

**CHAPTER 96. STANDARDS OF QUALITY FOR GRADING
AND CLASSIFYING GRAPES, POTATOES, APPLES
AND PEACHES**

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Source

The provisions of this Chapter 96 adopted February 7, 1975, effective February 8, 1975, 5 Pa.B. 237, unless otherwise noted.

§ 96.1. Definitions.

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

Closed package—A basket, box, bag or other container the contents of which cannot be adequately inspected without opening it.

Department—Department of Agriculture of the Commonwealth.

Person—A natural person, firm, partnership, association or corporation.

Unclassified—Not graded and classified as to quality.

§ 96.2. Standards of quality for grading and classifying.

The official standards of quality for grading and classifying grapes, potatoes, apples and peaches sold in the Commonwealth shall be the same as standards promulgated by the Secretary of Agriculture of the United States, which standards are commonly known as “United States Grades.”

Cross References

This section cited in 7 Pa. Code § 96.3 (relating to marking).

§ 96.3. Marking.

(a) A person may not sell, expose for sale, or transport for sale in closed packages, grapes, potatoes, apples or peaches not marked with the appropriate United States Grades: provided, however, this section does not apply to grapes, potatoes, apples and peaches not graded and classified as to quality if shipped for sale or sold exposed for sale as “unclassified” as provided in 3 P. S. § 372.

(b) Grade identification and classification as to quality other than established as official under § 96.2 (relating to standards of quality for grading and classifying) may be shown, provided, however, the appropriate United States grade is the dominant mark on the container. To satisfy this subsection as to dominance, the United States grade mark shall be at least 100% larger than any other grade mark shown. Under no circumstances may another grade mark be so contrived as to command as much or more prominence than the United States grade mark.

(c) The United States grade mark shall appear on the container in the conventional area for grade marks and other related information.

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