Grain Inspection, Packers and Stockyard Admin. (FGIS), USDA § 810.804

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

§ 810.603 Basis of determination.

Other determinations not specifically provided for under the general provisions are made on the basis of the grain when free from dockage, except the determination of odor is made on either the basis of the grain as a whole or the grain when free from dockage.

GRADES AND GRADE REQUIREMENTS

§ 810.604 Grades and grade requirements for flaxseed.

<table>
<thead>
<tr>
<th>Grade</th>
<th>Min. test weight per bushel (pounds)</th>
<th>Heat damaged kernels (per cent)</th>
<th>Total (per cent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. No. 1</td>
<td>49.0</td>
<td>0.2</td>
<td>10.0</td>
</tr>
<tr>
<td>U.S. No. 2</td>
<td>47.0</td>
<td>0.5</td>
<td>15.0</td>
</tr>
</tbody>
</table>

U.S. Sample grade—
U.S. Sample grade is flaxseed that:
(a) Does not meet the requirements for the grades U.S.
Nos. 1 or 2; or
(b) Contains 8 or more stones which have an aggregate weight in excess of 0.2 percent of the sample weight, 2 or more pieces of glass, 3 or more crotalaria seeds (Crotalaria spp.), 2 or more castor beans (Ricinus communis L.), 4 or more particles of an unknown foreign substance(s) or a commonly recognized harmful or toxic substance(s), 10 or more rodent pellets, bird dropping, or equivalent quantity of other animal filth per 11⁄8 to 11⁄4 quarts of flaxseed; or
(c) Has musty, sour, or commercially objectionable foreign odor (except smut or garlic odor), or
(d) Is heating or otherwise of distinctly low quality.

§ 810.802 Definition of other terms.

(a) Damaged kernels. Kernels and pieces of grain kernels for which standards have been established under the Act, that are badly ground-damaged, badly weather-damaged, diseased, frost-damaged, germ-damaged, heat-damaged, insect-bored, mold-damaged, sprout-damaged, or otherwise materially damaged.

(b) Foreign material and fines. All matter other than whole flaxseed that passes through a 5⁄64 triangular-hole sieve, and all matter other than grains for which standards have been established under the Act, that remains in the sieved sample.

(c) Grades. U.S. Mixed Grain, or U.S. Sample grade Mixed Grain, and special grades.

(d) Heat-damaged kernels. Kernels and pieces of grain kernels for which standards have been established under the Act, that are materially discolored and damaged by heat.

(e) Sieve—5⁄64 triangular-hole sieve. A metal sieve 0.032 inch thick with equilateral triangular perforations the inscribed circles of which are 0.0781 (5⁄64) inch in diameter.

Subpart F—United States Standards for Mixed Grain

TERMS DEFINED

§ 810.801 Definition of mixed grain.

Any mixture of grains for which standards have been established under the United States Grain Standards Act, provided that such mixture does not come within the requirements of any of the standards for such grains; and that such mixture consists of 50 percent or more of whole kernels of grain and/or whole or broken soybeans which will not pass through a 5⁄64 triangular-hole sieve and/or whole flaxseed that passes through such a sieve after sieving according to procedures prescribed in FGIS instructions.

§ 810.804 Grades and grade requirements for mixed grain.

(a) U.S. Mixed Grain (grade). Mixed grain with not more than 15.0 percent of damaged kernels, and not more than 3.0 percent of heat-damaged kernels, and that otherwise does not meet the
§ 810.805 Special grades and special grade requirements.

(a) Blighted mixed grain. Mixed grain in which barley predominates and that contains more than 4.0 percent of fungus-damaged and/or mold-damaged barley kernels.

(b) Ergoty mixed grain. (1) Mixed grain in which rye or wheat predominates and that contains more than 0.30 percent ergot, or

(2) Any other mixed grain that contains more than 0.10 percent ergot.

(c) Garlicky mixed grain. (1) Mixed grain in which wheat, rye, or triticale predominates, and that contains 2 or more green garlic bulbils, or an equivalent quantity of dry or partly dry bulbils in 1,000 grams of mixed grain; or

(2) Any other mixed grain that contains 4 or more green garlic bulbils, or an equivalent quantity of dry or partly dry bulbils, in 500 grams of mixed grain.

(d) Smutty mixed grain. (1) Mixed grain in which rye, triticale, or wheat predominates, and that contains 15 or more average size smut balls, or an equivalent quantity of smut spores in 250 grams of mixed grain, or

(2) Any other mixed grain that has the kernels covered with smut spores to give a smutty appearance in mass, or that contains more than 0.2 percent smut balls.

(e) Treated mixed grain. Mixed grain that has been scoured, limed, washed, sulfured, or treated in such a manner that its true quality is not reflected by the grade designation U.S. Mixed Grain or U.S. Sample grade Mixed Grain.

[52 FR 24418, June 30, 1987, as amended at 52 FR 24441, June 30, 1987]

Subpart G—United States Standards for Oats

TERMS DEFINED

§ 810.1001 Definition of oats.

Grain that consists of 50 percent or more of oats (Avena sativa L. and A. byzantina C. Koch) and may contain, singly or in combination, not more than 25 percent of wild oats and other grains for which standards have been established under the United States Grain Standards Act.

§ 810.1002 Definition of other terms.

(a) Fine seeds. All matter that passes through a \( \frac{5}{64} \) inch triangular-hole sieve after sieving according to procedures prescribed in FGIS instructions.

(b) Foreign material. All matter other than oats, wild oats, and other grains.

(c) Heat-damaged kernels. Kernels and pieces of oat kernels, other grains, and wild oats that are materially discolored and damaged by heat.

(d) Other grains. Barley, corn, cultivated buckwheat, einkorn, emmer, flaxseed, guar, hull-less barley, nongrain sorghum, Polish wheat, popcorn, poulard wheat, rice, rye, safflower, sorghum, soybeans, spelt, sunflower seed, sweet corn, triticale, and wheat.

(e) Sieves—(1) \( \frac{5}{64} \) inch triangular-hole sieve. A metal sieve 0.032 inch thick with equilateral triangular perforations the inscribed circles of which are 0.0781 (\( \frac{5}{64} \)) inch in diameter.

(2) \( \frac{3}{64} \times \frac{3}{8} \) inch oblong-hole sieve. A metal sieve 0.032 inch thick with oblong perforations 0.064 inch by 0.375 (\( \frac{3}{64} \)) inch.