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

 **DIVISION OF INSPECTIONS**

**Chapter 337: OFFICIAL GRADES FOR SARDINES IN OIL PACKED IN 1/4 SIZE CANS (128.5 ML. WATER CAPACITY) AND GRADES FOR SARDINES IN OIL PACKED IN 3 1/4 OZ. CANS (103.2 ML. WATER CAPACITY)**

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

**SUMMARY**: Product Definition, Grades of Canned Maine Sardines in Oil, Fill of Container (1/4 Size Can and 3 1/4 Oz. Size Can), Ascertaining the Grade, Ascertaining the Rating for Factors which are Stored, Top Appearance, Oil and Water Fill, Texture (Character of Sardines), Taste, Salt Content, Ventral Breaks, Sampling, Provision for Grade Classification, of Officially Drawn Samples, Method of Salt Analysis, Procedure for Grade Classification of Regrades.

**PART I (CONDENSED GRADING)**

**1. Product Definition**

 "Canned Maine Sardines in Oil" is the commercially canned product prepared from immature Atlantic herring (Clupea harengus); smoked or not smoked; packed with edible vegetable oil (including olive), with or without added spices, flavorings and/or other ingredients in hermetically sealed containers and so processed by heat so as to attain commercial sterility.

 "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 Oil**

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

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

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

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

**3. 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 substandard 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 no more than 7 cans are substandard in the first 90 cans another 90 cans will be required for additional grading.

 D. A grade will be determined on the 180 can sample and 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.

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

 A. **Flippers**

 1. Lots that contain cans that are "flippers", and where more than 20% of the cans in a lot are flippers, cannot be graded above "Standard" regardless of the total score. This is a limiting rule. 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 pressure is released.

 B. **Swells**

 1. A "swell" is a can with the cover permanently convex or distended. The presence of any swelled cans in a lot will be graded under Part II (Detailed Grading).

 C. **Underfilled Cans**

1. 1/4 Size Can. Underfilled cans are cans that contain less than 3.3 ounces of fish after draining. Lots in which more than 20% of the cans in that lot sample are underfilled shall not be graded above "Standard" regardless of the total score. This is a limiting rule.

2. 3 1/4 Size Can. Underfilled cans are cans that contain less than 2.7 ounces of fish after draining. Lots in which more than 20% of the cans in that lot sample are underfilled shall not be graded above "Standard" regardless of the total score. This is a limiting rule.

3. The drained weight of canned Maine sardines in oil is determined by emptying the contents of the completely opened container upon a standard draining screen, 8 inches in diameter, 2 meshes per inch, with 0.446 inch + 3% square openings. The individual sardines are then separated. (In order to permit proper drainage of oil and water, the emptied can and its detached lid are inverted over the screen and propped against the screen wall at an angle of approximately 45. The funnel for collecting the oil and water portion tapers from 8 inches to 5/8, with a 3 - inch length. The oil and water is collected in a 30 ml. at 20C pharmaceutical graduate manufactured according to the National Bureau of Standards specifications.) The drained weight is the weight of the sardines remaining on the screen after a 3 minute draining period.

**5. Ascertaining the Grade**

 The grade of canned sardines is ascertained by considering in conjunction with the requirements of the respective grade, the respective ratings for the factors of Top Appearance, Odor, Taste, and Texture. The relative importance of each factor scored is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

**Factors Points**

1. Top Appearance - - - - - - - - - - - 45

2. Odor - - - - - - - - - - - - - - - - 15

3. Taste- - - - - - - - - - - - - - - - 30

4. Texture - - - - - - - - - - - - - - 10

 Maximum number of points - - 100

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

 A. The essential variations within each factor are expressed numerically. The numerical range within each factor is inclusive (for example, 24 to 26 points means 24, 25, or 26 points.)

 1. **Odor**

a. Canned Maine sardines with an "excellent odor" typical of that type of pack may be given a score of 14 to 15 points. "Excellent odor" means that the product be free from rancidity, has no detectable foreign odor or any acrid or unusual odors.

b. Canned Maine sardines with a "good odor" typical of that type of pack may be given a score of 12 to 13 points. A "good odor" means that the product be free from rancidity, and has no strong off odors. Sardines that score 12 to 13 points cannot be graded above "Extra Standard" regardless of the total score. This is a limiting rule.

c. Canned Maine sardines with a "fair odor" typical of the type of pack may be given a score of 10 to 11 points. "Fair odor" means that the product be free from rancidity and is reasonably free of foreign or unusual odors. Sardines that fall into the 10 to 11 point score classification cannot be graded above "Standard" grade regardless of the total score. This is a limiting rule.

 d. Canned Maine sardines with a rancid, objectionable, foreign acrid, strong, or unusual odor will be given a zero score and must be graded under Part II (Detailed Grading).

 2. **Top Appearance**

 Top Appearance refers to the overall appearance of the canned product and is scored by grading the cans in a sample as a composite rather than individually and assessing a deduction ranging from 0 to 45 points.

a. A bright, shiny appearance with excellent workmanship, virtually free of defects may be given a deduction of 0 to 10 points.

b. A clean, shiny appearance with good workmanship, reasonably free of defects, may be given a deduction of 11 to 20 points. Lots in this category cannot be graded above "Extra Standard" regardless of total score. This is a limiting rule.

c. A dull, gray appearance with a fair amount of defects shall be given a deduction of 21 to 30 points. Lots in this category cannot be graded above "Standard" regardless of total score. This is a limiting rule.

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

 **Note**: The score assessed is actually a penalty score and is deducted from the 45 points allocated for Absence of Defects.

 3. **Oil and Water Fill**

a. **1/4 Size Can**. A can exceeding five (5) ml's. of water shall be assessed a penalty of I point for each ml. in excess of five (5) ml's. The total number of penalty points shall be divided by the number of cans in the sample.

b. **3 1/4 Size Can**. A can exceeding four (4) ml's. of water shall be assessed a penalty of 1 point for each ml. in excess of four (4) ml's. The total number of penalty points shall be divided by the number of cans in the sample.

c. **1/4 Size Can**. Lots containing more than twenty percent (20%) of the cans in excess of (12) ml's. water must be graded under Part II (Detailed Grading).

d. 3 1/4 Size Can. Lots containing more than twenty percent (20%) of the cans in excess of (10) ml's. water must be graded under Part II (Detailed Grading).

e. 1/4 Size Can. A can containing less than thirteen (13) ml's. of oil shall be assessed a penalty of one (1) point for each ml. under thirteen (13) ml's. The total number of penalty points shall be divided by the number of cans in the sample.

f. 3 1/4 Size Can. A can containing less than eleven (11) ml's. of oil shall be assessed a penalty of one (1) point for each ml. under eleven (11) ml's. The total number of penalty points shall be divided by the number of cans in the sample.

g. 1/4 Size Can. Lots that contain more than twenty (20%) percent of the cans with less than (6) ml's. of oil shall be graded under Part II (Detailed Grading).

h. 3 1/4 Size Can. Lots that contain more than twenty (20%) percent of the cans with less than (5) ml's. of oil shall be graded under Part II (Detailed Grading).

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

a. Canned Maine sardines that possess "excellent character" or texture may be given a score of 9 to 10 points. "Excellent character or texture means that the sardines remain intact when lifted with the thumb and forefinger, are firm but not tough or fibrous.

b. Canned Maine sardines that possess "good character" or texture may be given a score of 7 to 8 points. "Good character" or texture means that the sardines remain intact when lifted with the thumb and forefinger are reasonably firm and may be slightly tough or fibrous. Lots in this category may not be graded above "Extra Standard" regardless of total score. This is a limiting rule.

c. Canned Maine sardines that possess a "fair character" or texture may be given a score of 5 to 6 points. "Fair character" means that the sardines remain intact when lifted with the thumb and forefinger are fairly firm and are not excessively tough or fibrous. Lots in this category cannot be graded above "Standard" regardless of total score. This is a limiting rule.

d. Canned Maine sardines must be sufficiently cooked to have friable rib bones and the backbone shall not be present as grit between the teeth when the sardines is eaten. The sardines cannot be excessively mushy and must retain their identity when inverted onto the drain screen. Any product not meeting the requirements of this paragraph will be given a score of 0 - 4 and must be graded under Part II (Detailed Grading).

 5. **Taste**

a. Canned Maine sardines having an "excellent" taste for that type of pack may be given a score of 29 to 30 points. "Excellent" taste means that the product be free from rancidity and has no detectable foreign or unusual taste.

b. Canned Maine sardines having a "good" taste for that type of pack may be given a score of 27 to 28 points. A "Good" taste means that the product be free from rancidity, and has no strong or foreign off taste. Lots that fall into this category cannot be graded above "Extra Standard" regardless of the total score. This is a limiting rule.

c. Canned Maine sardines having a "fair" taste for that type of pack may be given a score of 24 to 26 points. A "fair" taste means that the product be free from rancidity and reasonably free of foreign or unusual tastes. Lots falling into this category cannot be graded above "Standard" regardless of total score. This is a limiting rule.

d. Canned Maine sardines with an unpleasant or objectionable taste will be given a score of 0 to 23 points and must be graded under Part 11 (Detailed Grading).

 6. **Salt Content**

 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 will be assigned a taste score of 26 points which limits the lot to Standard Grade and notation is made on the grading sheet to explain this action.

 **Note**: If the salt content is so high as to make the product inedible, the product must be graded under Part II (Detailed Grading).

 7. **Ventral Breaks**

 Any lot containing a can with more then 25 - 1/16th inch squares shall be graded under Part 11 (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 has an average score greater than seventy.

 (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 l-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 the following conditions is met:

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

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

 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.

**7. 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 cans - 3 1/4 oz. size cans)".

 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)**

**8. Detailed Grading of Maine Sardines in 1/4 Oil and 3 1/4 Oz. Oil Cans**

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

**9. 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 Substandard 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.

**10. Fill of Container (1/4 Size Can) (3 1/4 Oz. 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. 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 weights listed in Table 1. This is a limiting rule.

**Table No. 1**

**Drained Weights for 1/4 Size Cans**

 Oil Maximum Drained Weight Minimum Drained

 Added Suggested for Concave Ends Weight to Comply

4# oil added per standard case 120 grams or 4.25 oz. 93.5 grams or 3.3 oz.

5# oil added per standard case 113 grams or 4.00 oz. 93.5 grams or 3.3 oz.

**Drained Weights for 3 1/4 Size Cans**

3 1/4# oil added per standard case 92.1 grams or 3.25 oz. 76.5 grams or 2.7 oz.

**11. Drained Weight Procedure**

 The drained weight of canned Maine sardines in oil is determined by emptying the contents of the completely opened container upon a standard draining screen, 8 inches in diameter, 2 meshes per inch, with 0.446 inch + 3% square openings. The individual sardines are then separated. (In order to permit proper drainage of oil and water, the emptied can and its detached lid are inverted over the screen and propped against the screen wall at an angle of approximately 45. The funnel for collecting the oil and water portion tapers from 8 inches to 5/8 inches with a 3-inch length. The oil and water are collected in a 30 ml. at 20C. pharmaceutical graduate manufactured according to the National Bureau of Standards Specifications.) The drained weight is the weight of the sardines remaining on the screen after a 3 minute draining period.

**12. The Grade**

 The grade of canned sardines is ascertained by considering in conjunction with the requirements of the respective grade, the respective ratings for the factors of Absence of Defects, Odor, Taste, and Texture. The relative importance of each factor scored is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

**Factors Points**

1. Top Appearance - - - - - - - - - - - 45

2. Odor - - - - - - - - - - - - - - - - 15

3. Taste- - - - - - - - - - - - - - - - 30

4. Texture - - - - - - - - - - - - - - 10

 Maximum number of points - - 100

**13. Grades of Canned Maine Sardines in Oil**

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

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

C. "Standard Grade" is the quality of canned Maine sardines in oil that possess a fair appearance, are fairly free from defect, possess fair odor, taste and texture, and score not less than 60 points when scored in accordance with the scoring system outlined in this section (60 to 78).

**14. 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 (45).

 1. **Absence of Defects (Workmanship)**

 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), floating detached skin, and all extraneous material. 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.

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.

d. **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 4 or more points are deducted under this paragraph, a grade above "Standard" may not be assigned regardless of the total score. This is a limiting rule.

e. **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 tail fin. Deduct 2 points for each occurrence of this defect. Trimming the tail, called "fanning" is acceptable when neatly done.

f. **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.

 g. **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 is 1/2 inch or more. If there is any deduction for this defect, the product cannot be graded over "Standard". This is a limiting rule.

 h. **Top appearance**. Top appearance refers to the general appearance of the top surface of the sardines, especially its brightness, reflectance or shiny qualities. In scoring the top appearance of canned sardines, the differences due to the different processing methods are to be recognized. Deduct I to 2 points if there are traces of a dull, gray color. Deduct 3 to 5 points if the top surface is slightly dull, gray or muddy. Deduct 6 to 8 points if the top appearance is dull, gray and muddy to the point of being slightly objectionable. If 6 to 8 points are deducted, the product cannot be graded above "Standard". This is a limiting rule. If the top surface is an unsightly mass of scum and discolored scales, deduct 9 points. If the deduction is 9 points, the product cannot be graded above "Substandard". This is a limiting rule.

i. **1/4 Size Cans** - Oil, water and sediment. Deduct 1 point for each ml. of water over 5 ml. Deduct 1 point for each ml. of oil less than 13 ml. Deduct I point for each ml. of sediment in the water phase. Deduct 1 point for each ml. of sediment in the oil phase. Deduct 5 points for objectionable turbidity in the oil phase.

j. **3 1/4 Size Can** - Oil, water and sediment. Deduct 1 point for each ml. of water over 4 ml. Deduct 1 point for each ml. of oil less than 11 ml. Deduct 1 point for each ml. of sediment in the water phase. Deduct 1 point for each ml. of sediment in the oil phase. Deduct 5 points for objectionable turbidity in the oil phase.

 2. **Odor**

a. Canned Maine sardines with a normal odor typical of the type of pack may be given a score of 14 to 15 points. "Normal odor" means that the product be free from rancidity, has no detectable foreign odor (such as bilge oil), or any acrid or unusual odors not normal to the sardines or the oil.

b. Canned Maine sardines with a reasonably normal odor typical of the type of pack may be given a score of 12 to 13 points. "Reasonably normal odor" means that the product be free from rancidity and is reasonably free of detectable foreign or unusual odors.

c. Canned Maine sardines that are slightly lacking or faint and not up to normal odor typical of the type of pack may be given a score of 10 to 11 points. Sardines that fall into the 10 to 11 point score classification cannot be graded above "Standard" grade regardless of the total score. This is a limiting rule.

d. Canned Maine sardines with an objectionable rancid, foreign, acrid, strong or unusual odor will be given a zero odor score and cannot be graded above "Substandard". This is a limiting rule.

 3. **Taste**

a. Canned Maine sardines having a taste normal for the type of pack may be given a score of 29 to 30 points. "Normal taste" means that the product has the typical taste usually associated with sardines packed with the particular procedure and has not off or strong taste foreign to sardines.

b. Canned Maine sardines with a reasonably normal taste typical of the type of pack may be given a score of 27 to 28 points.

c. Canned Maine sardines having a taste that is slightly lacking or faint and not up to normal taste may be given a score of 24 to 26 points and cannot be graded above "Standard" grade regardless of the total score. This is a limiting rule.

d. Canned Maine sardines having a strong objectionable taste such as rancid, foreign (such as bilge oil), acrid or unusual tastes will be given a zero score and cannot be graded above "Substandard" regardless of the total score. 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% or below 0.7% when analyzed, the product cannot be graded above "Standard" regardless of the total score. This is a limiting rule. The method of salt analysis on the drained fish is described hereinafter under the headline. "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.

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

a. Canned Maine sardines that possess "excellent character" or texture may be given a score of 9 to 10 points. "Excellent character" or texture means that the sardines remain intact when lifted with the thumb and forefinger, are firm but not tough or fibrous.

b. Canned Maine sardines that possess "good character" or texture may be given a score of 7 to 8 points. "Good character" or texture means that the sardines remain intact when lifted with the thumb and forefinger are reasonably firm and may be slightly tough or fibrous. Lots in this category may not be graded above "Extra Standard" regardless of total score. This is a limiting rule.

c. Canned Maine sardines that possess a "fair character" or texture may be given a score of 5 to 6 points. "Fair character" means that the sardines remain intact when lifted with the thumb and forefinger are fairly firm and are not excessively tough or fibrous. Lots in this category cannot be graded above "Standard" regardless of total score. This is a limiting rule.

d. Canned Maine sardines must be sufficiently cooked to have friable rib bones and the backbone 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 drain screen. Any product not meeting the requirements of this paragraph will be given a score of 0 to 4 and cannot be graded above "Substandard" grade. This is a limiting rule.

**15. 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 1/2 point for each square 1/16 from the total score derived as described under Sections 1, 2, 3, and 4 above. Record the remainder as the final score of the can involved.

**16. Procedure for Grade Classification**

A. The grade will be determined on the basis of a 45 can sample provided such 45 can samples contains not more than 2 substandard cans.

B. An additional 45 can sample will be required if more than 2 cans are substandard. If not 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 circumstances when the Commissioner requires additional samples as proof of validity.

D. A grade will be determined on the 180 cans sample, if not 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.

**17. 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 except that a lot may contain substandard cans not to exceed 3%.

 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 restrictions.

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

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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