

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 906

H. P. 1363 House of Representatives, March 20, 1931.

Reported by Mr. Wallingford from Committee on Agriculture and laid on table to be printed under joint rules. 1,500 copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

New Draft of H. P. 940, L. D. 421.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT Relating to the Packing and Grading of Apples.

Be it enacted by the People of the State of Maine, as follows:

Packing and grading of apples regulated. Section forty-two of chapter forty-one of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following:

'Sec. 42. Standard grades established. The standard grade for apples, when packed in closed packages shall be as follows:

First. Maine Standard Fancy, shall consist of apples of one variety which are mature but not overripe, well formed, and free from decay, spray burn, limb rub, sunscald, visible watercore, or injury caused by dirt or other foreign matter, by skin punctures or bruises except those incident to proper packing, or by hail, russeting, disease, insects, or mechanical or other means. Each apple of this grade shall have the amount of color specified hereinafter for the variety.

Second. Maine Standard A, shall consist of apples of one variety which are mature but not overripe, free from decay and from damage caused by dirt or other foreign matter, by skin punctures or bruises except those incident to proper packing, or by spray burn, russeting, limb rubs, sunscald, visible

watercore, hail, disease, insects, or mechanical or other means. Each apple of this grade shall have the amount of color specified hereinafter for the variety.

Third. Maine Commercial, shall consist of apples of one variety which meet the requirements of Maine Standard A except as to color and provided further that early varieties such as Duchess of Oldenburg, Gravenstein, Twenty Ounce, Wealthy, Williams, and other varieties which ripen at the same period need not be mature.

Fourth. Maine Standard B, shall consist of apples of one variety which are mature but not overripe, free from decay and from serious damage caused by dirt or other foreign matter, by bruises except those incident to proper packing or by spray burn, sunscald, hail, disease, insects, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than ten per cent, by weight, of the apples in any one lot may be below the requirements of said respective grades but not more than one-tenth of this amount of one per cent shall be allowed for decay.

All apples in closed packages on which the state or federal brands or marks are not used shall be marked either ORCHARD RUN or UNCLASSIFIED.

COLOR REQUIREMENTS

In addition to the foregoing requirements for Maine Standard Fancy and Maine Standard A each apple of these grades must have the percentage of color shown in the table below. "Color" means a good shade of red characteristic of the variety. Faded brown stripes shall not be considered as color.

Variety	Maine Standard Fancy	Maine Standard A
Solid Red:		
Black Ben Davis	50 per cent.....	25 per cent
Esopus Spitzenburg	50 per cent.....	25 per cent
Gano	50 per cent.....	25 per cent
King David	50 per cent.....	25 per cent
Opalescent	50 per cent.....	25 per cent
Winesap	50 per cent.....	25 per cent
Other similar varieties	50 per cent.....	25 per cent

Striped or partially red:

Delicious	50 per cent.	25 per cent
Jonathan	50 per cent.	25 per cent
McIntosh	50 per cent.	25 per cent
Other similar varieties	50 per cent.	25 per cent
Baldwin	33 per cent.	15 per cent
Ben Davis	33 per cent.	15 per cent
Fameuse	33 per cent.	15 per cent
Nero	33 per cent.	15 per cent
Northern Spy	33 per cent.	15 per cent
Paragon	33 per cent.	15 per cent
Rome Beauty	33 per cent.	15 per cent
Stayman Winesap	33 per cent.	15 per cent
Tompkins King	33 per cent.	15 per cent
Wagener	33 per cent.	15 per cent
Wealthy	33 per cent.	15 per cent
Williams	33 per cent.	15 per cent
York Imperial	33 per cent.	15 per cent
Other similar varieties	33 per cent.	15 per cent
Duchess of Oldenburg	25 per cent.	10 per cent
Gravenstein	25 per cent.	10 per cent
Hubbardston	25 per cent.	10 per cent
Red Astrachan	25 per cent.	10 per cent
Stark	25 per cent.	10 per cent
Twenty Ounce	25 per cent.	None
Other similar varieties	25 per cent.	None

Red Cheeked or Blushed:

Maiden Blush	Blushed Cheek...	None
Monmouth (Red Cheeked Pippin)	Blushed Cheek...	None
Winter Banana	Blushed Cheek...	None
Other red cheeked or blushed varieties	Blushed Cheek...	None
Yellow or green varieties	Characteristic Color	Characteristic Color

SIZE REQUIREMENTS

“Minimum size” as used in this chapter means the transverse diameter of the smallest apples permitted in the container taken at right angles to a line running from the stem to the blossom

end. Minimum sizes shall be stated in terms of whole and quarter inches, as two and one-quarter inches minimum, two and one-half inches minimum, in accordance with the facts.

In order to allow for variations incident to proper sizing not more than five per cent, by weight, of the apples in any container may be below the specified minimum size.

DEFINITION OF TERMS

The following terms as used in this section mean:

“Well formed” means having the shape characteristic of the variety.

“Free from damage” means that the apples shall not be injured by any defect to any extent either apparent in the process of proper grading or which would cause a loss in the ordinary preparation for use. The following blemishes shall not be considered as damage: (1) Two small healed insect punctures not larger than one-eighth inch in diameter in which the injured tissue is dry and corky; (2) russetting and limb rubs which do not materially disfigure the fruit; (3) scab spots affecting an aggregate area of not more than one-fourth inch in diameter; (4) hail marks where the injury is superficial and the skin has not been broken or discolored; (5) spray burn or sunscald where the injury is superficial and the normal color of the fruit is not materially changed and where there is no blistering or cracking of the skin.

“Free from serious damage” means that no defect shall be permitted which taken singly or collectively, materially deform or disfigure the fruit. The following defects shall not be considered as serious damages: (1) healed insect punctures which do not materially deform the fruit; (2) small scab and blotch infections not exceeding an aggregate area of one-half inch in diameter, or cedar rust infection not exceeding an aggregate area of three-quarters inch in diameter provided the skin is not cracked; (3) superficial blemishes such as fly speck and sooty blotch affecting not to exceed one-third of the surface; (4) or fruit spots as Bitter Pit (Stippen) and Jonathan Spot affecting not to exceed ten per cent of the surface.

Decay, scald, or other deterioration developing in storage or in transit on apples otherwise up to grade shall be considered as affecting the condition and not the grade.

No shipment, consignment or lot of apples in closed packages shall be condemned without examination of at least one-fifth of the contents of five per cent of the packages in such shipment, consignment or lot. Any shipment, consignment, or lot in which five per cent of the packages are found to contain fruit below the grade marked on the container may be condemned by the commissioner of agriculture or his authorized deputies.

The packer may use any trademarks, letters, or figures in connection with the standard grade marks as prescribed by statute, provided such trade marks, letters, or figures do not imitate or duplicate any official federal or state brands and marks.

The foregoing grades and standards and any previous laws relating to their use shall not be construed to prohibit the right to pack and/or ship and/or sell either within or without the state apples packed in accordance with official United States grades as promulgated by the United States Department of Agriculture.'