

smooth scars aggregating 25 percent of the fruit surface;

(f) Sunburn when the appearance of the avocado is affected to a greater extent than that of an avocado which has greenish-yellow colored sunburn aggregating 25 percent of the fruit surface;

(g) Sunscald or sprayburn when not well healed, or when soft, or when the appearance of the avocado is affected to a greater extent than that of an avocado which has light brown superficial, fairly smooth scars aggregating 25 percent of the fruit surface; and

(h) Cercospora spot when any spot exceeds the area of a circle one-fourth inch in diameter, or when more than 3 spots each of which exceeds the area of a circle three-sixteenths inch in diameter, or when the aggregate area of all spots exceeds the area of a circle 1 inch in diameter.

§51.3068 Badly misshapen.

Badly misshapen means that the avocado is so badly curved, constricted, pointed or otherwise deformed that the appearance is very seriously affected.

§51.3069 Very serious damage.

Very serious damage means any defect which very seriously affects the appearance, or the edible or shipping quality of the avocado. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as very serious damage:

(a) Cuts or other skin breaks when not healed and penetrating into the flesh of the fruit, or any skin break very seriously affecting the appearance, or the edible or shipping quality;

(b) Pulled stems when the skin surrounding the exposed stem cavity is torn more than an aggregate area of a circle one-half inch in diameter, or when the flesh is torn;

(c) Russetting or similar discoloration when the appearance of the avocado is affected to a greater extent than that of an avocado which has light brown surface discoloration aggregating 50 percent of the fruit surface;

(d) Scars or scab when the appearance of the avocado is affected to a greater extent than that of an avocado which has light brown superficial, fair-

ly smooth scars aggregating 50 percent of the fruit surface;

(e) Sunburn when the appearance of the avocado is affected to a greater extent than that of an avocado which has greenish-yellow colored sunburn aggregating 50 percent of the fruit surface; and,

(f) Sunscald or sprayburn when not well healed, or when the appearance of the avocado is affected to a greater extent than that of an avocado which has light brown superficial, fairly smooth scars aggregating 50 percent of the fruit surface.

Subpart—United States Standards for Grades of Nectarines¹

SOURCE: 31 FR 6243, Apr. 23, 1966, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

GRADES

§51.3145 U.S. Fancy.

“U.S. Fancy” consists of nectarines of one variety which are mature but not soft or overripe, which are well formed, clean, and free from decay, broken skins which are not healed, worms, worm holes, and free from injury caused by bruises, growth cracks, hail, sunburn, sprayburn, scab, bacterial spot, scale, split pit, scars, russetting, other disease, insects, or mechanical or other means.

(a) In the case of the John Rivers variety each nectarine shall show some blushed or red color. In the case of other varieties each nectarine shall have not less than one-third of its surface showing red color characteristic of the variety. (See §51.3150.)

§51.3146 U.S. Extra No. 1.

“U.S. Extra No. 1” consists of nectarines of one variety which are mature but not soft or overripe, which are well formed, clean, and free from decay, broken skins which are not

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.

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healed, worms, worm holes and free from injury caused by split pit and free from damage caused by bruises, growth cracks, hail, sunburn, sprayburn, scab, bacterial spot, scale, scars, russeting, other disease, insects or mechanical or other means.

(a) In the case of John Rivers variety at least 50 percent of the nectarines in any lot shall show some blushed or red color. In the case of other varieties at least 75 percent of the nectarines in any lot shall show some blushed or red color including therein at least 50 percent of the nectarines with not less than one-third of the fruit surface showing red color characteristic of the variety. (See §51.3150.)

§51.3147 U.S. No. 1.

“U.S. No. 1” consists of nectarines of one variety which are mature but not soft or overripe, which are well formed, clean, and free from decay, broken skins which are not healed, worms, worm holes, and free from injury caused by split pit and free from damage caused by bruises, growth cracks, hail, sunburn, sprayburn, scab, bacterial spot, scale, scars, russeting, other disease, insects, or mechanical or other means.

(a) At least 75 percent of the nectarines in any lot shall show some blushed or red color, except that there are no color requirements for nectarines of the John Rivers variety in this grade. (See §51.3150.)

§51.3148 U.S. No. 2.

“U.S. No. 2” consists of nectarines of one variety which are mature but not soft or overripe, which are not badly misshapen, which are clean and free from decay, broken skins which are not healed, worms, worm holes, and free from serious damage caused by bruises, growth cracks, hail, sunburn, sprayburn, scab, bacterial spot, scale, split pit, scars, russeting, other disease, insects, or mechanical or other means.

(a) There are no color requirements for nectarines in this grade. (See §51.3150.)

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UNCLASSIFIED

§51.3149 Unclassified.

“Unclassified” consists of nectarines which have not been classified in accordance with any of the foregoing grades. The term “unclassified” is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

TOLERANCES

§51.3150 Tolerances.

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) *U.S. Fancy, U.S. Extra No. 1, and U.S. No. 1 grades*—(1) *For defects at shipping point.*² 8 percent for nectarines which fail to meet the requirements of the specified 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 nectarines which are affected by decay.

(2) *For defects en route or at destination.* 12 percent for nectarines which fail to meet the requirements of the specified grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for defects listed:

(i) 8 percent for permanent defects;

(ii) 6 percent for defects causing serious damage, including therein not more than 4 percent for serious damage by permanent defects and not more than 2 percent for decay.

(3) *For color*—(i) *U.S. Fancy grade.* 10 percent for nectarines in any lot which fail to meet the requirements of the grade.

(ii) *U.S. Extra No. 1 grade and U.S. No. 1 grade.* Individual containers may contain not more than 10 percentage

²Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.