

§ 29.3561

or Dark Air-cured of Virginia, and produced principally in the central section of Virginia north of the James River.

[30 FR 9207, July 23, 1965. Redesignated at 49 FR 16759, Apr. 20, 1984]

§ 29.3561 Type 95.

That type of air-cured tobacco commonly known as Foreign-grown Dark Air-cured produced in countries other than the United States.

[49 FR 16759, Apr. 20, 1984]

§ 29.3562 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

[30 FR 9207, July 23, 1965. Redesignated at 49 FR 16759, Apr. 20, 1984]

§ 29.3563 Uniformity.

An element of quality which describes the consistency of a lot of tobacco as it is prepared for market. Uniformity is expressed in grade specifications as a percentage. The percentage is applicable to group, quality, and color. (See Rule 14, §29.3615.)

[30 FR 9207, July 23, 1965. Redesignated at 49 FR 16759, Apr. 20, 1984]

§ 29.3564 Unsound (U).

Damaged under 20 percent. (See Rule 21, §29.3622.)

[30 FR 9207, July 23, 1965. Redesignated at 49 FR 16759, Apr. 20, 1984]

§ 29.3565 Unstemmed.

A form of tobacco, including whole leaf and leaf scrap, from which the stems or midribs have not been removed.

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§ 29.3566 Variegated.

Any leaf of which 20 percent or more of its leaf surface is off brown, grayish,

7 CFR Ch. I (1-1-10 Edition)

mottled, or bleached and does not blend with the normal colors of the type. (See Rules 17, §29.3618; 18, §29.3619.)

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§ 29.3567 Wet (W).

Any sound tobacco containing excessive moisture to the extent that it is in unsafe- or doubtful-keeping order. Wet applies to any tobacco which is not damaged but which is likely to damage if treated in the customary manner. (See Rule 22, §29.3623.) (For extremely wet or watered tobacco, see rule 24, §29.3625.)

[30 FR 9207, July 23, 1965. Redesignated at 49 FR 16759, Apr. 20, 1984]

§ 29.3568 Width.

The relative breadth of a tobacco leaf expressed in relation to its length. Width, as an element of quality, does not apply to tobacco in strip form. (See Elements of Quality, §29.3586.)

[30 FR 9207, July 23, 1965. Redesignated and amended at 49 FR 16759, Apr. 20, 1984]

ELEMENTS OF QUALITY

§ 29.3586 Elements of quality and degrees of each element.

These standardized words or terms are used to describe tobacco quality and to assist in interpreting grade specifications. Tobacco attributes or characteristics which constitute quality are designated as elements of quality. The range within each element is expressed by the use of words or terms designated as degrees. These several degrees are arranged to show their relative value, but the actual value of each degree varies with type, group, and grade.

Elements			Degrees	
Maturity	Imma- ture.	Underri- pe.	Mature	Ripe.
Body .....	.....	Thin	Medium	Heavy.
Leaf structure .....	.....	Close ...	Firm	Open.
Leaf surface .....	.....	Rough ..	Crepy ...	Smooth.
Oil .....	.....	Lean	Oily	Rich.
Finish .....	.....	Dull	Normal	Clear.

Elements			Degrees	
Color intensity .....	.....	Pale	Mod- erate.	Deep.
Elasticity .....	.....	Inelastic	Semiel- astic.	Elastic.
Width .....	.....	Narrow	Normal	Spread- y.
Uniformity .....	.....	(1)	(1)	(1).
Injury tolerance .....	.....	(1)	(1)	(1).

¹ Expressed in percentage.

SIZES

§ 29.3591 Standard tobacco sizes.¹

Inches	Sizes
12-20	1
20-28	2
Over 28	3

¹ The application of sizes is governed by the major portion of the lot or package.

[51 FR 40408, Nov. 7, 1986]

RULES

§ 29.3601 Rules.

The application of §§ 29.3501 to 29.3568, § 29.3591, §§ 29.3646 to 29.3648, §§ 29.3650 to 29.3652 and 29.3681 shall be in accordance with the following rules.

[51 FR 40408, Nov. 7, 1986]

§ 29.3602 Rule 1.

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate, the type also shall be stated.

§ 29.3603 Rule 2.

The determination of a grade shall be based upon a thorough examination of a lot of tobacco or of an official sample of the lot.

§ 29.3604 Rule 3.

In drawing an official sample from a hogshead or other package of tobacco, three or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. All breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least three breaks from which a representative sample shall be se-

lected. The sample shall include tobacco of each different group, quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

[30 FR 9207, July 23, 1965, as amended at 49 FR 16759, Apr. 20, 1984]

§ 29.3605 Rule 4.

All standard grades must be clean.

§ 29.3606 Rule 5.

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned it shall not thereafter be represented as such grade.

§ 29.3607 Rule 6.

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

§ 29.3608 Rule 7.

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

§ 29.3609 Rule 8.

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

§ 29.3610 Rule 9.

In determining the grade of a lot of tobacco, the lot as a whole shall be