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Crops
Program

Specialty
Crops
Inspection
Division

United States Consumer Standards for Fresh Kale

Effective August 26, 1950

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This is a reprint of the United States Consumer Standards for Fresh Kale which have been in effect since August 26, 1950 and were updated to modify the format.

Voluntary U.S. grade standards are issued under the authority of the Agricultural Marketing Act of 1946, which provides for the development of official U.S. grades to designate different levels of quality. These grade standards are available for use by producers, suppliers, buyers, and consumers. As in the case of other standards for grades of fresh and processed fruits, vegetables, and specialty crops these standards are designed to facilitate orderly marketing by providing a convenient basis for buying and selling, for establishing quality control programs, and for determining loan values.

The U.S. grade standards and inspection instructions for all fresh and processed fruits, vegetables, and specialty crops are available on the internet and upon request at the address below. These documents provide detailed interpretations of the grade standards and provide step-by-step procedures for grading the product.

Grade standards are issued by the U.S. Department of Agriculture (USDA) after careful consideration of all data and views submitted during rulemaking. The Department welcomes suggestions for improving the standards in future revisions. Comments may be submitted to, and copies of standards and inspection instructions obtained from:

Director, Specialty Crops Inspection Division
Specialty Crops Program,
USDA, Agricultural Marketing Service
1400 Independence Avenue, SW, STOP 0240
Washington, D.C. 20250

Authority: 7 U.S.C. 1621-1627.

Note: Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or with applicable State laws and regulations.

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Grades

§51.975 U.S. Grade A.

U.S. Grade A shall consist of leaves or parts of leaves of kale of one type which are fresh, fairly tender, clean, well trimmed and of characteristic color for the type; which are free from decay, small pieces of leaves, and leaf stems without blades, and are free from damage caused by discoloration, seedstems, bud burn, freezing, foreign material, disease, insects or mechanical or other means. Leaves or parts of leaves of kale on the shown face shall be reasonably representative in size and quality of the contents of the container.

- (a) Incident to proper grading and handling, not more than 3 percent, by weight, of the kale in any lot may be small pieces of leaves, and not more than 5 percent may fail to meet the remaining requirements of the grade, including not more than 2 percent for leaves or parts of leaves which are seriously damaged.

§51.976 U.S. Grade B.

U.S. Grade B shall consist of leaves or parts of leaves of kale which meet the requirements of U.S. Grade A, except that they need be only reasonably clean; and except that those with only the edges affected with bronze or slight yellowish color, but not dried, shall be permitted in this grade; and except for the increased tolerances for defects specified below:

- (a) Incident to proper grading and handling, not more than 5 percent, by weight, of the kale in any lot may be small pieces of leaves, and not more than 10 percent may fail to meet the remaining requirements of the grade, including not more than 4 percent for leaves or parts of leaves which are seriously damaged.

Off-Grade

§51.977 Off-Grade kale.

Leaves or parts of leaves of kale which fail to meet the requirements of either of the foregoing grades shall be Off-Grade kale.

Definitions

§51.978 One type.

“One type” means that the kale is generally of the same color and character of growth. No mixture of types shall be permitted which materially affects the appearance of the lot.

§51.979 Fresh.

“Fresh” means that the leaves or parts of leaves are not more than slightly wilted.

§51.980 Fairly tender.

“Fairly tender” means that leaves and parts of leaves are not tough or excessively fibrous.

§51.981 Clean.

“Clean” means that the kale does not show more than a trace of grit, sand, dirt, silt, muck or other water insoluble inorganic material.

§51.982 Well trimmed.

“Well trimmed” means that the leaf stems (petioles) have been cut or broken off within 1/2 inch of the blade.

§51.983 Small pieces of leaves.

“Small pieces of leaves” means parts of leaves which are smaller in area than a circle one inch in diameter.

§51.984 Damage.

“Damage” means any injury or defect which materially affects the appearance, or the edible, shipping or keeping quality of the individual leaves or parts of leaves or the lot as a whole. The following defects or any combination of defects the seriousness of which exceeds the amount allowed for any one defect shall be considered as damage:

- (a) **Discoloration**, when the appearance of the leaf or part of a leaf is materially affected.
- (b) **Mechanical damage**, when the leaf or part of a leaf is very badly crushed, torn or broken.

§51.985 Serious damage.

“Serious damage” means any injury or defect which seriously affects the appearance, or the edible, shipping, or keeping quality of the individual leaves or parts of leaves or the lot as a whole. The following defects or any combination of defects the seriousness of which exceeds the amount allowed for any one defect shall be considered as serious damage:

- (a) Leaves or parts of leaves which are **badly discolored**.
- (b) Leaves or parts of leaves on which **worms or worm frass** are present, or leaves or parts of leaves on which there is more than slight infestation by other insects.
- (c) Leaves which are affected by **soft rot**.

(d) Weeds, grass or pieces thereof, and **other extraneous matter**.

§51.986 Reasonably clean.

“Reasonably clean” means that the kale is reasonably free from grit, sand, dirt, silt, muck and other water insoluble inorganic material.