

Subpart G -- United States Standards for Oats

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Terms Defined

§ 810.1001 Definition of oats.

Grain that consists of 50 percent or more of oats (*Avena sativa* L. and *A. byzantina* C. Koch) and may contain, singly or in combination, not more than 25 percent of wild oats and other grains for which standards have been established under the United States Grain Standards Act.

§ 810.1002 Definition of other terms.

(a) *Fine seeds*. All matter that passes through a 5/64 triangular-hole sieve after sieving according to procedures prescribed in FGIS instructions.

(b) *Foreign material*. All matter other than oats, wild oats, and other grains.

(c) *Heat-damaged kernels*. Kernels and pieces of oat kernels, other grains, and wild oats that are materially discolored and damaged by heat.

(d) *Other grains*. Barley, corn, cultivated buckwheat, einkorn, emmer, flaxseed, guar, hull-less barley, nongrain sorghum, Polish wheat, popcorn, poulard wheat, rice, rye, safflower, sorghum, soybeans, spelt, sunflower seed, sweet corn, triticale, and wheat.

(e) *Sieves*.

(1) *5/64 triangular-hole sieve*. A metal sieve 0.032 inch thick with equilateral triangular perforations the inscribed circles of which are 0.0781 (5/64) inch in diameter.

(2) *0.064 x 3/8 oblong-hole sieve*. A metal sieve 0.032 inch thick with oblong perforations 0.064 inch by 0.375 (3/8) inch.

(f) *Sound oats*. Kernels and pieces of oat kernels (except wild oats) that are not badly ground-damaged, badly weather-damaged, diseased, frost-damaged, germ-damaged, heat-damaged, insect-bored, mold-damaged, sprout-damaged, or otherwise materially damaged.

(g) *Wild oats*. Seeds of *Avena fatua* L. and *A. sterilis* L.

Principles Governing the Application of Standards

§ 810.1003 Basis of determination.

Other determinations not specifically provided for under the general provisions are made on the basis of the grain as a whole.

Grades and Grade Requirements

§ 810.1004 Grades and grade requirements for oats.

Grade	Minimum limits-		Maximum limits-		
	Test weight per bushel (pounds)	Sound oats (percent)	Heatdamaged kernels (percent)	Foreign material (percent)	Wild oats (percent)
U.S. No. 1	36.0	97.0	0.1	2.0	2.0
U.S. No. 2	33.0	94.0	0.3	3.0	3.0
U.S. No. 3 ¹	30.0	90.0	1.0	4.0	5.0
U.S. No. 4 ²	27.0	80.0	3.0	5.0	10.0

U.S. Sample grade--

U.S. Sample grade are oats which:

- (a) Do not meet the requirements for the grades U.S. Nos. 1, 2, 3, or 4; or
- (b) Contain 8 or more stones which have an aggregate weight in excess of 0.2 percent of the sample weight, 2 or more pieces of glass, 3 or more crotalaria seeds (*Crotalaria spp.*), 2 or more castor beans (*Ricinus communis* L.), 4 or more particles of an unknown foreign substance(s) or a commonly recognized harmful or toxic substance(s), 8 or more cocklebur (*Xanthium spp.*) or similar seeds singly or in combination, 10 or more rodent pellets, bird droppings, or equivalent quantity of other animal filth per 1-1/8 to 1-1/4 quarts of oats; or
- (c) Have a musty, sour, or commercially objectionable foreign odor (except smut or garlic odor); or
- (d) Are heating or otherwise of distinctly low quality.

¹ Oats that are slightly weathered shall be graded not higher than U.S. No. 3.

² Oats that are badly stained or materially weathered shall be graded not higher than U.S. No. 4.

Special Grades and Special Grade Requirements

§ 810.1005 Special grades and special grade requirements.

- (a) *Bleached oats*. Oats that in whole or in part, have been treated with sulfurous acid or any other bleaching agent.
- (b) *Bright oats*. Oats, except bleached oats, that are of good natural color.
- (c) *Ergoty oats*. Oats that contain more than 0.10 percent ergot.
- (d) *Extra-heavy oats*. Oats that have a test weight per bushel of 40 pounds or more.
- (e) *Garlicky oats*. Oats that contain 4 or more green garlic bulblets or an equivalent quantity of dry or partly dry bulblets in 500 grams of oats.
- (f) *Heavy oats*. Oats that have a test weight per bushel of 38 pounds or more but less than 40 pounds.
- (g) *Smutty oats*. Oats that have kernels covered with smut spores to give a smutty appearance in mass, or that contain more than 0.2 percent of smut balls.
- (h) *Thin oats*. Oats that contain more than 20.0 percent of oats and other matter, except fine seeds, that pass through a 0.064 x 3/8 oblong-hole sieve but remain on top of a 5/64 triangular-hole sieve after sieving according to procedures prescribed in FGIS instructions.