

Packaged Apples Controlled Atmosphere Designation Regulations

made under Section 166 of the

Agriculture and Marketing Act

R.S.N.S. 1989, c. 6

O.I.C. 87-1304 (October 27, 1987), N.S. Reg. 225/87

as amended to O.I.C. 2015-96 (March 31, 2015, effective April 1, 2015), N.S. Reg. 70/2015

1 These regulations may be cited as Packaged Apples Controlled Atmosphere Designation Regulations.

2 (1) In these regulations

(a) “Act” means the Agriculture and Marketing Act;

(b) “controlled atmosphere apples” means apples that have been stored in a sealed compartment in which the concentration of carbon dioxide or oxygen or both is controlled;

(c) “Minister” means the Minister of Agriculture.

3 The terms “CA apples” or “C.A. apples” may be used in designating controlled atmosphere apples.

4 No person shall designate apples as controlled atmosphere apples in grading, packaging, packing, marking, shipping, advertising or selling within the Province of Nova Scotia unless such person has a certificate of registration issued by the Minister.

5 (1) An application for a certificate of registration shall be in Form 1 to these regulations in the case of an operator, or in Form 2 to these regulations in the case of a packer, and, subject to subsection (3), shall be accompanied by a fee of \$12.45 plus applicable taxes.

Subsection 5(1) replaced: O.I.C. 94-947, N.S. Reg. 213/94; amended: O.I.C. 2015-96, N.S. Reg. 70/2015.

(2) The Minister may issue a certificate of registration in such form as the Minister deems advisable

(a) to a packer who is engaged in the assembly and packaging of apples to be designated as controlled atmosphere apples;

(b) to an operator who

(i) is in possession of facilities capable of producing controlled atmosphere apples,

(ii) keeps in a convenient location near each compartment in which controlled atmosphere apples are in storage, an accurate daily record in Form 3 attached hereto in respect of that compartment,

(iii) keeps a record of the capacity of each compartment, an identification of each lot of apples and the quantity of each lot of apples in storage, and

(iv) allows inspection of the daily records kept in Form 3 at all reasonable times by the owner of the apples or his agent or an inspector.

(3) Every certificate of registration expires on June 30, 2000, and any subsequent certificate of registration shall be valid from the date of its issue until June 30 in every fifth year following the year 2000.

Subsection 5(3) replaced: O.I.C. 94-947, N.S. Reg. 213/94.

(4) A certificate of registration is not assignable.

(5) The Minister may suspend, revoke or refuse to issue a certificate of registration to any person who fails to observe, perform or carry out any of the provisions of the Act or these regulations.

6 Every person who packages, assembles or processes apples as controlled atmosphere apples for sale shall immediately upon removing the apples from the sealed compartment referred to in Regulation 7 hereof, place those apples in a container and mark on the container the words "controlled

atmosphere apples” or the terms “CA apples” or “C.A. apples” and the number of his certificate of registration.

7 No person shall designate apples as controlled atmosphere apples unless they have been stored in a sealed refrigerated compartment

(a) where the temperature is maintained between zero degrees Celsius and four degrees Celsius;

(b) where the atmosphere of the compartment is fixed within twenty days of sealing and

(i) the atmosphere of the compartment is fixed at a carbon dioxide concentration of not more than five percent and an oxygen concentration of not more than three percent, and

(ii) the compartment remains sealed and the atmosphere remains fixed for a period of ninety days; or,

(c) where the atmosphere of the compartment is fixed within four days of sealing and

(i) the atmosphere of the compartment is fixed at a carbon dioxide concentration of not more than five percent and an oxygen concentration of not more than three percent, and

(ii) the compartment remains sealed and the atmosphere remains fixed for a period of sixty days.

Section 7 replaced: O.I.C. 94-947, N.S. Reg. 213/94.

8 All markings on containers in which controlled atmosphere apples are packed shall be of a permanent nature and

(a) not less in height than

(i) 0.32 cm on tags,

- (ii) 0.48 cm on bags containing 4.54 kg or less,
- (iii) 0.64 cm in all other cases;
- (b) placed on one end of the container or its lid or handle;
- (c) stencilled, printed or inter-woven on bags; or
- (d) placed on a tag suitable to the container or bag attached thereto.

9 These regulations come into force on and after the 1st day of November, 1987.

[Note: references to the Minister and Department of Agriculture and Marketing have been updated throughout in accordance with Order in Council 2006-121 under the Public Service Act, R.S.N.S. 1989, c. 376, effective February 24, 2006.]

Form 1 - Application for Registration as an Operator of a
Controlled Atmosphere Storage Plant

The Agriculture and Marketing Act of Nova Scotia

To the Minister

Nova Scotia Dept. of Agriculture

P.O. Box 190, Halifax, Nova Scotia B3J 2M4

_____ (name of operator)
_____ (address) applies to the Minister of
Agriculture for a certificate of registration as an operator in respect of _____
_____ (name and location of controlled

atmosphere storage plant) in accordance with the Packaged Apples Controlled Atmosphere Designation Regulations made under Part XVII of the Agriculture and Marketing Act.

(signature)

(title of person signing)

Dated at _____, this ____ day _____ of 19____.

Form 1 replaced: O.I.C. 94-947, N.S. Reg. 213/94.

Form 2 - Application for Registration as a Packer of
Controlled Atmosphere Apples

The Agriculture and Marketing Act of Nova Scotia

To the Minister

Nova Scotia Dept. of Agriculture

P.O. Box 190, Halifax, Nova Scotia B3J 2M4

_____(name of packer) _____
_____(address) applies to the Minister of Agriculture for a
certificate of registration as a packer in respect of _____

_____(name and location of premises) in accordance with the
Packaged Apples Controlled Atmosphere Designation Regulations made under Part XVII of the
Agriculture and Marketing Act.

(signature of packer)

Dated at _____, this _____ day of _____ 19__.

Form 2 replaced: O.I.C. 94-947, N.S. Reg. 213/94.

Form 3 - Record at Controlled Atmosphere Storage Plant

The Agriculture and Marketing Act of Nova Scotia

Name of plant

Address of plant

Name of operator

Registration number

Storage compartment

Storage: (source, lot no., quantities, and date of placing each quantity in storage)

Date of sealing

Tests

Date

%

C02

%

C02+ 02

%

02

Room

temperature

Initials of person making test