

**CHAPTER 93. CONTROLLED ATMOSPHERE
STORAGE FOR APPLES**

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Authority

The provisions of this Chapter 93 issued under act of April 4, 1929, (P. L. 144, No. 148) (3 P. S. §§ 21—33), unless otherwise noted.

§ 93.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Apples—All varieties of the fruit commonly known as apple.

Controlled atmosphere storage—Storage of fresh fruits or vegetables in a facility consisting of one or more rooms in which atmospheric gases are controlled in quantity and temperature for the purpose of controlling the condition and maturity of such fruits or vegetables.

Department—The Department of Agriculture of the Commonwealth.

§ 93.2. Registration.

(a) A person desiring certification of a controlled atmosphere storage facility shall apply to the Department for registration of each room stating the location of the warehouse, the capacity of each room and the method, including types of units, used for controlling the atmosphere.

(b) Following receipt of the application, the Department will issue a registration number for each facility and a number for each controlled atmosphere room within the facility. The numbers shall be permanently affixed to the door of each room.

§ 93.3. Certification and sealing procedures.

(a) Within 20 days following the sealing of a room for the purpose of controlled atmosphere storage, the owner or operator of the facility shall request from the Department official certification of the storage facility conditions. The request shall specify the date of sealing, the registration number of the room and the number of bushels of each variety of fruit contained.

(b) After receipt of the request, the Department will insure that the atmospheric contents of the sealed room are measured. When it is determined that the

oxygen contents of the room have been reduced to 5% or less within 20 days after sealing of the room, an official seal shall be affixed to the door of the room.

(c) The officially sealed room may not thereafter be entered during the required 90-day storage period except to make necessary repairs to maintain the required atmospheric conditions, in which event the Department shall be notified of the entry within 48 hours, and the room will be resealed by the Department.

(d) At approximately 90 days after the official sealing of a room, the Department will recheck the atmospheric contents and the records maintained, and shall issue a memorandum showing compliance, or failure to comply, with the requirements in § 93.4 (relating to atmospheric and temperature conditions).

§ 93.4. Atmospheric and temperature conditions.

(a) Oxygen content of the atmosphere shall be reduced to 5% or less in a controlled atmosphere storage room within 20 days after sealing the room and be maintained at or below such level for 90 days or more.

(b) The temperature, oxygen content and carbon dioxide content of the atmosphere shall be determined and recorded daily in a manner approved by the Department.

Cross References

This section cited in 7 Pa. Code § 93.3 (relating to certification and sealing procedures) and 7 Pa. Code § 93.6 (relating to marking).

§ 93.5. Condition standards.

Upon opening a controlled atmosphere storage room or at the time of shipment, controlled atmosphere apples shall meet the 5%-tolerance requirement of United States Condition Standards For Export (7 CFR 51.323), as amended or revised, except that after May 31 following the year of production, an additional tolerance of 15% shall be allowed for ripe apples. Not more than one-tenth of this 20% total, or 2%, shall be allowed for over-ripe apples.

Cross References

This section cited in 7 Pa. Code § 93.6 (relating to marking).

§ 93.6. Marking.

(a) A person may not sell, expose for sale or transport for sale apples in closed packages labeled as having been exposed to controlled atmosphere, nor may they use a term or form of words or symbols of similar import on a container, unless the apples were stored in a warehouse complying with the requirements of § 93.4 (relating to atmospheric and temperature conditions), and such storage is certified by the Department, or by the state where the apples were stored (if the controlled atmosphere storage regulations of that state are equivalent to the requirements of this chapter).

(b) Any lot of apples represented as being exposed to controlled atmosphere conditions and which fails to meet the requirements of § 93.5 (relating to condition standards) shall be cause for the Department to require evidence that the apples were stored in a facility pursuant to § 93.4.

(c) A person may not mark a container of apples to indicate or imply official certification of storage or condition of apples unless the certification has been given under this chapter.

(d) The containers of apples meeting the requirements of § 93.5 may be marked with an official stamp furnished by the Department, or other approved markings.

§ 93.7. Inspection and certification.

An annual license fee of \$5 plus necessary and reasonable expenses incurred in making the inspection and certification shall be assessed the owner or operator of each room subjected to official inspection for determining compliance with warehouse conditions. Each license shall expire on the July 31st next following its date of issuance.

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