§ 51.2559 Size classifications.

(a) The size of pistachio kernels may be specified in connection with the grade in accordance with one of the following size classifications.

1. Jumbo Whole Kernels: 80 percent or more by weight shall be whole kernels and not more than 5 percent of the total sample shall pass through a 2\(\frac{1}{64}\) inch round hole screen with not more than 1 percent passing through a 1\(\frac{1}{64}\) inch round hole screen.

2. Large Whole Kernels: 80 percent or more, by weight, shall be whole kernels and not more than 2 percent of the total sample shall pass through a 1\(\frac{1}{64}\) inch round hole screen.

3. Large Split Kernels: 75 percent or more, by weight, shall be half kernels split lengthwise and not more than 5 percent of the total sample shall pass through a 1\(\frac{1}{64}\) inch round hole screen.

4. Whole and Broken Kernels: means a mixture of any combination of whole kernels or pieces. The percentage of whole kernels and/or pieces may be specified. Not more than 5 percent of the total sample shall pass through a 5\(\frac{1}{64}\) inch round hole screen.

(b) [Reserved]

§ 51.2560 Definitions.

(a) Well dried means the kernel is firm and crisp.

(b) Very well dried means the kernel is firm and crisp and the average moisture content of the lot does not exceed 7 percent or is specified (See §51.2561).

(c) Foreign material means leaves, sticks, in-shell nuts, shells or pieces of shells, dirt, or rocks, or any other substance other than pistachio kernels. No allowable tolerances for metal or glass.

(d) Whole kernel means 3/4 of a kernel or more.

(e) Splits means more than 3/4 of a half kernel split lengthwise.

(f) Damage means any specific defect described in paragraph (f) (1) through (2) of 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 individual kernel or of the lot. (For tolerances, see §51.2557, Table I.)

1. Immature kernels are excessively thin kernels and can have black, brown or gray surface with a dark interior color and the immaturity has adversely affected the flavor of the kernel.

2. Kernel spotting refers to dark brown or dark gray spots aggregating more than one-eighth of the surface of the kernel.

(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.

§ 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:

<table>
<thead>
<tr>
<th>Inches</th>
<th>Millimeters</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/8 in</td>
<td>1.98</td>
</tr>
<tr>
<td>1/16 in</td>
<td>6.35</td>
</tr>
<tr>
<td>5/64 in</td>
<td>9.53</td>
</tr>
</tbody>
</table>

Table entries:

- Ounces
- Grams

1. For defects at shipping point—(1) U.S. No. 1. 8 percent for cherries which fail to meet the requirements for this grade: Provided, That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than one-half of 1 percent for cherries affected by decay.

2. U.S. Commercial. 16 percent for cherries which fail to meet the requirements for this grade: Provided, That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than one-half of 1 percent for cherries affected by decay.

Tolerances

§ 51.2648

In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the following tolerances, by count, are provided as specified:

(a) For defects at shipping point—(1) U.S. No. 1. 8 percent for cherries which fail to meet the requirements for this grade: Provided, That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than one-half of 1 percent for cherries which are affected by decay.

(b) For defects en route or at destination—(1) U.S. No. 1. 12 percent for cherries in any lot which fail to meet the requirements for this grade: Provided, That included in this amount not more than the following percentages shall be allowed for defects listed:

(i) 8 percent for cherries which fail to meet the requirements for this grade because of permanent defects; or,