# **01-001 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

 **DIVISION OF INSPECTIONS**

**Chapter 336: OFFICIAL GRADES FOR SARDINES IN TOMATO SAUCE PACKED IN 1/4 SIZE CAN (128.5 ML. WATER CAPACITY) AND GRADES FOR SARDINES IN TOMATO SAUCE PACKED IN 3 1/4 OZ. SIZE CANS (103.2 ML. WATER CAPACITY)**

 **PART I (CONDENSED GRADING) - PART II (DETAILED GRADING)**

**SUMMARY**: Product Definition, Grades of Canned Maine Sardines in Tomato Sauce, Fill of Container (1/4 Size Can and 3 1/4 Oz. Size Cans), Drained Weight Procedure, Ascertaining the Grade, Ascertaining the Rating for the Factors Which are Scored, Color of Tomato Sauce, Absence of Defect, Taste and Odor, Texture, Ventral Breaks, Sampling, Provision for Grade Classification, Tolerance for Certification of Officially Drawn Sample, Method of Salt Analysis, Texture of Tomato Sauce

**PART I (CONDENSED GRADING)**

**1. Product Definition**

 "Canned Maine sardines in Tomato Sauce" is the commercially canned product prepared from immature Atlantic herring (Clupea harengus); packed with a suitable quantity and quality of tomato sauce in hermetically sealed containers and so processed by heat as to prevent spoilage. The tomato sauce ingredients shall conform to Federal Specifications of purity and be free from adulteration. Immature herring means herring of which less than fifty percent (50%) have well developed gonads and may or may not have spawned.

**2. Grades of Canned Maine Sardines in Tomato Sauce**

A. "Fancy Grade" is the quality of canned Maine sardines in tomato sauce that possess an excellent appearance, are practically free from defects, possess excellent color and texture of tomato sauce and excellent taste, odor and texture of sardines and score not less than 89 points when scored in accordance with the scoring system outlined hereinafter. (89‑100)

B. "Extra Standard Grade" is the quality of canned Maine sardines in tomato sauce that possess good appearance, are reasonably free from defects, possess good color and texture of tomato sauce and good taste, odor and texture of the sardines and score not less than 79 points when scored in accordance with the scoring system outlined hereinafter. (79 - 88)

C. "Standard Grade" is the quality of canned Maine sardines in tomato sauce that possess a fair appearance, are fairly free from defects, possess fair color and texture of tomato sauce and fair taste, odor and texture of the sardines and score not less than 70 points when scored in accordance with the scoring system outlined hereinafter. (70 - 78)

 Lots not in compliance with above average scores shall be graded under Part II (Detailed Grading).

 **Note 1**: The requirements for these standards shall not excuse failure to comply with the provisions of existing applicable State laws and regulation, including State Laws and Regulations Relating to Packing of Sardines Providing for License and Standards.

 **Note 2**: The requirements of these standards shall not excuse failure to comply with the provisions of the *Federal Food, Drug and Cosmetic Act*.

**3. Fill of Containers (1/4 Size Can) (3 1/4 Oz. Size Can)**

A. Overfilled cans that are "flippers" or "swells" at room temperature, i.e., 68F cannot be graded above "Standard" regardless of the total score. A "flipper" is a can having convex or bulging cover which may be pressed concave or normal again with finger pressure but will spring out again (convex) after the pressure is released. A "swell" is a can with the cover permanently convex or distended.

B. Underfilled cans cannot be graded above "Standard" regardless of the total score when they fail to comply with the minimum drained weight of fish and the minimum weight of tomato sauce listed in Table No. 1. Any lot containing a can in which the tomato sauce is entirely lacking or is present in such a small amount as to be difficult to detect, shall be graded under Part 11 (Detailed Grading).

**Table No. 1**

**Drained Weight Requirements for 1/4 Size Cans (128.5 ml's. Water Capacity)**

 Tomato Sauce to be added:

 Minimum Maximum Drained Weight of Fish

 6#/100 - 1/4 Size Cans Suggested for Concave Ends

 28.3 gms. or 1.0 oz. 110.6 gms. or 3.9 oz.

 Minimum Drained Weight Minimum Weight of Free

 of Fish to Comply Sauce Canned

 85 gms. 3 oz. 25.5 gms. 0.9 oz.

**Drained Weight Requirements for 3 1/4 Size Cans (103.2 ml's. Water Capacity)**

 Maximum Drained Weight of Fish

 Suggested for Concave Ends

 90.7 gms. or 3.2 oz.

 Minimum Drained Weight Minimum Weight of Free

 of Fish to Comply Sauce Canned

 68.0 gms. or 2.4 oz. 22.7 gms. or 0.8 oz.

**4. Drained Weight Procedure**

 The opened can is first graded for color and texture of the tomato sauce for floating defects in the sauce and for General Appearance. The tomato sauce is then carefully removed by placing the opened can under a tap of running water (using) a standard faucet with 3/4" to 1/2" orifice and water adjusted to a stream of 3/8" diameter 3" below the faucet orifice. The can contents, with the sauce removed, are graded for defects, then the can is inverted onto a tared standard grading screen (8" in diameter, 2 meshes per inch, with 0.446 + 3% square openings). The sardines are separated on the draining screen, sprayed gently with water-while the sardines are turned over to remove the tomato sauce, then drained 3 minutes on the draining screen. The residue remaining on the screen is the drained weight of the fish. The free sauce is determined by subtracting the weight of the drained fish from the net weight of contents - the difference being the weight of free sauce in the can.

**5. Ascertaining the Grade**

 The grade of canned Maine sardines in tomato sauce is ascertained by considering in conjunction with the requirements of the respective grade, the respective ratings for the factors Absence of Defects, Color and Texture of the Tomato Sauce, Odor, Taste and Texture of the fish. The maximum number of points that may be given each factor is:

 **Factors Points**

1. Tomato Sauce Color - - - - - - - - - 15

2. Tomato Sauce Texture - - - - - - - - 15

3. Absence of Defects - - - - - - - - - 30

4. Taste and Odor of Drained Fish- - - 30

5. Texture of Drained Fish - - - - - - 10

 Maximum number of points - - 100

**6. Ascertaining the Rating for the Factors which are Scored**

 A. The essential variations within each factor are expressed numerically. The numerical range within each factor is inclusive (for example, 27 to 30 points means 27, 28, 29 or 30 points). For the factor Absence of Defects, the score is determined by deducting the number of points indicated for each defect from the maximum number of points assigned to the factor (30).

 1. **Color of Tomato Sauce**

a. Canned Maine sardines in tomato sauce with sauce showing an excellent "tomato" red color may be given a score of 13 - 15 points.

b. Canned Maine sardines in tomato sauce with sauce slightly lacking in normal "tomato" red color may be given a score of 9 - 12 points.

c. Canned Maine sardines in tomato sauce with sauce with a slight darkening or brown tinge may be given a score of 5 - 8 points.

d. Lots not in compliance with the above shall be graded under Part II (Detailed Grading).

 2. **Texture of Tomato Sauce**

a. Canned Maine sardines in tomato sauce that has an excellent texture, not granular, greasy or showing any separation of the sauce, may be given a score of 13 - 15 points.

b. Canned Maine sardines in tomato sauce with a trace of granulation, separation, drying (caking) or a greasy appearance in the tomato sauce may be given a score of 9‑12 points.

c. Canned Maine sardines in tomato sauce with slight granulation, separation of liquid, greasy "slippery" appearance or drying (caking) in the tomato sauce may be scored 5 - 8 points.

 d. Lots not in compliance with the above shall be graded under Part 11 (Detailed Grading).

 3. **Absence of Defects (Workmanship); Top Appearance (After Washing)**

 General Appearance and workmanship refers to the overall appearance of the canned product.

a. A bright, shiny appearance with excellent workmanship, virtually free of defects may be given a score of 23 - 30 points under 3 Absence of Defects.

b. A clean, shiny appearance with good workmanship, reasonably free of defects may be given a score of 15 - 22 points under 3 Absence of Defects.

c. A dull, gray appearance with a fair amount of defects shall be given a score of 7 - 14 points under 3 Absence of Defects.

d. Lots not in compliance with a, b, and c, above shall be graded under

 4. **Taste and Odor (Determined on Drained Fish)**

a. Canned Maine sardines in tomato sauce having excellent taste and odor for tomato sardines may be given 29 - 30 points.

b. Canned Maine sardines in tomato sauce having a good taste and/or odor that is slightly lacking or faint and not up to normal for the product may be given a score of 27 - 28 points and cannot be graded above "Extra Standard" regardless of the total score.

c. Canned Maine sardines in tomato sauce having a fair taste and/or odor that is free from rancidity and reasonably free of foreign or unusual taste may be given a score of 24 - 26 points and cannot be graded above Standard regardless of the score.

d. Lots not in compliance with a. and b. and c. above shall be graded under Part II (Detailed Grading).

e. Salt. If the salt content of an average composite sample of all the cans included in the lot is above 3.0% or below 0.7% when analyzed, the product must be graded "Standard" regardless of the total score. The method of salt analysis of the drained fish is described hereinafter under the heading, "Method of Salt Analysis".

 **Note**: If the salt content is so high as to make the product inedible, the product cannot be graded above "Substandard" under "Taste".

 5. **Texture (Character of Sardines)**

a. Canned Maine sardines in tomato sauce that possess good character or texture may-be given a score of 9 - 10 points.

b. Canned Maine sardines in tomato sauce that possess a reasonably good character or texture may be given a score of 7 or 8 points.

c. Canned Maine sardines in tomato sauce that possess a fair character or texture may be given a score of 5 or 6 points.

d. Lots not in compliance with a., b., and c. above shall be graded under Part II (Detailed Grading).

**7. Ventral Breaks**

 Any lot containing a can with more than 25 1/16 inch squares shall be graded under Part II (Detailed Grading).

**8. Sampling**

 A. An official sample drawn at random, from each embossed code lot, regardless of the lot size, shall be submitted to the laboratory for grading.

 1. The number of cans submitted for this initial grading shall be 15 except that the size of such samples will be changed to 10 cans whenever the following conditions are met:

a. The 15 can samples for each of eight consecutive lots or eight of ten consecutive lots each has an average score greater than sixty-five plus the average range (R) of subgroups of five within said fifteen can sample and

b. None of such 15 can samples shows a quality level such as to make necessary the grading of additional cans to determine the final grade.

 2. Whenever the sample size has been reduced to ten cans as a result of the conditions outlined above under 1-a and 1-b, the grade of each succeeding lot will be determined on the basis of a ten can sample except that the sample size will revert to fifteen cans whenever either or both of the following conditions are met:

 a. The average score of any ten can sample is less than sixty-five plus the average range (R) of subgroups of five within said sample, or

 b. The quality of any such ten can sample is such as to make necessary the grading of additional cans to determine the final grade.

 An unlimited number of supplementary officially approved samples may be drawn as required to establish the final grade as indicated below.

**9. Provision for Grade Classification**

A. The grade of any lot will be determined on the basis of a 15 can sample (or 10 can sample as described above).

B. Any lot containing a Substandard can or with an average lot score below 70.0 of the first 15 cans (or 10) shall require grading under Part II:-(Detailed Grading).

**10. Tolerance for Certification of Officially Drawn Samples**

 A. When samples have been officially drawn and which represent a specific lot of canned Maine sardines, the grade for such lot will be determined by averaging the scores of the containers comprising the sample if, with respect to those factors which are scored:

1. Not more than one-fifth of the containers fail to meet the grade indicated by the average of such total scores.

2. None of the containers falls more than one grade below the grade indicated by the average of such total scores.

On those lots affected by paragraphs No. 1 and 2 above, the lot grade assigned shall be the highest grade that will permit compliance with such restriction.

 3. All containers comprising the sample meet all the applicable standards of quality in effect at the time, whether State or Federal Laws.

**11. Method of Salt Analysis**

 Samples for salt analysis shall be a composite sample representing all cans in the lot. The sardines shall be drained as hereinbefore described under "Fill of Container (1/4 size can and 3 1/4 oz. size can)". The official method of analysis shall be that described in the "Official and Tentative Method of Analysis of the Association of Official Agricultural Chemists", thirteenth edition, 1980, Chapter 32. Para. 33.025 Page 540.

**PART II (DETAILED GRADING)**

**12. Detailed Grading of Maine Sardines in 1/4 Size Cans in Tomato and 3 1/4 Oz. Size Can in Tomato Sauce**

 Lots not in compliance with requirements of Part I, (Condensed Grading) shall be graded in detail under the following provisions.

**13. Sampling Procedure**

A. An official 45 can sample drawn at random from each embossed code lot regardless of lot size shall be submitted to the grading laboratory for grading. The grade will be determined on the basis of the 45 can sample provided it does not contain more than 2 Sub Standard cans.

B. Lots not meeting requirements of A, above shall require an additional 45 cans to be drawn for grading and the lot grade determination shall be based on a total of a 90 can sample, (45 + 45 = 90), excepting under circumstances when the Commissioner requires additional samples as proof of validity.

**14. Fill of Container (1/4 Size Can) (3 1/4 Oz. Size Can)**

A. Overfilled cans that are "flippers" or "swells" at room temperature, i.e. 68F cannot be graded above "Standard" regardless of the total score. This is a limiting rule. (1) A "flipper" is a can having a convex or bulging cover which may be pressed concave or normal again with finger pressure but will spring out again (convex) after the pressure is released. A "swell" is a can with the cover permanently convex or distended.

B. Underfilled cans cannot be graded above "Standard" regardless of the total score when they fail to comply with the minimum drained weight of fish and the minimum weight of tomato sauce listed in Table No. I and any can in which the tomato sauce is entirely lacking or is present in such a small amount as to be difficult to detect, shall be limited to Sub Standard grade. These are limiting rules.

 **Note 1**: The requirements for these standards shall not excuse failure to comply with the provisions of existing applicable State laws and regulations, including State Laws and Regulations Relating to Packing of Sardines Providing for License and Standards.

 **Note 2**: The requirements of these standards shall not excuse failure to comply with the provisions of the *Federal Food, Drug and Cosmetic Act*.

**Table No. 1**

**Drained Weight Requirements for 1/4 Size Cans (128.5 ml's. Water Capacity)**

 Tomato Sauce to be added:

 Minimum Maximum Drained Weight of Fish

 6#/100 - 1/4 Size Cans Suggested for Concave Ends

 28.3 gms. or 1.0 oz. 110.6 gms. or 3.9 oz.

 Minimum Drained Weight Minimum Weight of Free

 of Fish to Comply Sauce Canned

 85 gms. 3 oz. 25.5 gms. 0.9 oz.

**Drained Weight Requirements for 3 1/4 Size Cans (103.2 ml's. Water Capacity)**

 Maximum Drained Weight of Fish

 Suggested for Concave Ends

 90.7 gms. or 3.2 oz.

 Minimum Drained Weight Minimum Weight of Free

 of Fish to Comply Sauce Canned

 68.0 gms. or 2.4 oz. 22.7 gms. or 0.8 oz.

**15. Drained Weight Procedure**

 The opened can is first graded for color and texture of the tomato sauce for floating defects in the sauce and for General Appearance. The tomato sauce is then carefully removed by placing the opened can under a tap of running water (using a standard faucet with 3/4" to 1/2" orifice and water adjusted to a stream of 3/8" diameter 3" below the faucet orifice). The can contents, with the sauce removed, are graded for defects, then the can is inverted onto a tared standard grading screen (8" in diameter, 2 meshes per Inch, with 0.446 + 3% square opening). The sardines are separated on the draining screen, sprayed gently with water while the sardines are turned over to remove the tomato sauce, then drained 3 minutes on the draining screen. The residue remaining on the screen is the drained weight of the fish. The free sauce is determined by subtracting the weight of the drained fish from the net weight of contents - the difference being the weight of free sauce in the can.

**16. Ascertaining the Grade**

 The grade of canned Maine sardines in tomato sauce is ascertained by considering in conjunction with the requirements of the respective grade, the respective ratings for the factors of Absence of Defects, Color and Texture of the Tomato Sauce, Odor, Taste and Texture of the fish. The maximum number of points that may be given each factor is:

 **Factors Points**

1. Tomato Sauce Color - - - - - - - - - 15

2. Tomato Sauce Texture - - - - - - - - 15

3. Absence of Defects - - - - - - - - - 30

4. Taste and Odor of Drained Fish- - - 30

5. Texture of Drained Fish - - - - - - 10

 Maximum number of points - - 100

**17. Grades of Canned Maine Sardines in Tomato Sauce**

A. "Fancy Grade" is the quality of canned Maine sardines in tomato sauce that possess an excellent appearance, are practically free from defects, possess excellent color and texture of tomato sauce and excellent taste, odor and texture of sardines and score not less than 89 points when scored in accordance with the scoring system outlined hereinafter. (89‑100)

B. "Extra Standard Grade" is the quality of canned Maine sardines in tomato sauce that possess good appearance, are reasonably free from defects, possess good color and texture of tomato sauce and good taste, odor and texture of the sardines and score not less than 79 points when scored in accordance with the scoring system outlined hereinafter. (79 - 88)

C. "Standard Grade" is the quality of canned Maine sardines in tomato sauce that possess a fair appearance, are fairly free from defects, possess fair color and texture of tomato sauce and fair taste, odor and texture of the sardines and score not less than 60 points when scored in accordance with the scoring system outlined hereinafter. (60 - 78)

**18. Ascertaining the Rating for the Factors which are Scored**

 A. The essential variations within each factor are expressed numerically. The numerical range within each factor is inclusive (for example, 27 to 30 points means 27, 28, 29 or 30 points). For the factor Absence of Defects, the score is determined by deducting the number of points indicated for each defect from the maximum number of points assigned to the factor (30).

 1. **Color of Tomato Sauce**

 a. Canned Maine sardines in tomato sauce with sauce showing an excellent "tomato" red color may be given a score of 13 - 15 points.

b. Canned Maine sardines in tomato sauce with sauce slightly lacking in normal "tomato" red color may be given a score of 9 - 12 points.

c. Canned Maine sardines in tomato sauce with sauce with a slight darkening or brown tinge may be given a score of 5 - 8 points. Tomato sardines that fall into the 5 - 8 point classification cannot be graded above Standard regardless of the total point score of the container. This is a limiting rule.

d. Canned Maine sardines in tomato sauce with a sauce showing an objectionable dark brown may be given a score of 0 - 4 points. If the can contains no tomato sauce or if the sauce is present in such a small amount as to be difficult to detect, it will be given a score of 0. Tomato sardines that fall into the 0 - 4 point classification cannot be graded above "Sub Standard" regardless of the total point score of the container. This is a limiting rule.

 2. **Texture of Tomato Sauce**

a. Canned Maine sardines in tomato sauce that has an excellent texture, not granular, greasy or showing any separation of the sauce, may be given a score of 13 - 15 points.

b. Canned Maine sardines in tomato sauce with a trace of granulation, separation, drying (caking) or a greasy appearance in the tomato sauce may be given a score of 9‑12 points. A deduction of one point in the range (9 - 12) shall be made for each type of trace objections listed above.

c. Canned Maine sardines in tomato sauce with slight granulation, separation of liquid, greasy "slippery" appearance or drying (caking) in the tomato sauce may be scored 5 - 8 points, subtracting one point for each slight occurrence of each of the objections listed above.

d. Canned Maine sardines in tomato sauce with an objectionable amount of sauce granulation I an objectionable sauce separation, an objectionable amount of drying (caking), or an objectionable greasy slippery" appearance in the sauce may be scored 0 - 4 points. Any can in which the tomato sauce is entirely lacking or is present in such small amounts as to be difficult to detect shall be given a score of 0. Any container scoring 4 or less points under this factor must be graded "Substandard" regardless of its total grade score. This is a limiting rule.

 If the deductions under sections 1 and 2 above total 10 or more points, the can shall not be graded above "Extra Standard". This is a limiting rule.

 3. **Absence of Defects (Workmanship); (For procedure see "Drained Weight"**

 The factor of Absence of Defects refers to the degree of freedom from unsightly factors and careless workmanship.

 a. **Detached or protruding**. Coagulated blood, visceral parts, detached fins, head parts (gills, gill-bone, eyes and pectoral fins), and any extraneous material floating in the sauce or visible on the surface of the fish after the sauce has been washed away. Protruding means that they extend more than 1/4 inch from the body of the fish. Deduct 2 points for each occurrence of this defect.

 If six or more points are deducted under this category, the cans shall not be graded above Extra Standard. This is a limiting rule.

b. **Attached gill-bone and protruding backbone**. Gill bones in cans with seven fish or less must be removed. Deduct 2 points for each occurrence of these defects.

c. **Flesh cracks**. "Flesh cracks" mean well-defined cracks, lateral or longitudinal, extending into the flesh and extending more than 1/2 the width of the fish at its point of occurrence. (Narrow cracks of the skin alone are not objectionable.) Deduct 2 points for each occurrence of this defect.

c-l. **Sloughed, slipped or mutilated skins**. Excessive exposure of flesh as the result of sloughing, slipping or mutilation of skin is an objectionable defect. However, small exposed areas, each of which is less than 1/16 square inch (i.e. 1/4 inch squares), are not objectionable. Deduct 1 point for each 3/16 square inch of exposed flesh when measured from areas, each of which is greater than 1/16 square inch. If 3 or 4 points are deducted under this paragraph, a grade above "Extra Standard" may not be assigned regardless of the total score. If 5 or more points are deducted under this paragraphs grade above "Standard" may not be assigned regardless of the total score. These are limiting rules.

 d. **Ragged or angular head and tail cuts**. The heads of all fish must be removed. The tails may be removed on all fish and must be removed when there are less than 8 fish in a can. Head and tail cuts shall be sharp, clean and perpendicular to the lateral line. Tail cuts shall be made at the juncture of the body and the tail fin. Deduct 2 points for each occurrence of this defect. Trimming the tail, called "fanning" is acceptable when neatly done.

 e. **Improper dovetailing**. The sardines should be properly dovetailed, i.e. heads and tails are alternately placed adjacent to one end of the can. The tails must be depressed below the top surface or hidden as far as possible on large fish, but not over the head end of the adjacent fish. The head end of the sardines must be located within 1/2 inch of the can wall. Improper dovetailing or overfilling that results in mechanically damaged fish from can cover pressure is included as a dovetailing defect. Deduct 2 points for each occurrence of this defect.

f. **Telescoping**. "Telescoping" means excessive shifting of the mass of fish so as to cause a large separation of the fish from any side wall of the can. This condition gives an appearance of an underfilled can. Deduct 4 points if the distance between the mass of fish and any side wall of the can 1/2 inch or more. If there is any deduction under this defect, the product cannot be graded above "Standard". This is a limiting rule.

g. **Top Appearance**. "Top Appearance" refers to the general appearance of the top surface of the sardines before the tomato sauce has been removed. Ratings under this paragraph are determined by the presence of any defects or factors that influence the appearance of the sardines, including the color, texture and amount of Tomato Sauce. Deduct 1 to 2 points if the surface is nearly free from defects and presents a desirable appearance. Deduct 3 to 5 points if the surface shows a moderate amount of defects and presents a satisfactory appearance. Deduct 6 to 8 points if the surface shows many defects and presents a moderately displeasing appearance. Deduct 9 points if the surface shows a great many defects and presents an objectionable or undesirable appearance, or if the tomato sauce is entirely lacking or is present in such small amounts as to be difficult to detect.

g-l. **Top Appearance**. This factor of Top Appearance, g-1, shall be determined after the tomato sauce is washed off. Any such ratings, however, shall not be included in the "Total Deductions for Defects" and shall be listed on the grading sheet for the purpose only of applying the following limiting rules:

 Ratings of 6, 7, or 8 points shall limit the can grade to Standard. A rating of 9 points shall limit the can grade to Sub Standard.

 4. **Taste and Odor (Determined on Drained Fish)**

a. Canned Maine sardines in tomato sauce having excellent taste and odor for tomato sardines may be given 29 - 30 points.

b. Canned Maine sardines in tomato sauce having a good taste and/or odor that is slightly lacking or faint and not up to normal for the product may be given a score of 27 - 28 points and cannot be graded above "Extra Standard" regardless of the total score.

c. Canned Maine sardines in tomato sauce having a fair taste and/or odor that is free from rancidity and reasonably free of foreign or unusual taste may be given a score of 24 - 26 points and cannot be graded above Standard regardless of the total score.

d. Canned Maine sardines in tomato sauce having a strong, unpleasant, foreign taste and/or odor to the point of being unpalatable will be given a taste-odor score of zero and cannot be graded above "Sub Standard". This is a limiting rule.

e. Salt. If the salt content of an average composite sample of all the cans included in the lot is above 3.0% or below 0.7% when analyzed, the product must be graded "Standard" regardless of the total score. This is a limiting rule. The method of salt analysis of the drained fish is described hereinafter under the heading, "Method of Salt Analysis".

 **Note**: If the salt content is so high as to make the product inedible, the product cannot be graded above "Sub Standard" under "Taste".

 5. **Texture (Character of Sardines)**

a. Canned Maine sardines in tomato sauce that possess good character or texture may be given a score of 9 to 10 points. Good character or texture means that the sardines remain intact when lifted with a standard 4-tined table fork, 0.75 inches wide, when placed near the point of horizontal balance and are not tough or fibrous.

b. Canned Maine sardines in tomato sauce that possess a reasonably good character or texture may be given a score of 7 or 8 points. "Reasonably good character or texture" means that the sardines remain intact when lifted with a standard 4-tined table fork, 0.75 inches wide, when placed near the point of horizontal balance and may be slightly tough or fibrous.

c. Canned Maine sardines in tomato sauce that possess a reasonably good character or texture may be given a score of 6 or 7 points. "Reasonably good character or texture" means that the sardines remain intact when lifted with a standard 4-tined table fork, 0.75 inches wide, when placed near the point of horizontal balance and may be slightly tough or fibrous.

d. Canned Maine sardines in tomato sauce that possess a fair character or texture may be given a score of 4 or 5 points. "Fair character or texture" means that the sardines remain intact when lifted with a standard 4-tined table fork, 0.75 inches wide, when placed near the point of horizontal balance and are not excessively tough or fibrous.

e. Canned Maine sardines in tomato sauce must be sufficiently cooked to have friable rib-bones and the back-bone shall not be present as grit between the teeth when the sardine is eaten. The sardines cannot be excessively mushy and must retain their identity when inverted onto the draining screen. Any product not meeting the requirements of this paragraph will be given a zero score and cannot be graded above "Sub Standard". This is a limiting rule.

**19. Ventral Breaks**

 A ventral break is an unsightly rupture in the ventral area. Estimate the size of the break in terms of sixteenth inch squares. Deduct 1 point for each six 1/16 inch squares from the total score derived as described under Sections 1, 2, 3, 4, and 5 above. Record the remainder as the final score of the can involved.

**20. Procedure for Grade Classification of Regrades**

A. The grade will be determined on the basis of a 45 can sample provided such 45 can samples contains no more than 2 sub standard cans.

B. An additional 45 can sample will be required if more than 2 cans are substandard. If no more than 5 cans are substandard in the first 90 cans a grade of "Standard" will be given to the lot regardless of the grade of the other cans.

C. If not more than 7 cans are substandard in the first 90 cans another 90 cans may be required for additional grading under the circumstances when the Commissioner requires additional samples as proof of validity.

D. A grade will be determined on the 180 can sample. If no more than 11 cans are substandard a grade of "Standard" will be given to the lot regardless of the grade of the other cans. If there are 12 cans to 44 cans substandard a grade of "Substandard" will be given to the lot. A 180 can sample with 45 or more cans substandard will be given a grade of "No Grade" to the lot.

**21. Tolerance for Certification of Drawn Samples**

 A. When samples have been officially drawn and which represent a specific lot of canned Maine sardines, the grade for such lot will be determined by averaging the scores of the containers comprising the sample if, with respect to those factors which are scored.

1. Not more than one-fifth of the containers fail to meet the grade indicated by the average of such total scores.

2. None of the containers falls more than one grade below the grade indicated by the average of such total scores except that a lot may contain Sub Standard cans not to exceed 3%.

On those lots affected by paragraphs No. I and 2 above, the lot grade assigned shall be the highest grade that will permit compliance with such restrictions.

3. Not more than 6% of the cans are Sub Standard. Any lots failing to comply with this tolerance cannot be graded above Sub Standard.

 4. Any lots failing to obtain an average score of 60 cannot be graded above substandard.

 5. All containers comprising the sample meet all the applicable standards of quality in effect at the time, whether State or Federal Laws.

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