

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 179

An Act to amend and reenact §§ 3.1-991 and 3.1-997 of the Code of Virginia and to repeal § 3.1-1009 of the Code of Virginia, relating to controlled atmosphere storage for apples.

[H 2038]

Approved March 8, 1997

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.1-991 and 3.1-997 of the Code of Virginia are amended and reenacted as follows:

§ 3.1-991. Definitions.

The following definitions shall apply in the interpretation and the enforcement of this chapter:

(1) "Board" means the "Board of Agriculture and Consumer Services" of the Commonwealth of Virginia.

(2) "Commissioner" means the "Commissioner of Agriculture and Consumer Services" of the Commonwealth of Virginia.

"CA" has the same meaning as "controlled atmosphere storage."

(3) ~~"Fruit" means any apples and peaches.~~

(4) "Controlled atmosphere storage" means any storage warehouse consisting of one or more rooms in any one facility in which atmosphere gases are controlled in their amount and in degrees of temperature for the purpose of controlling the condition and maturity of fruit ~~for a period of not less than sixty days~~, in order that, upon removal, they may be designated as having been exposed to controlled atmosphere.

(5) ~~"CA" has the same meaning as "controlled atmosphere storage."~~

~~"Fruit" means any apples and peaches.~~

(6) "Person" means any individual, corporation, partnership, association or other organized group of persons, or any business entity, by whatever name designated and whether or not incorporated.

§ 3.1-997. Rules and regulations.

The Board of ~~Agriculture and Consumer Services~~, in order to protect purchasers of fruit and to ensure the quality of fruit stored under CA, ~~shall may~~ adopt rules and regulations for ~~apples and peaches fruit~~, after consultation with the Board of Directors of the Virginia State Horticultural Society ~~or the Virginia Apple Growers Association~~, to include:

(1) 1. Prescribing components of the atmosphere required including the maximum amount of oxygen that may be retained in a sealed controlled atmosphere storage warehouse.

(2) ~~Prescribing the period within which the oxygen content shall be reduced to the amount prescribed in subdivision (1) of this section.~~

(3) 2. Determining the length of time not exceeding ten months and the degrees of temperature at which ~~fruits~~ fruit shall be retained in controlled atmosphere storage before they may be classified as having been stored in controlled atmosphere storage.

(4) 3. ~~Prescribe~~ Prescribing grade and condition standards applicable to CA apples.

Notwithstanding any other provision of law or regulation, to qualify for CA designation, the required storage period of an apple in a sealed room with reduced amounts of oxygen shall be 60 days.

2. That § 3.1-1009 of the Code of Virginia is repealed.