damage, including in this latter amount not more than 1 percent for blueberries which are affected by mold or decay.

- (b) For defects en route or at destination. Ten percent for blueberries which have attached stems.

 Additionally, not more than 12 percent of the blueberries may be below the remaining requirements of the grade: Provided, that included in this amount not more than the following percentages shall be allowed for defects listed:
- (1) 8 percent for blueberries which fail to meet the requirements for this grade because of permanent defects; or,
- (2) 6 percent for blueberries which are seriously damaged, including therein not more than 4 percent for blueberries which are seriously damaged by permanent defects and not more than 2 percent for blueberries which are affected by mold or decay.
- (c) Off-size: When size is designated according to one or more of the size classifications in § 51.3477, not more than 10 percent of the samples in any lot or one sample, whichever is the greater number, may fail to meet the range in count specified.

Application of Tolerances

§51.3479 Application of tolerances.

Individual samples are subject to the following limitations: *Provided*, that the averages for the entire lot are within the tolerances specified for the grade:

- (a) For a tolerance of 10 percent or more, individual samples may contain not more than one and one-half times the tolerance specified.
- (b) For a tolerance of less than 10 percent, individual samples may

contain not more than double the tolerance specified.

3. Sections 51.3482 and 51.3483 are revised to read as follows:

§51.3482 Well colored.

Well colored means that more than one-half of the surface of the individual berry is blue, bluish-purple, purple, bluish-red, or bluish-black.

§51.3483 Overripe.

Overripe means that the individual berry is dead ripe, the flesh is soft and mushy, and past commercial utility.

4. Sections 51.3484 and 51.3485 are removed and § 51.3486 is redesignated 51.3484 and is revised to read as follows:

§51.3484 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 blueberries. The following specific defects shall be considered as damage:

- (a) Wet berries when the individual berry is wet from juice from crushed, leaking, or decayed berries, but not due to condensation;
- (b) Clusters when there are three or more joined capstems with at least one berry attached;
- (c) Shriveling when the wrinkling is readily noticeable;
- (d) Broken skins when not well healed or when well healed and readily noticeable, except for an allowable area within a ½ inch (3.2 mm) circle centered at the stem scar;

- (e) Scars when affecting more than 20 percent of the surface of the individual berry; and,
- (f) Green berries when one-half or more of the berry is green.
- 5. Section 51.3487 is redesignated 51.3485 and is revised to read as follows:

§ 51.3485 Serious damage.

Serious 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 seriously detracts from the appearance, or the edible or marketing quality of the blueberries. The following specific defects shall be considered as serious damage:

- (a) Decay;
- (b) Moldy berries;
- (c) Overripe berries;
- (d) Crushed, split, or leaking berries;
- (e) Mummified berries when the individual berry is dried up, withered or shrunken;
- (f) Insects or when there is any visible evidence of the presence of insects, including but not limited to an insect, the insect larva, feeding, webbing or frass:
- (g) Broken skins when not well healed; and,
- (h) Scars when affecting more than 50 percent of the surface of the individual berry.

Dated: February 23, 1995.

Lon Hatamiya,

Administrator.

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