

**Agricultural Marketing Service, USDA**

**§ 51.2544**

(d) The nuts are of a size not less than <sup>3</sup>/<sub>64</sub> inch in diameter as measured by a round hole screen.

(e) For tolerances, see § 51.2544.

[68 FR 50683, Aug. 22, 2003]

**§ 51.2543 U.S. Non-Split.**

“U.S. Non-Split” consists of non-split pistachio nuts in the shell which meet the following requirements:

(a) Basic requirements:

(1) Free from:

- (i) Foreign material;
- (ii) Loose kernels;
- (iii) Shell pieces;
- (iv) Particles and dust; and,
- (v) Blanks.

(b) Shells:

- (1) Free from damage by:
  - (i) Adhering hull material; and,
  - (ii) Dark stain.

(c) Kernels:

(1) Well dried, or very well dried when specified in connection with the grade.

(2) Free from damage by:

- (i) Immature kernels;
- (ii) Kernel spotting; and,
- (iii) Other internal (kernel) defects.

(3) Free from serious damage by:

- (i) Minor insect or vertebrate injury;
- (ii) Insect damage;
- (iii) Mold;
- (iv) Rancidity;
- (v) Decay; and,
- (vi) Other Internal (kernel) defects.

(d) The nuts are of a size not less than <sup>3</sup>/<sub>64</sub> inch in diameter as measured by a round hole screen.

(e) For Tolerances, see § 51.2544.

[68 FR 50683, Aug. 22, 2003]

**§ 51.2544 Tolerances.**

(a) In order to allow for variations incident to proper grading and handling, the tolerances in Tables I, II, and III of this section are provided.

**TABLE I—TOLERANCES**  
[Percent]

Factor	U.S. fancy	U.S. extra No. 1	U.S. No. 1	U.S. select	U.S. artificially opened	U.S. non-split
External (shell) Defects (tolerances by weight):						
(a) Non-split and not split on suture .....	2	3	6	10	10	N/A
(1) Non-split included in (a) .....	1	2	3	4	4	N/A
(b) Adhering hull material .....	1	1	1	2	2	2
(c) Light stained .....	7	12	25	N/A	N/A	N/A
(1) Dark stained, included in (c) ...	2	3	3	3	3	3
(d) Damage by other means .....	1	1	2	3	10	N/A
(e) Total External Defects .....	9	16	N/A	N/A	N/A	N/A
(f) Undersized (Less than <sup>3</sup> / <sub>64</sub> inch in diameter) .....	5	5	5	5	4	5

**TABLE II—TOLERANCES**  
[Percent]

Factor	U.S. fancy	U.S. extra No. 1	U.S. No. 1	U.S. select	U.S. artificially opened	U.S. non-split
Internal (Kernel) Defects (tolerances by weight):						
(a) Damage .....	3	6	6	6	6	6
(b) Serious Damage .....	3	4	4	4	4	4
(1) Insect Damage, Mold, Rancid, Decay, included in (b) .....	1	2	2	2	2	2
(c) Total Internal Defects .....	4	8	9	9	9	9

**TABLE III—TOLERANCES**  
[Percent]

Factor	U.S. fancy	U.S. extra No. 1	U.S. No. 1	U.S. select	U.S. artificially opened	U.S. non-split
Other Defects (tolerances by weight):						

TABLE III—TOLERANCES—Continued  
[Percent]

Factor	U.S. fancy	U.S. extra No. 1	U.S. No. 1	U.S. select	U.S. artificially opened	U.S. non-split
(a) Shell pieces and blanks	2	2	2	2	2	2
(1) Blanks, included in (a)	1	1	1	1	1	1
(b) Foreign material (No glass, metal or live insects shall be permitted)	.25	.25	.25	.25	.25	.25
(c) Particles and dust	.25	.25	.25	.25	.25	.25
(d) Loose kernels	4	5	6	6	6	6

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**§ 51.2545 Application of tolerances.**

The tolerances for the grades apply to the entire lot and shall be based on a composite sample drawn from containers throughout the lot. Any container or group of containers which have nuts obviously different in quality or size from those in the majority of the containers shall be considered a separate lot and shall be sampled separately.

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**§ 51.2546 Size.**

Nuts may be considered as meeting a size designation specified in Table IV or a range in number of nuts per ounce, provided, the weight of 10 percent, by count, of the largest nuts in a sample does not exceed 1.50 times the weight of 10 percent, by count, of the smallest and the average number of nuts per ounce is not more than one-half nut above or below the extremes of the range specified.

TABLE IV—NUT SIZE

Size designations	Average number of nuts per ounce <sup>1</sup>
Colossal	Less than 18.
Extra Large	18 to 20.
Large	21 to 25.
Medium	26 to 30.
Small	More than 30.

<sup>1</sup> Before Roasting.

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**§ 51.2547 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

7.00 percent or is specified. (See § 51.2548.)

(c) *Loose kernels* means edible kernels or kernel portions which are out of the shell and which cannot be considered particles and dust.

(d) *External (shell) defects* means any blemish affecting the hard covering around the kernel. Such defects include, but are not limited to, non-split shells, shells not split on suture, adhering hull material, light stained, or dark stained.

(1) *Damage* by external (shell) defects means any specific defect described in paragraphs (d)(1) (i) through (v) 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 shell or of the lot. (For tolerances see § 51.2544, Table I.)

(i) *Non-split shells* means shells are not opened or are partially opened and will not allow an 18/1000 (.018) inch thick by ¼ (.25) inch wide gauge to slip into the opening.

(ii) *Not split on suture* means shells are split other than on the suture and will allow an 18/1000 (.018) inch thick by ¼ (.25) inch wide gauge to slip into the opening.

(iii) *Adhering hull material* means an aggregate amount covers more than one-eighth of the total shell surface, or when readily noticeable on dyed shells.

(iv) *Light stained* on raw or roasted nuts, means an aggregate amount of yellow to light brown or light gray discoloration is noticeably contrasting with the predominate color of the shell and affects more than one-fourth of the total shell surface or, on dyed nuts, when readily noticeable.