

§ 29.2309

not regarded as manufacturing processes. Tobacco, as used in these standards, does not include manufactured or semimanufactured products, stems, cuttings, clippings, trimmings, siftings, or dust.

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

§ 29.2309 Tobacco products.

Manufactured tobacco, including cigarettes, cigars, smoking tobacco, chewing tobacco, and snuff.

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

§ 29.2310 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths is classified as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

§ 29.2311 Type 21.

That type of fire-cured tobacco, known as Virginia Fire-cured or Dark-fired, produced principally in the Piedmont and mountain sections of Virginia.

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

§ 29.2312 Undried.

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

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

§ 29.2313 Uniformity.

An element of quality which describes the consistency of a lot of tobacco as it is prepared for market. Uniformity is expressed as a percentage in grade specifications. (See Rule 15, § 29.2406.)

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

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§ 29.2314 Unsound (U).

Damaged under 20 percent. (See Rule 20, § 29.2411.)

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

§ 29.2315 Unstemmed.

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

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

§ 29.2316 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 21, § 29.2412.) (For extremely wet or watered tobacco, see Rule 22, § 29.2413.)

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

§ 29.2317 Width.

The relative breadth of a tobacco leaf expressed in relation to its length. (See chart, § 29.2351.)

[37 FR 13521, July 11, 1972. Redesignated at 51 FR 40406, Nov. 7, 1986]

ELEMENTS OF QUALITY

§ 29.2351 Elements of quality and degrees of each element.

Tobacco attributes or characteristics which constitute quality are designated as elements of quality. The range within each element is expressed by words or terms designated as degrees. These degrees are arranged to show their relative value and are used in determining the quality of tobacco. The actual value of each degree varies with group.

Elements		Degrees	
Body	Thin	Medium	Heavy.
Maturity	Immature	Mature	Ripe.
Leaf structure	Close	Firm	Open.
Oil	Lean	Oily	Rich.
Elasticity	Inelastic	Semielastic ..	Elastic.
Strength	Weak	Normal	Strong.
Finish	Dull	Clear	Bright.
Color intensity	Pale	Moderate	Deep.

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Elements		Degrees	
Width	Narrow	Normal	Spready Broad.

Uniformity. Expressed in percentages.
Injury tolerance. Expressed in percentages.

SIZES

§ 29.2371 Standard sizes.¹

Inches	Size
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 40406, Nov. 7, 1986]

RULES

§ 29.2391 Rules.

The application of these official standard grades shall be in accordance with the following rules.

§ 29.2392 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.

§ 29.2393 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.

§ 29.2394 Rule 3.

In drawing an official sample from a hogshead or other package of tobacco, two 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 two breaks from which a representative sample shall be selected.

§ 29.2395 Rule 4.

All standard grades must be clean.

§ 29.2396 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.

§ 29.2397 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.

§ 29.2398 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.

§ 29.2399 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.

§ 29.2400 Rule 9.

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over 1 percent of the tobacco shall be overlooked.

§ 29.2401 Rule 10.

Any special factor symbol approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used after a grademark to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

§ 29.2402 Rule 11.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards and Testing Branch and approved by the Director.

§ 29.2403 Rule 12.

The use of any grade may be restricted by the Director during any marketing season, when it is found