

A or Form D memorandum or a Form C certificate.

§ 28.147 *Licensed classifiers.* Subject to the applicable terms and conditions of §§ 28.76 to 28.96, any person may, upon presentation of evidence of competency, be licensed to grade or classify linters, and to certificate the grade or class thereof in accordance with the official cotton linters standards of the United States.

(a) *Class certificates; form; mailing to board.* Each class certificate issued by a licensed linters classifier under this subpart shall be on a form furnished by the Department of Agriculture. A copy of each certificate shall be mailed to the Board of Cotton Linters Examiners at Washington, D. C., within 3 days after issuance.

(b) *Supervisory samples.* Some samples from each lot or mark of samples on which a licensed linters classifier issues a certificate under this subpart shall be sent to the Board of Cotton Linters Examiners for supervisory purposes. Such supervisory samples shall be submitted to the board in accordance with instructions furnished licensees by the Department of Agriculture from time to time.

§ 28.148 *Fees and costs; classification; reviews; other.* The fee for the classification, comparison, or review of linters with respect to grade, staple, and character, or any of these qualities, shall be at the rate of 20 cents for each bale or sample involved. The provisions of §§ 28.118 to 28.135 relating to other fees and costs shall, so far as applicable, apply to services performed with respect to linters.

§ 28.149 *Fees and costs; supervision of sampling.* For the supervision of sampling of bales of linters leading to a Form C certificate pursuant to § 28.138 (b), the person making the request for classification shall pay, in addition to the classification fee prescribed in § 28.148, the necessary traveling expenses and subsistence, or per diem in lieu of subsistence, incurred on account of such request, in accordance with the fiscal regulations of the Department of Agriculture, by the Department employee supervising the sampling.

§ 28.150 *Fee; licenses; renewals.* The fee for the examination of an applicant for a license to classify linters shall be \$10. No additional charge shall be made for the issuance of a license to an applicant found to be properly qualified. The fee for each renewal of such license shall be \$5.

§ 28.151 *Cost of practical forms; period effective.* Practical forms of the official cotton linters standards of the United States will be furnished to any person subject to the applicable terms and conditions specified in § 28.115, and upon prepayment of the costs thereof: *Provided*, That no practical form of any of the official cotton linters standards of the United States shall be considered as representing any of said standards after the date of its cancellation in accordance with this subpart, or, in any

event, after the expiration of 12 months following the date of its certification. The costs of the official standards shall be at the rate of \$5 each, f. o. b., Washington, D. C., for shipments within the continental United States, and \$6.50 each, delivered to destination, for shipments outside the continental United States.

§ 28.152 *Official staple guides.* An actual sample of linters illustrating the staples as embraced in each of the grades 1 through 7 (§§ 28.201 to 28.207) shall be made available, to the extent that facilities permit, to purchasers of practical forms of the official standards, at the rate of \$1 each, f. o. b., Washington, D. C., for shipments within the continental United States, and \$1.50 each, delivered to destination, for shipments outside the continental United States.

The revised regulations will implement the revised official linters standards which become effective July 1, 1956. The Department announced in the notice of proposed rule making (21 F. R. 3458) the intention of making the revised regulations effective July 1, 1956. The provisions of the revised regulations were discussed at a meeting with the linters industry in Washington on June 4 and 5 and later at public meetings held at central points throughout the United States. The regulations will impose no hardship on affected persons and in order to be of maximum benefit should be made effective on July 1, 1956. For these reasons good cause exists for making the revised regulations effective on July 1, 1956.

(Sec. 10, 42 Stat. 1519; 7 U. S. C. 61. Interpret or apply sec. 4, 42 Stat. 1517; 7 U. S. C. 54)

Done at Washington, D. C., this 27th day of June 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 56-5197; Filed, June 29, 1956; 8:48 a. m.]

PART 28—COTTON STANDARDS

SUBPART B—STANDARDS

REVISION OF OFFICIAL STAPLE STANDARDS FOR UNITED STATES COTTON LINTERS

On June 19, 1956, a notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 4293) concerning a proposed revision of the official staple standards for United States cotton linters (7 CFR 28.209, as amended), pursuant to authority contained in the United States Cotton Standards Act, as amended (42 Stat. 1517; 7 U. S. C. 51 et seq.)

After consideration of all relevant matters presented pursuant to said notice, the regulations governing cotton linters standards (7 CFR Part 28) are hereby amended, effective July 1, 1957, as follows:

1. Change the undesignated center head immediately preceding § 28.201 (as amended 20 F. R. 4615) to read "Official Cotton Linters Standards Of The United States For Grade."

2. Delete § 28.209 (as amended 20 F. R. 4617) and substitute the following:

OFFICIAL COTTON LINTERS STANDARDS OF UNITED STATES FOR STAPLE

§ 28.215 *Staple 1.* Staple 1 shall be United States cotton linters which in staple is within the range represented by a quantity of cotton linters in the custody of the United States Department of Agriculture marked "Original Official Cotton Linters Standard of the United States, Staple 1, effective July 1, 1957."

§ 28.216 *Staple 2.* Staple 2 shall be United States cotton linters which in staple is within the range represented by a quantity of cotton linters in the custody of the United States Department of Agriculture marked "Original Official Cotton Linters Standard of the United States, Staple 2, effective July 1, 1957."

§ 28.217 *Staple 3.* Staple 3 shall be United States cotton linters which in staple is within the range represented by a quantity of cotton linters in the custody of the United States Department of Agriculture marked "Original Official Cotton Linters Standard of the United States, Staple 3, effective July 1, 1957."

§ 28.218 *Staple 4.* Staple 4 shall be United States cotton linters which in staple is within the range represented by a quantity of cotton linters in the custody of the United States Department of Agriculture marked "Original Official Cotton Linters Standard of the United States, Staple 4, effective July 1, 1957."

§ 28.219 *Staple 5.* Staple 5 shall be United States cotton linters which in staple is within the range represented by a quantity of cotton linters in the custody of the United States Department of Agriculture marked "Original Official Cotton Linters Standard of the United States, Staple 5, effective July 1, 1957."

§ 28.220 *Staple 6.* Staple 6 shall be United States cotton linters which in staple is within the range represented by a quantity of cotton linters in the custody of the United States Department of Agriculture marked "Original Official Cotton Linters Standard of the United States, Staple 6, effective July 1, 1957."

§ 28.221 *Staple 7.* Staple 7 shall be United States cotton linters which in staple is within the range represented by a quantity of cotton linters in the custody of the United States Department of Agriculture marked "Original Official Cotton Linters Standard of the United States, Staple 7, effective July 1, 1957."

4. Add new § 28.222 to read as follows:

§ 28.222 *Below 7 Staple.* Cotton linters which in staple is below staple 7 will be designated as "Below 7" staple.

(Sec. 10, 42 Stat. 1519; 7 U. S. C. 61. Interpret or apply sec. 6, 42 Stat. 1518; 7 U. S. C. 56)

Done at Washington, D. C. this 27th day of June 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 56-5249; Filed, June 29, 1956; 8:55 a. m.]

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

SUBPART—UNITED STATES STANDARDS FOR SHELLED RUNNER TYPE PEANUTS¹

On April 18, 1956, a notice of proposed rule making was published in the *FEDERAL REGISTER* (21 F. R. 2529) regarding a proposed revision of United States Standards for Shelled Runner Type Peanuts.

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

GRADES

Sec.	
51.2710	U. S. No. 1 Runner.
51.2711	U. S. Runner Splits.
51.2712	U. S. No. 2 Runner.

APPLICATION OF TOLERANCES

51.2713	Application of tolerances.
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DEFINITIONS

51.2714	Similar varietal characteristics.
51.2715	Whole.
51.2716	Split.
51.2717	Broken.
51.2718	Foreign material.
51.2719	Unshelled.
51.2720	Minor defects.
51.2721	Damage.

AUTHORITY: §§ 51.2710 to 51.2721 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

GRADES

§ 51.2710 *U. S. No. 1 Runner.* "U. S. No. 1 Runner" consists of shelled Runner type peanut kernels of similar varietal characteristics which are whole and free from foreign material, damage and minor defects, and which will not pass through a screen having $\frac{1}{16}$ x $\frac{3}{4}$ inch openings.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(1) 1 percent for other varieties of peanuts;

(2) 2 percent for sound peanuts which are split or broken;

(3) 1.5 percent for damaged or unshelled peanuts;

(4) 0.5 percent for minor defects: *Provided*, That in addition, any unused part of the tolerance for damaged or unshelled peanuts shall be allowed for minor defects;

(5) 0.1 percent for foreign material; and,

(6) 2 percent for sound whole peanuts which will pass through the prescribed screen.

§ 51.2711 *U. S. Runner Splits.* "U. S. Runner Splits" consists of shelled Runner type peanut kernels of similar varietal characteristics which are split or broken, but which are free from foreign material, damage and minor defects, and

¹Packing 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.

which will not pass through a screen having $\frac{1}{16}$ inch round openings.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(1) 2 percent for other varieties of peanuts;

(2) 2 percent for damaged or unshelled peanuts and minor defects;

(3) 0.2 percent for foreign material;

(4) 2 percent for sound portions of peanuts which will pass through the prescribed screen; and,

(5) 4 percent for sound whole peanuts.

§ 51.2712 *U. S. No. 2 Runner.* "U. S. No. 2 Runner" consists of shelled Runner type peanut kernels of similar varietal characteristics which may be split or broken, but which are free from foreign material, damage and minor defects, and which will not pass through a screen having $\frac{1}{16}$ inch round openings.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(1) 2 percent for other varieties of peanuts;

(2) 2.5 percent for damaged or unshelled peanuts and minor defects;

(3) 0.2 percent for foreign material; and,

(4) 6 percent for sound peanuts and portions of peanuts which will pass through the prescribed screen.

APPLICATION OF TOLERANCES

§ 51.2713 *Application of tolerances.* The tolerances provided in these standards are on a lot basis and shall be applied to a composite sample representative of the lot. However, any container or group of containers in which the peanuts are obviously of a quality materially different from that in the majority of containers shall be considered a separate lot, and shall be sampled separately.

DEFINITIONS

§ 51.2714 *Similar varietal characteristics.* "Similar varietal characteristics" means that the peanut kernels in the lot are not of distinctly different varieties. For example, Spanish type shall not be mixed with Runners.

§ 51.2715 *Whole.* "Whole" means that the peanut kernel is not split or broken.

§ 51.2716 *Split.* "Split" means the separated half of a peanut kernel.

§ 51.2717 *Broken.* "Broken" means that more than one-fourth of the peanut kernel is broken off.

§ 51.2718 *Foreign material.* "Foreign material" means pieces or loose particles of any substance other than peanut kernels or skins.

§ 51.2719 *Unshelled.* "Unshelled" means a peanut kernel with part or all of the hull (shell) attached.

§ 51.2720 *Minor defects.* "Minor defects" means that the peanut kernel is not damaged but is affected by one or more of the following:

(a) Skin discoloration which is dark brown, dark gray, dark blue or black and covers more than one-fourth of the surface;

(b) Flesh discoloration which is darker than a light yellow color or consists of more than as light yellow pitting of the flesh;

(c) Sprout extending more than one-eighth of an inch from the tip of the kernel; and,

(d) Dirt when the surface of the kernel is distinctly dirty, and its appearance is materially affected.

§ 51.2721 *Damage.* "Damage" means that the peanut kernel is affected by one or more of the following:

(a) Rancidity or decay;

(b) Mold;

(c) Insects, worm cuts, web or frass;

(d) Freezing injury causing hard, translucent or discolored flesh; and

(e) Dirt when the surface of the kernel is heavily smeared, thickly flecked or coated with dirt, seriously affecting its appearance.

The United States Standards for Shelled Runner Type Peanuts 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 Shelled Runner Peanuts which have been in effect since September 3, 1946.

Dated: June 27, 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Service.

[F. R. Doc. 56-5190; Filed, June 29, 1956; 8:46 a. m.]

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

SUBPART—UNITED STATES STANDARDS FOR SHELLED SPANISH TYPE PEANUTS¹

On April 18, 1956, a notice of proposed rule making was published in the *FEDERAL REGISTER* (21 F. R. 2530) regarding a proposed revision of United States Standards for Shelled Spanish Type Peanuts.

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

GRADES

Sec.	
51.2730	U. S. No. 1 Spanish.
51.2731	U. S. Spanish Splits.
51.2732	U. S. No. 2 Spanish.

APPLICATION OF TOLERANCES

51.2733	Application of tolerances.
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DEFINITIONS

51.2734	Similar varietal characteristics.
51.2735	Whole.
51.2736	Split.
51.2737	Broken.
51.2738	Foreign material.
51.2739	Unshelled.

Sec.
51.2740 Minor defects.
51.2741 Damage.

AUTHORITY: §§ 51.2730 to 51.2741 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

GRADES

§ 51.2730 *U. S. No. 1 Spanish*. "U. S. No. 1 Spanish" consists of shelled Spanish type peanut kernels of similar varietal characteristics which are whole and free from foreign material, damage and minor defects, and which will not pass through a screen having $\frac{1}{16}$ x $\frac{3}{4}$ inch openings.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(1) 1 percent for other varieties of peanuts;

(2) 2 percent for sound peanuts which are split or broken;

(3) 0.75 percent for damaged or unshelled peanuts;

(4) 0.5 percent for minor defects: *Provided*, That in addition, any unused part of the tolerance for damaged or unshelled peanuts shall be allowed for minor defects;

(5) 0.1 percent for foreign material; and,

(6) 2 percent for sound whole peanuts which will pass through the prescribed screen.

§ 51.2731 *U. S. Spanish Splits*. "U. S. Spanish Splits" consists of shelled Spanish type peanut kernels of similar varietal characteristics which are split or broken, but which are free from foreign material, damage and minor defects, and which will not pass through a screen having $\frac{1}{16}$ inch round openings.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(1) 2 percent for other varieties of peanuts;

(2) 2 percent for damaged or unshelled peanuts and minor defects;

(3) 0.2 percent for foreign material;

(4) 2 percent for sound portions of peanuts which will pass through the prescribed screen; and,

(5) 4 percent for sound whole kernels.

§ 51.2732 *U. S. No. 2 Spanish*. "U. S. No. 2 Spanish" consists of shelled Spanish type peanut kernels of similar varietal characteristics which may be split or broken, but which are free from foreign material, damage and minor defects, and which will not pass through a screen having $\frac{1}{16}$ inch round openings.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(1) 2 percent for other varieties of peanuts;

(2) 2.5 percent for damaged or unshelled peanuts and minor defects;

(3) 0.2 percent for foreign material; and,

(4) 6 percent for sound peanuts and portions of peanuts which will pass through the prescribed screen.

APPLICATION OF TOLERANCES

§ 51.2733 *Application of tolerances*. The tolerances provided in these stand-

ards are on a lot basis and shall be applied to a composite sample representative of the lot. However, any container or group of containers in which the peanuts are obviously of a quality materially different from that in the majority of containers shall be considered a separate lot, and shall be sampled separately.

DEFINITIONS

§ 51.2734 *Similar varietal characteristics*. "Similar varietal characteristics" means that the peanut kernels in the lot are not of distinctly different varieties. For example, Runner type shall not be mixed with Spanish, and White Spanish shall not be mixed with Red Spanish.

§ 51.2735 *Whole*. "Whole" means that the peanut kernel is not split or broken.

§ 51.2736 *Split*. "Split" means the separated half of a peanut kernel.

§ 51.2737 *Broken*. "Broken" means that more than one-fourth of the peanut kernel is broken off.

§ 51.2738 *Foreign material*. "Foreign material" means pieces or loose particles of any substance other than peanut kernels or skins.

§ 51.2739 *Unshelled*. "Unshelled" means a peanut kernel with part or all of the hull (shell) attached.

§ 51.2740 *Minor defects*. "Minor defects" means that the peanut kernel is not damaged but is affected by one or more of the following:

(a) Skin discoloration which is dark brown, dark gray, dark blue or black and covers more than one-fourth of the surface;

(b) Flesh discoloration which is darker than a light yellow color or consists of more than a slight yellow pitting of the flesh;

(c) Sprout extending more than one-eighth of an inch from the tip of the kernel; and,

(d) Dirt when the surface of the kernel is distinctly dirty, and its appearance is materially affected.

§ 51.2741 *Damage*. "Damage" means that the peanut kernel is affected by one or more of the following:

(a) Rancidity or decay;

(b) Mold;

(c) Insects, worm cuts, web or frass;

(d) Freezing injury causing hard, translucent or discolored flesh; and,

(e) Dirt when the surface of the kernel is heavily smeared, thickly flecked or coated with dirt, seriously affecting its appearance.

The United States Standards for Shelled Spanish Type Peanuts 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 Shelled White Spanish Peanuts which have been in effect since September 1, 1939.

Dated: June 27, 1956.

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

[F. R. Doc. 56-5191; Filed, June 29, 1956; 8:47 a. m.]

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

SUBPART—UNITED STATES STANDARDS FOR SHELLS VIRGINIA TYPE PEANUTS¹

On April 18, 1956, a notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 2531) regarding a proposed revision of United States Standards for Shelled Virginia Type Peanuts.

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

GRADES

Sec.
51.2750 U. S. Extra Large Virginia.
51.2751 U. S. Medium Virginia.
51.2752 U. S. No. 1 Virginia.
51.2753 U. S. Virginia Splits.
51.2754 U. S. No. 2 Virginia.

APPLICATION OF TOLERANCES

51.2755 Application of tolerances.

DEFINITIONS

51.2756 Similar varietal characteristics.
51.2757 Whole.
51.2758 Split.
51.2759 Broken.
51.2760 Foreign material.
51.2761 Unshelled.
51.2762 Minor defects.
51.2763 Damage.

AUTHORITY: §§ 51.2750 to 51.2763 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

GRADES

§ 51.2750 *U. S. Extra Large Virginia*. "U. S. Extra Large Virginia" consists of shelled Virginia type peanut kernels of similar varietal characteristics which are whole and free from foreign material, damage and minor defects, and which will not pass through a screen having $\frac{3}{16}$ x 1 inch openings. Unless otherwise specified, the peanuts in any lot shall average not more than 512 per pound.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(1) 0.75 percent for other varieties of peanuts;

(2) 2 percent for sound peanuts which are split or broken;

(3) 1 percent for damaged or unshelled peanuts;

(4) 0.75 percent for minor defects: *Provided*, That in addition, any unused part of the tolerance for damaged or unshelled peanuts shall be allowed for minor defects;

(5) 0.1 percent for foreign material; and,

(6) 2 percent for sound whole peanuts which will pass through the prescribed screen.

¹Packing 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.