

(g) *Serious damage* means any specific defect described in paragraph (g) (1) through (5) of this section, or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which seriously detracts from the appearance or the edible or marketing quality of the individual kernel or of the lot. (For tolerances see § 51.2557 Table I.)

(1) *Mold* which is readily visible on the kernel.

(2) *Minor insect or vertebrate injury* means the kernel shows conspicuous evidence of feeding.

(3) *Insect damage* is an insect, insect fragment, web or frass attached to the kernel. No live insects shall be permitted.

(4) *Rancidity* means the kernel is distinctly rancid to taste. Staleness of flavor shall not be classed as rancidity.

(5) *Decay* means one-sixteenth or more of the kernel is decomposed.

[68 FR 50685, Aug. 22, 2003]

§ 51.2561 Average moisture content.

(a) Determining average moisture content of the lot is not a requirement of the grades, except when kernels are specified as “very well dried.” It may be carried out upon request in connection with grade analysis or as a separate determination.

(b) Kernels shall be obtained from a randomly drawn composite sample. Official certification shall be based on the air-oven method or other officially approved methods or devices. Results obtained by methods or devices not officially approved may be reported and shall include a description of the method or device and owner of any equipment used.

§ 51.2562 Metric Conversion Table.

Use the following table for metric conversion:

Inches	Millimeters
	5/64 1.98
	19/64 6.35
	24/64 9.53
Ounces	Grams
1	28.35
2	56.7

[68 FR 50686, Aug. 22, 2003]

Subpart—United States Standards for Grades for Sweet Cherries ¹

SOURCE: 36 FR 8502, May 7, 1971, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

GRADES

§ 51.2646 U.S. No. 1.

“U.S. No. 1” consists of sweet cherries which meet the following requirements:

- (a) Similar varietal characteristics;
- (b) Mature;
- (c) Fairly well colored;
- (d) Well formed; and
- (e) Clean.
- (f) Free from:
 - (1) Decay;
 - (2) Insect larvae or holes caused by them;
 - (3) Soft, overripe or shriveled;
 - (4) Undeveloped doubles; and,
 - (5) Sunscald.
- (g) Free from damage by any other cause. (See § 51.2655.)
- (h) *Size*. Unless otherwise specified, the minimum diameter of each cherry shall be not less than three-fourths inch. The maximum diameter of the cherries in any lot may be specified in accordance with the facts.
 - (i) For tolerances see § 51.2648.

§ 51.2647 U.S. Commercial.

“U.S. Commercial” consists of sweet cherries which meet the requirements for the U.S. No. 1 grade except for minimum diameter and except for increased tolerances.

- (a) *Size*. Unless otherwise specified, the diameter of each cherry shall be not less than five-eighths inch. The maximum diameter of the cherries in any lot may be specified in accordance with the facts.
- (b) For tolerances see § 51.2648.

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 or with applicable State laws and regulations.