

**§ 51.1996**

**7 CFR Ch. I (1-1-13 Edition)**

APPLICATION OF STANDARDS

**§ 51.1996 Application of standards.**

(a) The grade of a lot of filberts shall be determined on the basis of a composite sample drawn from containers in various locations in the lot. However, any container or group of containers in which the filberts are obviously of a quality, type or size materially different from that in the majority of containers shall be considered a separate lot, and shall be sampled separately.

(b) In grading the sample, each filbert shall be examined for defects of the shell before being cracked for kernel examination. A filbert shall be classed as only one defective nut even though it may be defective externally and internally.

DEFINITIONS

**§ 51.1997 Similar type.**

*Similar type* means that the filberts in each container are of the same general type and appearance. For example, nuts of the round type shall not be mixed with those of the long type in the same container.

**§ 51.1998 Dry.**

*Dry* means that the shell is free from surface moisture, and that the shells and kernels combined do not contain more than 10 percent moisture.

**§ 51.1999 Well formed.**

*Well formed* means that the filbert shell is not materially misshapen.

**§ 51.2000 Clean and bright.**

*Clean and bright* means that the individual filbert and the lot as a whole are practically free from adhering dirt and other foreign material, and that the shells have characteristic color.

**§ 51.2001 Blank.**

*Blank* means a filbert containing no kernel or a kernel filling less than one-fourth the capacity of the shell.

**§ 51.2002 Split shell.**

*Split shell* means a shell having any crack which is open and conspicuous for a distance of more than one-fourth

the circumference of the shell, measured in the direction of the crack.

**§ 51.2003 Damage.**

*Damage* means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects which materially detracts from the appearance, or the edible or marketing quality of the filberts. The following specific defects shall be considered as damage:

(a) Stains which are dark and materially affect the appearance of the individual shell.

(b) Adhering husk when covering more than 5 percent of the surface of the shell in the aggregate.

(c) Shriveling when the kernel is materially shrunken, wrinkled, leathery or tough.

(d) Discoloration when the appearance of the kernel is materially affected by black color.

**§ 51.2004 Reasonably well developed.**

*Reasonably well developed* means that the kernel fills one-half or more of the capacity of the shell.

**§ 51.2005 Badly misshapen.**

*Badly misshapen* means that the kernel is so malformed that the appearance is materially affected.

**§ 51.2006 Rancidity.**

*Rancidity* means that the kernel is noticeably rancid to the taste. An oily appearance of the flesh does not necessarily indicate a rancid condition.

**§ 51.2007 Moldy.**

*Moldy* means that there is a visible growth of mold either on the outside or the inside of the kernel.

**§ 51.2008 Insect injury.**

*Insect injury* means that the insect, frass or web is present inside the nut or the kernel shows definite evidence of insect feeding.

METRIC CONVERSION TABLE

§ 51.2009 Metric conversion table.

Inches	Millimeters (mm)
62/64	24.6
59/64	23.4
56/64	22.2
49/64	19.4
48/64	19.0
47/64	18.6
45/64	17.9
44/64	17.5
42/64	16.7
35/64	13.9
34/64	13.5

**Subpart—United States Standards for Grades of Almonds in the Shell**

SOURCE: 62 FR 2892, Jan. 21, 1997, unless otherwise noted.

GRADES

**§ 51.2075 U.S. No. 1.**

“U.S. No. 1” consists of almonds in the shell which are of similar varietal characteristics and free from loose extraneous and foreign material. The shells are clean, fairly bright, fairly uniform color, and free from damage caused by discoloration, adhering hulls, broken shells or other means. The kernels are well dried, free from decay, rancidity, and free from damage caused by insects, mold, gum, skin discoloration, shriveling, brown spot or other means.

(a) Unless otherwise specified, the almonds are of a size not less than 28/64 of an inch (11.1 mm) in thickness.

(b) In order to allow for variations incident to proper grading and handling, the following tolerances are provided as specified:

(1) *For external (shell) defects.* 10 percent, by count, for almonds which fail to meet the requirements of this grade other than for variety and size;

(2) *For dissimilar varieties.* 5 percent, by count, including therein not more than 1 percent for bitter almonds mixed with sweet almonds;

(3) *For size.* 5 percent, by count, for almonds which are smaller than the specified minimum thickness;

(4) *For loose extraneous and foreign material.* 2 percent, by weight, including therein not more than 1 percent which

can pass through a round opening 24/64 inch (9.5 mm) in diameter: Provided, that such material is practically free from insect infestation; and,

(5) *For internal (kernel) defects.* 10 percent, by count, for almonds with kernels failing to meet the requirements of this grade: Provided, that not more than one-half of this tolerance or 5 percent shall be allowed for kernels affected by decay or rancidity, damaged by insects or mold or seriously damaged by shriveling: And provided further, that no part of this tolerance shall be allowed for live insects inside the shell.

**§ 51.2076 U.S. No. 1 Mixed.**

“U.S. No. 1 Mixed” consists of almonds in the shell which meet the requirements of U.S. No. 1 grade, except that two or more varieties of sweet almonds are mixed.

**§ 51.2077 U.S. No. 2.**

“U.S. No. 2” consists of almonds in the shell which meet the requirements of U.S. No. 1 grade, except that an additional tolerance of 20 percent shall be allowed for almonds with shells damaged by discoloration.

**§ 51.2078 U.S. No. 2 Mixed.**

“U.S. No. 2 Mixed” consists of almonds in the shell which meet the requirements of U.S. No. 2 grade, except that two or more varieties of sweet almonds are mixed.

APPLICATION OF TOLERANCES

**§ 51.2079 Application of tolerances.**

The tolerances for the foregoing grades are applied to the entire lot of almonds, based upon a composite sample drawn from containers throughout the lot.

DETERMINATION OF GRADE

**§ 51.2080 Determination of grade.**

In grading the inspection sample, the percentage of loose hulls, pieces of shell, chaff and foreign material is determined on the basis of weight. Next, the percentages of nuts which are of dissimilar varieties, undersize or have adhering hulls or defective shells are