



STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON  
25305

Gus R. Douglass  
Commissioner

June 9, 1967

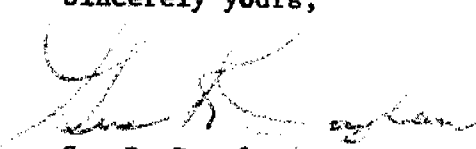
Honorable Robert D. Bailey  
Secretary of State  
State Capitol Building  
Charleston, West Virginia 25305

Dear Secretary Bailey:

Enclosed are two (2) copies of Regulations promulgated by this Department pertaining to Controlled Atmosphere Storage of Apples. These Regulations are designated Series VIIIe of Chapter 19-2 of The West Virginia Administrative Regulations.

I hereby certify that the enclosed Regulations are true and accurate copies of official regulations adopted by this Department on June 9, 1967.

Sincerely yours,

  
Gus R. Douglass  
Commissioner of Agriculture

GRD/DHJ/dcs

Enclosures (2)

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE ~~4/27/69~~  
6/9/67

Adm. Reg. 19-2  
Series ~~220~~ VIII e

**INDEX: CONTROLLED ATMOSPHERE STORAGE OF APPLES**

**Section 1. General**

**Section 2. Administrative (19-5a-3)**

**Section 3. Controlled Atmosphere Components and Time Limits (19-5a-7)**

**Section 4. Forms (19-5a-8)**

**Section 5. Minimum Condition Standards (19-5a-9)**

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series ~~1967~~ VIII e  
1967

FILED IN THE OFFICE  
ROBERT D. BAILEY  
SECRETARY OF STATE  
THIS DATE 6/9/67

Subject: Controlled Atmosphere Storage of Apples

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Section 1. GENERAL

1.01 Scope. These regulations establish standards for controlled atmosphere storage conditions and sets forth procedures for keeping CA records.

1.02 Authority. These regulations are promulgated under authority of Chapter 19, Article 5a, Code of West Virginia.

1.03 Effective Date. These regulations were promulgated on the 9th day of June 1967 and become effective on the 10th day of July 1967.

1.04 Filing Date. These regulations were filed in the Office of the Secretary of State on the 9th day of June 1967.

1.05 Certification. These regulations were certified authentic by the Secretary of State by certification number 33.

Section 2. ADMINISTRATIVE (19-5a-3)

2.01 Pursuant to authority vested in the Commissioner of Agriculture, by Article 5a, Code of West Virginia and by virtue of public hearing of April 26, 1967, I, Gus R. Douglass, do hereby prescribe and adopt the following regulations for Controlled Atmosphere Storage of Apples:

2.02 Administration of Article 5a is placed with the Consumer Protection Division of the West Virginia Department of Agriculture. Inspections made and certificates issued by inspectors of this Division or comparable inspections of cooperating government inspectors shall be prima facie evidence of compliance or noncompliance with the provisions of this article.

2.03 The WV-CA number and state lot number shall be shown in letters and numbers not less than one-fourth inch in height and shall appear on all master cartons or shipping containers. Such numbers may be shown but are not required on primary consumer containers. Bulk bins and field crates may be identified by means of labels attached to each container when shipped in commerce for repacking as CA fruit, such shipping and repacking must be done under the supervision of a state inspector. Cost for such supervision shall be borne by the applicant.

2.04 Any person who owns or operates a Controlled Atmosphere Room or Storage Building located outside of West Virginia or who engages at a place outside of this State in the business of packing or repacking apples which have been held in Controlled Atmosphere Storage and who intends to or who does market in the State of West Virginia apples so treated and represented as having been exposed to "Controlled Atmosphere Storage" shall be subject to the same requirements as any person located within this State. Provided, that where such person has registered with the proper authorities in the state of origin and has been licensed and assigned a registration or CA number under the authority of laws or regulations of such state, and such laws are comparable to Article 5a, Code of West Virginia, he may engage in West Virginia commerce on the basis of such registration, Provided, he shall have been issued a Federal, Federal-State or State certificate certifying compliance with that comparable state law and regulations and that all container markings are consistent with the provisions of the West Virginia CA Law.

2.05 Any person selling or placing in transit for first shipment or delivery any apples designated or identified as CA stored shall furnish an invoice

or a bill of lading showing the assigned CA number, a state lot number and the number and date of the official certificate certifying the compliance of same.

2.06 A licensee shall submit to the commissioner within thirty (30) days after the CA room is filled and sealed, a report showing the quantity, lot or subplot identity by variety of the apples held and the date of sealing. If any apples other than samples are removed prior to the expiration of the minimum holding period or final opening he shall notify the commissioner in writing within three (3) days stating the quantity and identity of the apples removed.

**Section 3. CONTROLLED ATMOSPHERE COMPONENTS AND TIME LIMITS (19-5a-7)**

3.01 The maximum amount of oxygen retained in a sealed CA storage shall not exceed five per cent by volume.

3.02 The maximum amount of time in which the oxygen content shall have been reduced to the above amount shall not exceed twenty (20) cumulative calendar days.

3.03 The fruit temperature in a CA storage room shall be maintained without significant deviation in a range of temperature as recommended by recognized research authorities as normal for the variety.

3.04 A storage period of not less than ninety (90) calendar days shall be attained before fruit may be classed as CA stored. Provided, Jonathan variety may be classed as CA when stored a minimum of sixty (60) days. Maximum storage time shall not exceed ten (10) months, but in no case, later than August first of the year following harvest.

(a) The time lapse between harvest date of the fruit to be CA stored and the sealing of the Controlled Atmosphere Room shall be not longer than thirty (30) consecutive calendar days which time the fruit shall be held under normal refrigeration.

Section 4. FORMS (19-5a-8)

4.01 The commissioner may accept forms for recording air component determinations such as are used by established storage firms, Provided, such forms clearly show the information required in Section 8 and which form has been submitted to the commissioner for approval. In addition to the requirements of Section 8, a licensee shall maintain in his daily record which shall begin on the date the filling of the room begins:

- (a) The quantity of fill by variety and lot identification.
- (b) The dates of any ontry or resealing of the CA room.
- (c) The percentage of relative humidity.

Section 5. MINIMUM CONDITION STANDARDS (19-5a-9)

5.01 The minimum condition and maturity standards for apples to be classed as CA shall be the United States Condition Standards for Export as amended from time to time.

Done and ordered in the Office of the Commissioner of Agriculture, State Capitol Building, Charleston, West Virginia, this 9th day of June in the year of our Lord nineteen hundred and sixty-seven.

  
Gus R. Douglass, Commissioner



STATE OF WEST VIRGINIA  
DEPARTMENT OF AGRICULTURE  
CHARLESTON 25305

GUS R. DOUGLASS  
COMMISSIONER

June 9, 1967

Honorable Robert D. Bailey  
Secretary of State  
State Capitol Building  
Charleston, West Virginia 25305

Dear Secretary Bailey:

Enclosed are two (2) copies of Regulations promulgated by this Department pertaining to Controlled Atmosphere Storage of Apples. These Regulations are designated Series VIIIe of Chapter 19-2 of The West Virginia Administrative Regulations.

I hereby certify that the enclosed Regulations are true and accurate copies of official regulations adopted by this Department on June 9, 1967.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Gus R. Douglass", is written over a faint circular stamp.

Gus R. Douglass  
Commissioner of Agriculture

GRD/DHJ/dcs

Enclosures (2)

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE ~~1/27/69~~

6/9/67

Adm. Reg. 19-2  
Series VIIIe

INDEX: CONTROLLED ATMOSPHERE STORAGE OF APPLES

Section 1. General

Section 2. Administrative (19-5a-3)

Section 3. Controlled Atmosphere Components and Time Limits (19-5a-7)

Section 4. Forms (19-5a-8)

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE

Chapter 19-2  
Series VIIIe  
1967

FILED IN THE OFFICE  
ROBERT G. BAILEY  
SECRETARY OF STATE  
THIS DATE 6/9/67

Subject: Controlled Atmosphere Storage of Apples

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Section 1. GENERAL

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Section 4. FORMS (19-5a-8)

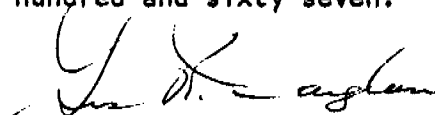
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5.01 The minimum condition and maturity standards for apples to be classed as CA shall be the United States Condition Standards for Export as amended from time to time.

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Gus R. Douglass, Commissioner

WEST VIRGINIA LEGISLATIVE REGULATIONS  
STATE DEPARTMENT OF AGRICULTURE  
Chapter 19-5a

GENERAL INDEX  
FOR  
SERIES VIIIe

TITLE: Controlled Atmosphere Storage of Apples

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- Section 1. General
- Section 2. Administrative
- Section 3. Controlled Atmosphere Components and Time Limits
- Section 4. Forms
- Section 5. Minimum Condition Standards

FILED IN THE OFFICE OF  
THE SECRETARY OF STATE  
THIS DATE June 9, 1967  
ADMINISTRATIVE LAW DIVISION

~~WEST VIRGINIA LEGISLATIVE REGULATIONS~~ *RULES*  
STATE DEPARTMENT OF AGRICULTURE  
~~Chapter 19-5a~~ *e*  
SERIES VIII *e 8E*

TITLE: Controlled Atmosphere Storage of Apples

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Section 1. General

1.1 Scope - These Legislative Regulations establish standards for controlled atmosphere storage conditions and sets forth procedures for keeping CA records.

1.2 Authority - W. Va. Code 19-5a - *3, 7, 8, 9.*

1.3 Filing Date - June 9, 1967

1.4 Effective Date - July 10, 1967

Section 2. Administrative (~~19-5a-3~~) *e*

2.1 Pursuant to authority vested in the Commissioner of Agriculture, by Article 5a, Code of West Virginia and by virtue of public hearing of April 26, 1967, I, Gus R. Douglass, do hereby prescribe and adopt the following regulations for Controlled Atmosphere Storage of Apples:

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compliance with that comparable state law and regulations and that all container markings are consistent with the provisions of the West Virginia CA Law.

2.5 Any person selling or placing in transit for first shipment of delivery any apples designated or identified as CA stored shall furnish an invoice or bill of lading showing the assigned CA number, a state lot number and the number and date of the official certificate certifying the compliance of same.

2.6 A licensee shall submit to the commissioner within thirty (30) days after the CA room is filled and sealed, a report showing the quantity, lot or subplot identity by variety of the apples held and the date of sealing. If any apples other than samples are removed prior to the expiration of the minimum holding period or final opening he shall notify the commissioner in writing within three (3) days stating the quantity and identity of the apples removed.

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3.4.1 The time lapse between harvest date of the fruit to be CA stored and the sealing of the Controlled Atmosphere Room shall not be longer than thirty (30) consecutive calendar days which time the fruit shall be held under normal refrigeration.

Section 4. Forms ~~(19-5a-8)~~ e

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- 4.1.1 The quantity of fill by variety and lot identification.
- 4.1.2 The dates of any entry or resealing of the CA room.
- 4.1.3 The percentage of relative humidity.

Dept. of Agri.  
Leg. Regs., 19-5a  
SERIES VIIIe, Sec. 5

Section 5. Minimum Condition Standards (~~19-5a-9~~)<sup>e</sup>

5.1 The minimum condition and maturity standards for apples to be classed as CA shall be the United States Condition Standards for Export as amended from time to time.

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