may have made in reliance on such certification or as a result of such other action in violation of the program, apart from any other civil or criminal liability he may incur by such action.

NOTE: The reporting and record-keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of August 1955.

[SEAL] TRUE D. MORSE,
*Acting Secretary of Agriculture and President of Commodity Credit Corporation.*

[F. R. Doc. 55–6466; Filed, Aug. 9, 1955; 8:48 a. m.]

## Chapter V—Agricultural Marketing Service, Department of Agriculture

### Subchapter A—General Regulations and Policies

### PART 502—SPECIAL SCHOOL MILK PROGRAM

#### INITIAL DIVISION OF FUNDS

The regulations with respect to the Special School Milk Program (20 F. R. 4933) are hereby supplemented to include the initial division of Special School Milk Program funds for the 1956 Fiscal Year among the States as follows:

§ 502.219 *Initial division of Special School Milk Program funds.*

| State | Total | State agency | Withheld for private schools |
|---|---|---|---|
| Alabama | $1,360,298 | $1,323,729 | $36,569 |
| Arizona | 262,796 | 247,930 | 14,866 |
| Arkansas | 920,741 | 904,710 | 16,031 |
| California | 1,958,696 | 1,958,696 | |
| Colorado | 314,588 | 284,407 | 30,181 |
| Connecticut | 331,882 | 331,882 | |
| Delaware | 54,030 | 44,432 | 9,598 |
| District of Columbia | 109,159 | 109,159 | |
| Florida | 865,106 | 822,890 | 42,216 |
| Georgia | 1,330,808 | 1,330,808 | |
| Idaho | 187,328 | 181,471 | 5,857 |
| Illinois | 1,465,991 | 1,465,991 | |
| Indiana | 837,758 | 837,758 | |
| Iowa | 642,566 | 573,164 | 69,402 |
| Kansas | 468,675 | 468,675 | |
| Kentucky | 1,088,632 | 1,088,632 | |
| Louisiana | 995,310 | 995,310 | |
| Maine | 259,095 | 214,289 | 44,806 |
| Maryland | 497,715 | 413,888 | 83,827 |
| Massachusetts | 896,872 | 896,872 | |
| Michigan | 1,285,556 | 1,087,513 | 198,043 |
| Minnesota | 751,778 | 630,331 | 121,447 |
| Mississippi | 1,228,864 | 1,228,864 | |
| Missouri | 866,055 | 866,055 | |
| Montana | 144,379 | 128,762 | 15,617 |
| Nebraska | 321,480 | 282,417 | 39,063 |
| Nevada | 32,145 | 31,046 | 1,099 |
| New Hampshire | 116,842 | 116,842 | |
| New Jersey | 807,461 | 636,577 | 170,884 |
| New Mexico | 258,262 | 258,262 | |
| New York | 2,255,272 | 2,255,272 | |
| North Carolina | 1,700,621 | 1,700,621 | |
| North Dakota | 202,789 | 182,634 | 20,155 |
| Ohio | 1,489,144 | 1,261,696 | 227,448 |
| Oklahoma | 690,079 | 690,079 | |
| Oregon | 338,288 | 338,288 | |
| Pennsylvania | 2,081,524 | 1,679,854 | 401,670 |
| Rhode Island | 151,125 | 151,125 | |
| South Carolina | 957,758 | 947,425 | 10,333 |
| South Dakota | 191,561 | 175,843 | 15,718 |
| Tennessee | 1,186,219 | 1,155,033 | 31,186 |
| Texas | 2,241,056 | 2,241,056 | |
| Utah | 215,700 | 212,528 | 3,172 |
| Vermont | 107,111 | 107,111 | |
| Virginia | 1,023,664 | 987,979 | 35,685 |
| Washington | 475,702 | 441,184 | 34,518 |
| West Virginia | 689,168 | 673,585 | 15,583 |
| Wisconsin | 708,971 | 590,848 | 178,123 |
| Wyoming | 73,380 | 73,380 | |
| Total | 37,500,000 | 35,626,903 | 1,873,097 |

(Sec. 4, 62 Stat. 1070; 15 U. S. C. 714b. Interprets or applies sec. 201, 63 Stat. 1052, as amended; 7 U. S. C. 1446)

*Effective date.* This supplement shall be effective immediately upon issuance.

Dated this 4th day of August 1955.

[SEAL] ORIS V. WELLS,
*Administrator.*

[F. R. Doc. 55-6465; Filed, Aug. 9, 1955; 8:48 a. m.]

# TITLE 7—AGRICULTURE

## Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

SUBPART—UNITED STATES STANDARDS FOR WINTER PEARS [1]

On June 21, 1955, a notice of proposed rule making was published in the FEDERAL REGISTER (20 F. R. 4325) regarding a proposed revision of United States Standards for Winter Pears.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Winter Pears are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., 7 U. S. C. 1621 et seq.).

GENERAL

Sec.
51.1300 General.

GRADES

51.1301 U. S. Extra No. 1.
51.1302 U. S. No. 1.
51.1303 U. S. Combination.
51.1304 U. S. No. 2.

UNCLASSIFIED

51.1305 Unclassified.

TOLERANCES

51.1306 Tolerances.

APPLICATION OF TOLERANCES

51.1307 Application of tolerances.
51.1308 Basis for calculating percentages.

CONDITION AFTER STORAGE OR TRANSIT

51.1309 Condition after storage or transit.

STANDARD PACK

51.1310 Sizing.
51.1311 Packing.
51.1312 Tolerances for standard pack.

DEFINITIONS

51.1313 Mature.
51.1314 Overripe.
51.1315 Carefully hand-picked.
51.1316 Clean.
51.1317 Well formed.
51.1318 Black end.
51.1319 Injury.
51.1320 Fairly well formed.
51.1321 Damage.
51.1322 Seriously misshapen.
51.1323 Serious damage.

AUTHORITY: §§ 51.1300 to 51.1323 issued under sec. 205, 60 Stat. 1090, 67 Stat. 205, 7 U. S. C. 1624.

GENERAL

§ 51.1300 *General.* These standards apply to varieties such as Anjou, Bosc, Winter Nelis, Comice, Flemish Beauty and other similar varieties.

GRADES

§ 51.1301 *U. S. Extra No. 1.* "U. S. Extra No. 1" consists of pears of one variety which are mature, but not overripe, carefully hand-picked, clean, well formed, free from decay, internal breakdown, scald, freezing injury, worm holes, black end, hard end, drought spot, and free from injury caused by russeting, limbrubs, hail, scars, cork spot, sunburn, sprayburn, stings or other insect injury, or mechanical or other means, except that they shall be free from damage caused by bruises, broken skins, or disease. (See §§ 51.1306 and 51.1309.)

§ 51.1302 *U. S. No. 1.* "U. S. No. 1" consists of pears of one variety which are mature, but not overripe, carefully hand-picked, clean, fairly well formed, free from decay, internal breakdown, scald, freezing injury, worm holes, black end, and from damage caused by hard end, bruises, broken skins, russeting, limbrubs, hail, scars, cork spot, drought spot, sunburn, sprayburn, stings or other insect injury, disease, or mechanical or other means. (See §§ 51.1306 and 51.1309.)

§ 51.1303 *U. S. Combination.* A combination of U. S. No. 1 and U. S. No. 2 may be packed. When such a combination is packed, at least 50 percent of the pears in any container shall meet the requirements of U. S. No. 1. (See §§ 51.1306 and 51.1309.)

§ 51.1304 *U. S. No. 2.* "U. S. No. 2" consists of pears of one variety which are mature, but not overripe, carefully hand-picked, clean, not seriously misshapen, free from decay, internal breakdown, scald, freezing injury, worm holes, black end, and from damage caused by hard end, or broken skins. The pears shall also be free from serious damage caused by bruises, russeting, limbrubs, hail, scars, cork spot, drough spot, sunburn, sprayburn, stings or other insect injury, disease, or mechanical or other means. (See §§ 51.1306 and 51.1309.)

UNCLASSIFIED

§ 51.1305 *Unclassified.* "Unclassified" consists of pears which have not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards, but is provided as a designation to show that no grade has been applied to the lot.

TOLERANCES

§ 51.1306 *Tolerances.* (a) In order to allow for variations incident to proper grading and handling, not more than a total of 10 percent of the pears in any lot may fail to meet the requirements of grade: *Provided,* That not more than 5 percent shall be seriously damaged by insects, and not more than 1 percent shall be allowed for decay or internal breakdown.

(b) When applying the foregoing tolerances to the combination grade no 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

§ 51.1307 *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.

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(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

§ 51.1308 *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 shall be calculated on the basis of weight or an equivalent basis.

CONDITION AFTER STORAGE OR TRANSIT

§ 51.1309 *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 the grade.

STANDARD PACK

§ 51.1310 *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-fourth 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 2⅜ 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 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.

§ 51.1311 *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 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.

§ 51.1312 *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

§ 51.1313 *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.

§ 51.1314 *Overripe.* "Overripe" means dead ripe, very mealy or soft, past commercial utility.

§ 51.1315 *Carefully hand-picked.* "Carefully hand-picked" means that the pears do not show evidence of rough handling or of having been on the ground.

§ 51.1316 *Clean.* "Clean" means free from excessive dirt, dust, spray residue or other foreign material.

§ 51.1317 *Well formed.* "Well formed" means having the shape characteristic of the variety. Slight irregularities of shape from type which do not appreciably detract from the general appearance of the fruit shall be considered well formed.

§ 51.1318 *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.

§ 51.1319 *Injury.* "Injury" means any blemish or defect, that more than slightly affects the appearance, or the edible or shipping quality. The following shall be considered as injury:

(a) Russeting which exceeds the following shall be considered as injury:

(1) On all varieties any excessively rough russeting (russeting which shows "frogging" or slight cracking).

(2) On Comice, and on Anjou and other smooth-skinned varieties, slightly rough russeting, or thick russeting, such as is characteristic of frost injury, when the aggregate area exceeds one-half inch in diameter.[2]

(3) On Anjou and other smooth-skinned varieties, smooth solid russeting when the aggregate area exceeds one-half inch in diameter and smooth netlike russeting when the aggregate area exceeds 15 percent of the surface, and on Comice, smooth solid or smooth netlike russeting when the aggregate area exceeds one-third of the surface, except that, in addition, on these and similar varieties, any amount of characteristic smooth russeting shall be permitted on that portion of the calyx end not visible for more than one-half inch along the contour of the pear, when it is placed calyx end down on a flat surface.[2]

(4) On any of the following and other similar varieties, rough or thick russeting such as is characteristic of frost injury when the aggregate area exceeds one-half inch in diameter.[2] On any of these varieties any amount of characteristic russeting is permitted whether due to natural causes such as weather or stimulated by artificial means; leaf whips or light limbrubs which resemble and blend into russeted areas shall be considered as russet:

| | |
|---|---|
| Bosc. | Pound. |
| Clairgeau. | Seckel. |
| Easter Beurre. | Sheldon. |
| Flemish Beauty. | Winter Nelis, and other similar varieties. |
| Kieffer. | |
| P. Barry. | |

[2] The area refers to that of a circle of the specified diameter.

(b) Any one of the following defects or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as injury:

(1) Limbrubs which are cracked, softened, more than very slightly depressed, not light in color, or exceeding an aggregate area of three-fourths inch in diameter.[2]

(2) Hail marks or other similar depressions or scars which are not very shallow or superficial, or which affect an aggregate area of more than one-fourth inch in diameter.[2]

(3) Cork spot when a pear shows depressions or the flesh of the pear is more than slightly affected.

(4) Sunburn or sprayburn if the normal color of the fruit has been materially changed, or if the skin is blistered or cracked, or the flesh softened or discolored.

(5) More than two healed slight stings or depressions, or any stings which materially affect the general appearance of the fruit.

(6) Blister mite or canker worm injury which is not very shallow and superficial or where the injury affects an aggregate area of more than one-fourth inch.[2]

§ 51.1320 *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. Winter Nelis pears with characteristic slight sutures or with slight flattening on one side and/or other slight irregularities which do not materially detract from the general appearance of the pear shall be considered fairly well formed.

§ 51.1321 *Damage.* "Damage" means any injury or defect which materially affects the appearance, or the edible or shipping quality.

(a) Hard end shall be considered as damage if the pear shows an abnormally yellow color at the blossom end, or an abnormally smooth rounded base with little or no depression at the calyx, or if the flesh near the calyx is abnormally dry and tough or woody.

(b) Slight handling bruises and package bruises such as are incident to good commercial handling in the preparation of a tight pack shall not be considered damage.

(c) Any pear with one skin break larger than three-sixteenths inch in diameter or depth, or with more than one skin break one-eighth inch or larger in diameter or depth, shall be considered damaged, and scored against the grade tolerance.[2]

(1) Small inconspicuous skin breaks, less than one-eighth inch in diameter or depth, shall not be considered damage. In addition, not more than 15 percent of the pears in any container may have not more than one skin break from one-eighth inch to three-sixteenths inch, inclusive, in diameter or depth.[2]

(d) Russeting which exceeds the following shall be considered as damage:

(1) On all varieties excessively rough russeting (russeting which shows "frogging" or slight cracking) when the aggregate area exceeds one-half inch in diameter.[2]

(2) On Anjou and other smooth-skinned varieties,slightly rough russeting, or thick russeting such as is characteristic of frost injury, when the aggregate area exceeds three-fourths inch in diameter.[2]

(3) On Anjou, smooth solid or smooth netlike russeting when the aggregate area exceeds one-third of the surface, and on other smooth-skinned varieties, 15 percent of the surface, except that, in addition, on Anjou and other smooth-skinned varieties, any amount of characteristic smooth russeting shall be permitted on that portion of the calyx end not visible for more than one-half inch along the contour of the pear, when it is placed calyx end down on a flat surface.

(4) On any of the following and other similar varieties, rough or thick russeting such as is characteristic of frost injury, when the aggregate area exceeds three-fourths inch in diameter.[2] On any of these varieties any amount of characteristic russeting is permitted whether due to natural causes such as weather or stimulated by artificial means; leaf whips or light limbrubs which resemble and blend into russeted areas shall be considered as russet:

| | |
|---|---|
| Bosc. | Pound. |
| Clairgeau. | Seckel. |
| Comice. | Sheldon. |
| Easter Beurre. | Winter Nelis, and other similar varieties. |
| Flemish Beauty. | |
| Kieffer. | |
| P. Barry. | |

(e) Any one of the following defects or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(1) Any limbrubs which are cracked, softened, or more than slightly depressed.

(2) Black discoloration caused by limbrubs which exceeds an eggregate area of three-eighths inch in diameter.[2]

(3) Dark brown discoloration or excessive roughness caused by limbrubs which exceeds an aggregate area of one-half inch in diameter.[2]

(4) Slightly rough, light colored discoloration caused by limbrubs which exceeds an aggregate area of three-fourths inch in diameter.[2]

(5) Smooth, light colored discoloration caused by limbrubs which exceeds an aggregate area of 1 inch in diameter.[2]

(6) Hail marks or other similar depressions or scars which are not shallow or superficial, or where the injury affects an aggregate area of more than three-eighths inch in diameter.[2]

(7) Cork spot when more than one in number is visible externally or when the flesh is materially affected.

(8) Drought spot when more than one in number, or when the external injury exceeds an aggregate area of three-eighths inch in diameter, or when the appearance of the flesh is materially affected by corky tissue or brownish discoloration.[2]

(9) Sunburn or sprayburn where the skin is blistered, cracked, or shows any light tan or brownish color, or the shape of the pear is appreciably flattened, or the flesh is appreciably softened or changed in color, except that sprayburn of a russet character shall be considered under the definition of russeting.

(10) Insects:

(i) More than two healed codling moth stings, or any insect sting which is over three thirty-seconds of an inch in diameter, or other insect stings affecting the appearance to an equal extent.[2]

(ii) Blister mite or canker worm injury which is not shallow or superficial, or where the injury affects an aggregate area of more than three-eighths inch in diameter.[2]

(11) Disease:

(i) Scab spots which are black and which cover an aggregate area of more than one-fourth inch in diameter, except that scab spots of a russet character shall be considered under the definition of russeting.[2]

(ii) Sooty blotch which is thinly scattered over more than 5 percent of the surface, or dark, heavily concentrated spots which affect an area of more than three-eighths inch in diameter.[2]

§ 51.1322 *Seriously misshapen.* "Seriously misshapen" means that the pear is excessively flattened or elongated for the variety, or is constricted or deformed so it will not cut three fairly uniform good quarters, or is so badly misshapen that the appearance is seriously affected.

§ 51.1323 *Serious damage.* "Serious damage" means any injury or defect which seriously affects the appearance, or the edible or shipping quality.

(a) Russeting which in the aggregate exceeds the following shall be considered as serious damage:

(1) On all varieties, excessively rough russeting (russeting which shows "frogging" or slight cracking) when the aggregate area exceeds three-fourths inch in diameter.[2]

(2) On all varieties, thick russeting such as is characteristic of frost injury, 15 percent of the surface.

(3) On Anjou, smooth solid or smooth netlike russeting when the aggregate area exceeds two-thirds of the surface, except that, in addition, any amount of characteristic smooth russeting shall be permitted on that portion of the calyx end not visible for more than one-half inch along the contour of the pear, when it is placed calyx end down on a flat surface. On Flemish Beauty smooth russeting shall be permitted on the entire surface.

(b) Any one of the following defects or combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(1) Limbrubs which are more than slightly cracked, or excessively rough limbrubs or dark brown or black discoloration caused by limbrubs which exceeds an aggregate area of three-fourths inch in diameter.[2]

(2) Other limbrubs which affect an aggregate area of more than one-tenth of the surface.

(3) Hail marks or other similar depressions or scars which affect an ag-

[2] The area refers to that of a circle of the specified diameter.

gregate area of more than three-fourths inch in diameter, or which materially deform or disfigure the fruit.[2]

(4) Cork spot when more than two in number are visible externally or when the flesh is seriously affected.

(5) Drought spot when more than two in number, or where the external injury affects an aggregate area of more than three-fourths inch in diameter, or when the appearance of the flesh is seriously affected by corky tissue or brownish discoloration.[2]

(6) Sunburn or sprayburn where the skin is blistered, cracked or shows any brownish color, or where the shape of the pear is materially flattened, or the flesh is softened or materially changed in color, except that sprayburn of a russet character shall be considered under the definition of russeting.

(7) Insects:

(i) Worm holes. More than three healed codling moth stings, of which not more than two may be over three thirty-seconds of an inch in diameter, or other insect stings affecting the appearance to an equal extent.[2]

(ii) Blister mite or canker worm injury which affects an aggregate area of more than three-fourths inch in diameter or which materially deforms or disfigures the fruit.[2]

(8) Disease:

(i) Scab spots which are black, and which cover an aggregate area of more than one-half inch in diameter, except that scab spots of a russet character shall be considered under the definition of russeting.[2]

(ii) Sooty blotch which is thinly scattered over more than 15 percent of the surface, or dark heavily concentrated spots which affect an area of more than three-fourths inch in diameter.[2]

The United States Standards for Winter Pears contained in this subpart shall become effective 30 days after publication hereof in the FEDERAL REGISTER, and will thereupon supersede the United States Standards for Winter Pears which have been in effect since July 24, 1952. (7 CFR, 51.1300–51.1323).

Dated: August 5, 1955.

[SEAL] ROY W. LENNARTSON,
*Deputy Administrator,*
*Marketing Services.*

[F. R. Doc. 55–6478; Filed, Aug. 9, 1955; 8:51 a. m.]

---

## PART 52—PROCESSED FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

### SUBPART—UNITED STATES STANDARDS FOR GRADES OF DATES[1]

On June 30, 1955, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (20 F. R. 4652) regarding a proposed revision of the United States Standards for Grades of Dates (7 CFR §§ 52.1001 to 52.1009).

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this revision until thirty (30) days after publication in the FEDERAL REGISTER for the reasons that: (1) The packing season for dates is imminent and it is necessary for purposes of inspection and marketing that these revised standards be effective at the beginning of the packing season, and (2) the industry has had 30 days notice of the proposed revision and, therefore, additional time will not be needed for the industry to make preparation for compliance with these standards.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following revised United States Standards for Grades of Dates are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., 7 U. S. C. 1621 et seq.):

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.
52.1001 Product description.
52.1002 Styles of dates.
52.1003 Grades of dates.

FACTORS OF QUALITY

52.1004 Ascertaining the grade.
52.1005 Ascertaining the rating for the factors which are scored.
52.1006 Color.
52.1007 Uniformity of size.
52.1008 Absence of defects.
52.1009 Character.

LOT CERTIFICATION TOLERANCES

52.1010 Tolerances for certification of officially drawn samples.

SCORE SHEET

52.1011 Score sheet for dates.

AUTHORITY: §§ 52.1001 to 52.1011 issued under sec. 205, 60 Stat. 1090, 67 Stat. 205; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.1001 *Product description.* Dates are the properly cured fresh fruit of the date tree (Phoenix dactylifera) which may or may not be softened by hydration. For the purposes of the standards in this subpart, dates, when referred to as "dry dates for processing," means that the dates are dry and have not been softened by hydration.

§ 52.1002 *Styles of dates.* (a) "Whole" or "whole dates" means whole unpitted dates from which the pits have not been removed and which may be slit longitudinally.

(b) "Pitted" or "pitted dates" means whole dates from which the pits have been removed.

(c) "Pieces" or "date pieces" means dates that have been cut or sliced into small pieces and that can be handled as individual units.

(d) "Macerated" or "macerated dates" means dates that have been ground, chopped, mashed, or broken or that have been cut or sliced into small pieces and that cannot be handled as individual units.

§ 52.1003 *Grades of dates.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of whole or pitted dates that are of one variety, that possess a good color, that are practically uniform in size, that are practically free from defects, that possess a good character, and that score not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U. S. Grade B" or "U. S. Choice" is the quality of whole or pitted dates other than whole dry dates for processing that are of one variety, that possess a reasonably good color, that are reasonably uniform in size, that are reasonably free from defects, that possess a reasonably good character, and that score not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "U. S. Grade B (Dry)" or "U. S. Choice (Dry)" is the quality of whole dry dates for processing that are of one variety, that possess a reasonably good color, that are reasonably uniform in size, that are reasonably free from defects, that possess a reasonably good character, and that score not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(d) "U. S. Grade C" or "U. S. Standard" is the quality of whole or pitted dates other than whole dry dates for processing that are of one variety or of date pieces or macerated dates that possess a fairly good color, that are fairly uniform in size except for date pieces or macerated dates, that are fairly free from defects, that possess a fairly good character, and that score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(e) "U. S. Grade C (Dry)" or "U. S. Standard (Dry)" is the quality of whole dry dates for processing that are of one variety, that possess a fairly good color, that are fairly uniform in size, that are fairly free from defects, that possess a fairly good character, and that score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(f) "Substandard" is the quality of dates that fail to meet the requirements of U. S. Grade C or U. S. Standard or U. S. Grade C (Dry) or U. S. Standard (Dry), whichever is applicable.

FACTORS OF QUALITY

§ 52.1004 *Ascertaining the grade.* In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) *Factor not rated by score points.* (1) Varietal requirement.

(b) *Factors rated by score points.* The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

| | Points |
|---|---|
| (1) Color | 20 |
| (2) Uniformity of size | 10 |
| (3) Absence of defects | 30 |
| (4) Character | 40 |
| Total score | 100 |

[1] Compliance with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

[2] The area refers to that of a circle of the specified diameter.

§ 52.1005 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

52.1006 *Color*—(a) *(A) classification.* Whole or pitted dates that possess a good color may be given a score of 18 to 20 points. "Good color" means that the color of the dates is practically uniform; and, with respect to dates that are predominantly light amber in color, there may be not more than 5 percent by count of dates that are dark amber in color; and, with respect to dates that are predominantly dark amber in color, there may be not more than 5 percent by count of dates that are light amber in color.

(b) *(B) classification.* If the whole or pitted dates or whole dry dates for processing possess a reasonably good color, a score of 16 or 17 points may be given. Dates that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice or U. S. Grade B (Dry) or U. S. Choice (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the color of the whole or pitted dates or whole dry dates for processing is reasonably uniform for the type; and, with respect to dates that are predominantly light amber in color, there may be not more than 10 percent by count of dates that are dark amber in color; and, with respect to dates that are predominantly dark amber in color, there may be not more than 10 percent by count of dates that are light amber in color.

(c) *(C) classification.* If the whole or pitted dates, whole dry dates for processing, date pieces, or macerated dates possess a fairly good color, a score of 14 or 15 points may be given. Dates that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard or U. S. Grade C (Dry) or U. S. Standard (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Fairly good color" has the following meanings with respect to the following styles:

(1) *Whole; pitted.* The color of the whole or pitted dates or whole dry dates for processing is fairly uniform for the type; and, with respect to dates that are predominantly light amber in color, there may be not more than 20 percent by count of dates that are dark amber in color; and, with respect to dates that are predominantly dark amber in color, there may be not more than 20 percent by count of dates that are light amber in color.

(2) *Pieces; macerated.* The color may be variable throughout the units or mass, may be slightly dull but not off-color, and is typical of properly prepared dates of these styles.

(d) *(SStd) classification.* Dates that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1007 *Uniformity of size*—(a) *General.* The factor of uniformity of size applies only to whole and pitted styles. The factor of uniformity of size in the styles of date pieces and macerated dates is not based on any detailed requirements and is not scored; the other three factors (color, absence of defects, and character as applicable) are scored and the total is multiplied by 100 and divided by 90, dropping any fractions to determine the total score.

(b) *(A) classification.* Whole or pitted dates that are practically uniform in size may be given a score of 9 or 10 points. "Practically uniform in size" means that not more than a total of 10 percent, by weight, of the whole or pitted dates may be conspicuously larger or smaller than the approximate average size of the dates in the container.

(c) *(B) classification.* If the whole or pitted dates or whole dry dates for processing are reasonably uniform in size, a score of 8 points may be given. Dates that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice or U. S. Grade B (Dry) or U. S. Choice (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Reasonably uniform in size" means that not more than a total of 15 percent, by weight, of the whole or pitted dates may be conspicuously larger or smaller than the approximate average size of the dates in the container.

(d) *(C) classification.* If the whole or pitted dates or whole dry dates for processing are fairly uniform in size, a score of 7 points may be given. Dates that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard or U. S. Grade C (Dry) or U. S. Standard (Dry), which ever is applicable, regardless of the total score for the product (this is a limiting rule). "Fairly uniform in size" means that not more than a total of 20 percent, by weight, of the whole or pitted dates may be conspicuously larger or smaller than the approximate average size of the dates in the container.

(e) *(SStd) classification.* Whole or pitted dates or whole dry dates for processing that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 6 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1008 *Absence of defects*—(a) *Definitions of defects.* Unless otherwise stated specifically, the following definitions of defects or defective units apply only to whole or pitted dates or whole dry dates for processing, as applicable for the type:

(1) "Damaged by discoloration" is the presence of a dark area in the flesh of the date, which dark area is visible through the skin and is more than one-fourth (¼) inch in width and extends more than the equivalent of half the length of the date, such darkening being of natural origin and not caused by mold or other organism.

(2) "Damaged by broken skin" is any rupture of the skin in a manner to expose the flesh of the date, the shortest dimension of such exposed area being not less than three-sixteenths (3/16) inch.

(3) "Damaged by checking" is the presence of fine lines, resulting from water injury, affecting the surface of the skin over an area not less than one-fourth of the total surface of the date.

(4) "Seriously damaged by checking" is the presence of heavy lines, resulting from water injury, seriously affecting the surface of the skin over an area not less than one-fourth of the total surface of the date.

(5) "Damaged by deformity" is any abnormal shape sufficient to produce an appearance discernibly at variance with the normal shape that is typical of the variety.

(6) "Damaged by puffiness" is the condition of a date of which the skin is soft and pliable and from which the skin is separated from the flesh in a balloon-like fashion, over an area not less than one-half of the total surface of the date. Soft skins which have returned and adhere to the flesh of the date are not considered "damaged by puffiness."

(7) "Seriously damaged by puffiness" is the condition of a date of which the skin is dry, hard, and brittle and from which the skin is separated from the flesh over an area not less than one-half of the total surface of the date.

(8) "Damaged by scars" are any blemishes that affect the exterior of the date and which are not less than three-sixteenths (3/16) inch in the shortest dimension.

(9) "Damaged by sunburn" is an area, usually light in color, scarred by the heat of the sun, such area being not less than three-sixteenths (3/16) inch in the shortest dimension.

(10) "Damaged by insect injury" is any blemish, resulting from the activity of insects or mites, distributed over an area of not less than one-fourth of the total surface of the date or any similar blemish that materially affects the appearance or edibility of the unit, regardless of the area affected.

(11) "Damaged by improper hydrating" means that the date has been injured by excessive heat or that the hydrating process is incomplete.

(12) "Damaged by mashing" means any physical injury to the flesh and skin of the date leaving the date partially mangled but otherwise whole.

(13) "Damaged by mechanical injury" means excessive trimming or similar injury that damages the appearance or that damages or affects the eating quality of the whole date.

(14) "Damaged by lack of pollination" means, with respect to whole dates, that pollination of the date was not accomplished, such condition being manifested by the absence of a pit in the whole dates or by thin, immature appearance of the date.

(15) "Damaged by blacknose" is severe checking in which the flesh becomes dark, crusty, and dry and which severe checking affects an area greater than one-eighth of the total surface of the date.

(16) "Damaged by side spot" means a very dark area, which generally is circular in appearance, extending into the flesh of the date, and, when decayed tissue or mold is not present, affecting in the aggregate an area not less than the area of a circle three-sixteenths (3/16) inch in diameter.

(17) "Damaged by black scald" means the collapse, death, and blackening of the flesh along the side of the date, usually accompanied by a bitter taste in the affected area.

(18) "Damage by improper ripening" means pronounced evidence of "green shrivel" of the date or that the date possesses a puffy flesh or a decidedly rubbery texture resulting from failure of the tissue of the date to reach a desirable state of maturity due to climatic or cultural injury, or both.

(19) "Damaged by other defects" means any injury or defect or group of defects not defined in this section (such as, but not limited to, heavy sugaring, and excessive scars not described in the definition "damaged by scars,") which materially affect the appearance, edibility, or keeping quality of the dates.

(20) "Affected by souring" is evidenced by the breakdown of the sugars into alcohol and acetic acid by yeasts and bacteria.

(21) "Affected by mold" is the presence of visible mold.

(22) "Affected by dirt" is the presence of any quantity of such substance.

(23) "Affected by insect infestation" is the presence of dead insects, insect parts, or excreta. (No live insects are permitted.)

(24) "Affected by foreign material" is the presence of any quantity of such substance.

(25) "Affected by decay" is a state of decomposition.

(b) (*A*) *classification.* Whole or pitted dates that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that in pitted dates there may be present not more than one whole pit or two pit fragments for each 25 ounces of pitted dates; and that the whole or pitted dates do not exceed the total allowances and limitations shown in Chart I of this subpart.

(c) (*B*) *classification.* If the whole or pitted dates or whole dry dates for processing are reasonably free from defects, a score of 24 to 26 points may be given. Dates that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice or U. S. Grade B (Dry) or U. S. Choice (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that in pitted dates there may be present not more than one whole pit or two pit fragments for each 25 ounces of pitted dates; and that the whole or pitted dates or whole dry dates for processing do not exceed the total allowances and limitations shown in Chart II of this subpart.

(d) (*C*) *classification.* If the whole or pitted dates, whole dry dates for processing, date pieces, or macerated dates are fairly free from defects, a score of 21 to 23 points may be given. Dates that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard or U. S. Grade C (Dry) or U. S. Standard (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" has the following meanings with respect to the following styles:

(1) *Whole.* The defects or defective units in whole dates or whole dry dates for processing do not exceed the total allowances and limitations shown in Chart III of this subpart.

(2) *Pitted.* Not more than one whole pit or two pit fragments for each 25 ounces of pitted dates may be present; and the defects or defective units in pitted dates do not exceed the total allowances and limitations shown in Chart III of this subpart.

(3) *Pieces; macerated.* Not more than one whole pit or two pit fragments for each 25 ounces of pitted dates may be present; and the units or mass consists of clean and sound date material, fairly free from defects that seriously affect the appearance, edibility, or keeping quality of the product.

(e) (*SStd*) *classification.* Dates that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

CHART NO. I—ALLOWANCES AND LIMITATIONS FOR DEFECTS IN WHOLE AND PITTED DATES (OTHER THAN WHOLE DRY DATES FOR PROCESSING); U. S. GRADE A OR U. S. FANCY

TOTAL ALLOWANCE

Not more than a total of 10 percent, by weight of the dates, may be the following:

Damaged by:
- Discoloration.
- Broken skin.
- Checking.
- Deformity.
- Puffiness.
- Scars.
- Sunburn.
- Insect injury.
- Improper hydrating.
- Mashing.
- Mechanical injury.
- Lack of pollination.
- Blacknose.
- Side spot.
- Black scald.
- Improper ripening.
- Other defects.

Seriously damaged by checking.
Seriously damaged by puffiness.
Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

LIMITATIONS

Not more than 3/5 of the total allowance, or 6 percent, by weight of the dates, may be the following:

Damaged by:
- Side spot.
- Black scald.
- Improper ripening.
- Other defects.

Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

Not more than 2/5 of the total allowance, or 4 percent, by weight of the dates, may be the following:

Damaged by:
- Improper ripening.
- Other defects.

Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

Not more than 1/10 of the total allowance, or 1 percent, by weight of the dates, may be:

Affected by decay.

CHART NO. II—ALLOWANCES AND LIMITATIONS FOR DEFECTS IN WHOLE AND PITTED DATES OR IN WHOLE DRY DATES FOR PROCESSING; U. S. GRADE B OR U. S. CHOICE AND U. S. GRADE B (DRY) OR U. S. CHOICE (DRY)

Not more than 15 percent, by weight of the dates, may be seriously damaged by checking.

Not more than 20 percent, by weight of the dates, may be damaged by broken skin.

ADDITIONAL ALLOWANCE

Not more than a total of 15 percent, by weight of the dates, may be the following:

Damaged by:
- Deformity.
- Puffiness.
- Scars.
- Sunburn.
- Insect injury.
- Improper hydrating.
- Mashing.
- Mechanical injury.
- Lack of pollination.
- Blacknose.
- Side spot.
- Black scald.
- Improper ripening.
- Other defects.

Seriously damaged by puffiness.
Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

LIMITATIONS

Not more than 2/3 of the additional allowance, or 10 percent, by weight of the dates, may be the following:

Damaged by:
- Lack of pollination.
- Blacknose.
- Side spot.
- Black scald.
- Improper ripening.
- Other defects.

Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

Not more than 1/3 of the additional allowance, or 5 percent, by weight of the dates, may be the following:

Damaged by:
- Improper ripening.
- Other defects.

Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

Not more than 1/15 of the additional allowance, or 1 percent, by weight of the dates, may be:

Affected by decay.

CHART NO. III—ALLOWANCES AND LIMITATIONS FOR DEFECTS IN WHOLE AND PITTED DATES OR IN WHOLE DRY DATES FOR PROCESSING; U. S. GRADE C OR U. S. STANDARD AND U. S. GRADE C (DRY) OR U. S. STANDARD (DRY)

TOTAL ALLOWANCE

Not more than a total of 20 percent, by weight of the dates, may be the following:

Damaged by:
- Deformity.
- Scars.
- Sunburn.
- Insect injury.
- Improper hydrating.
- Mashing.
- Mechanical injury.
- Lack of pollination.
- Blacknose.
- Side spot.
- Black scald.
- Improper ripening.
- Other defects.

Seriously damaged by puffiness.

Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

LIMITATIONS

Not more than ½ of the total allowance, or 10 percent, by weight of the dates, may be the following:

Damaged by:
- Lack of pollination.
- Blacknose.
- Side spot.
- Black scald.
- Improper ripening.
- Other defects.

Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

Not more than ¼ of the total allowance, or 5 percent, by weight of the dates, may be the following:

Affected by:
- Souring.
- Mold.
- Dirt.
- Insect infestation.
- Foreign material.
- Decay.

Not more than 1/10 of the total allowance, or 2 percent, by weight of the dates, may be:

Affected by decay.

§ 52.1009 *Character*—(a) *(A) classification.* Whole or pitted dates that possess a good character may be given a score of 36 to 40 points. "Good character" means that not less than 75 percent, by weight, of the dates are well developed, well fleshed, and soft, or at the time of packing are in a state of ripeness that within 15 days will develop into such character; and the remainder may possess a reasonably good character including not more than a total of 2 percent, by weight, of the dates that may possess semi-dry calyx ends and none may possess dry calyx ends.

(b) *(B) classification.* If the whole or pitted dates or whole dry dates for processing possess a reasonably good character, a score of 32 to 35 points may be given. Dates that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice or U. S. Grade B (Dry) or U. S. Choice (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule).

(1) "Reasonably good character" with respect to whole or pitted dates other than whole dry dates for processing means that the dates are pliable; that not less than 75 percent, by weight, of the dates are reasonably well developed and reasonably well fleshed, or at time of packing are in a state of ripeness that within 15 days will develop into such character and the remainder may possess a fairly good character including not more than 10 percent, by weight, of the dates that may possess semi-dry calyx ends and dry calyx ends: *Provided*, That not more than 2 percent, by weight, of the dates may possess dry calyx ends.

(2) "Reasonably good character" with respect to whole dry dates for processing means that the dates may be firm and dry; that not less than 75 percent, by weight, of the dates are reasonably well developed and reasonably well fleshed and that the remainder are fairly well developed and fairly well fleshed.

(c) *(C) classification.* If the whole or pitted dates, whole dry dates for processing, date pieces, or macerated dates possess a fairly good character, a score of 28 to 31 points may be given. Dates that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard or U. S. Grade C (Dry) or U. S. Standard (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Fairly good character" has the following meanings with respect to the following styles:

(1) *Whole; pitted.* (i) In whole or pitted dates other than whole dry dates for processing the dates may be firm but are pliable; may possess semi-dry calyx ends; and not less than 80 percent, by weight, of the dates are fairly well developed and are fairly well fleshed, or at time of packing are in a state of ripeness that within 15 days will develop into such character and the remainder may fail to possess such fairly good character or may possess dry calyx ends.

(ii) In whole dry dates for processing the dates may be firm and dry but are fairly well developed and fairly well fleshed.

(2) *Pieces; macerated.* The character may be variable throughout the units or mass but not seriously affected by dry calyx and material or inedible portions of dates.

*(d) (SStd) classification.* Dates that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

LOT CERTIFICATION TOLERANCES

§ 52.1010 *Tolerances for certification of officially drawn samples.* (a) When certifying samples that have been officially drawn and which represent a specific lot of dates the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if with respect to those factors which are scored:

(1) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(2) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(3) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and

(4) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

SCORE SHEET

§ 52.1011 *Score sheet for dates.*

Size and kind of container ____
Container mark or identification ____
Label or brand ____
Net weight ____
Style ____
Count (per lb.) ____
Moisture content (if determined) ____
One variety (☐) Yes (☐) No ____

| Factors | | Score points | |
|---|---|---|---|
| Color | 20 | (A) | 18–20 |
| | | (B) (B-Dry) | [1] 16–17 |
| | | (C) (C-Dry) | [1] 14–15 |
| | | (SStd) | [1] 0–13 |
| Uniformity of size | 10 | (A) | 9–10 |
| | | (B) (B-Dry) | [1] 8 |
| | | (C) (C-Dry) | [1] 7 |
| | | (SStd) | [1] 0–6 |
| Absence of defects | 30 | (A) | 27–30 |
| | | (B) (B-Dry) | [1] 24–26 |
| | | (C) (C-Dry) | [1] 21–23 |
| | | (SStd) | [1] 0–20 |
| Character | 40 | (A) | 36–40 |
| | | (B) (B-Dry) | [1] 32–35 |
| | | (C) (C-Dry) | [1] 28–31 |
| | | (SStd) | [1] 0–27 |
| Total score | 100 | | |

Grade ____

[1] Limiting rule.

The United States Standards for Grades of Dates (which is the third issue) contained in this subpart shall become effective 15 days after the date of publication hereof in the FEDERAL REGISTER and thereupon will supersede the United States Standards for Grades of Dates (7 CFR § 52.1001 to 52.1009) which have been in effect since October 20, 1949.

Dated: August 5, 1955.

[SEAL] ROY W. LENNARTSON,
*Deputy Administrator, Marketing Services.*

[F. R. Doc. 55-6481; Filed, Aug. 9, 1955; 8:52 a. m.]

---

PART 52—PROCESSED FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

SUBPART—UNITED STATES STANDARDS FOR GRADES OF DRIED CURRANTS [1]

On June 28, 1955 a Notice of Proposed Rule Making was published in the FED-

[1] Compliance with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.