

AMENDATORY SECTION (Amending WSR 04-05-117, filed 2/18/04, effective 3/20/04)

**WAC 16-450-005** ~~((What))~~ **Definitions** ~~((are important to this chapter?)).~~ "CA number" means the controlled atmosphere license number assigned to a facility by the director.

"Certification" means the complete service performed by the director, from inspection through the issuance of any applicable documentation of the results of the inspection.

"Controlled atmosphere storage" means any storage warehouse consisting of one or more rooms, or one or more rooms in any one facility in which atmospheric gases are controlled in their amount and in degrees of temperature for the purpose of controlling the condition and maturity of any fresh fruits or vegetables in order that, upon removal, they may be designated as having been exposed to controlled atmosphere.

"Department" means the Washington state department of agriculture (WSDA).

"Director" means the director of the ((Washington state)) department of agriculture or the director's ((designee)) designated representative. As used in this chapter, WSDA refers to the director unless the context states otherwise.

"Operator" means a person who runs, monitors, and records information for a WSDA licensed controlled atmosphere facility.

"Person" means an individual, firm, partnership, corporation, or association.

~~(( "CA number" means the license number assigned to a facility by the director.))~~

"Room" means any distinct separate storage area within a controlled atmosphere facility.

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**WAC 16-450-010** ~~((What are ))~~ **Controlled atmosphere** ~~((fruits and vegetables?))~~ **designation.** ~~(( "Controlled atmosphere))~~ Fruits and vegetables (( " are fruits and vegetables that are:

~~(1) Inspected by the director of the Washington state department of agriculture (WSDA) or the director's designee;~~

~~(2) Stored in containers or subcontainers marked with a CA number and either a dated state lot number or a sequential state lot number; and~~

~~(3) Identified by a certificate documenting:~~

~~(a) Their quality and condition;~~

~~(b) That they have been stored in a CA facility licensed according to the requirements of this chapter; and~~

~~(c) That they comply with all of the requirements of this chapter.)~~ may be designated controlled atmosphere when they have been stored in a licensed CA storage and have met all the provisions of this chapter. In conjunction with certification by the director that all requirements have been met, all containers or subcontainers will be marked with the letters CA or similar designation, as well as a state lot identification number.

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~~WAC 16-450-012 ((Where must the letters "CA" appear?))~~ Identification of controlled atmosphere fruits and vegetables. (1) The ~~((let-  
ters))~~ designation "CA" or ((a similar designation must appear)) words "controlled atmosphere" can only be used on containers or subcontainers of fruits or vegetables that comply with the requirements of this chapter.

(2) All containers or subcontainers intended for controlled atmosphere storage must be marked with either "WSDA" and "year of production" or a department supplied stamp.

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~~WAC 16-450-014 ((When must))~~ Requirements for controlled atmosphere fruit ((enter commercial trade channels?)) and vegetables entering commercial trade. (1) Controlled atmosphere (CA) fruits or vegetables must enter commercial trade channels within two weeks following ~~((a))~~ CA ~~((inspection and))~~ certification.

(2) ((If the CA fruits and/or vegetables do not enter commercial channels within the two weeks following a CA inspection and certification, they must be reinspected to meet controlled atmosphere conditions and maturity requirements before they are shipped.)) If CA fruits and vegetables are not shipped within two weeks after initial certification, they must obtain a new CA certification to qualify for an additional two-week shipping period.

(3) If identification of a previously certified lot can be maintained, a new state lot identification number is not required.

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~~WAC 16-450-020 ((Is a license required to operate or lease a))~~ Controlled atmosphere ((storage facility in Washington state?)) licensing requirements. (1) ~~((Before))~~ Any person ~~((can operate or lease))~~ operating a controlled atmosphere storage ~~((facility, they))~~ must obtain a license from the department. ~~((These are annual licenses that expire each year on August 31.))~~

(2) ((When the WSDA director issues a)) To apply for an annual controlled atmosphere ((storage facility license, the licensee receives a facility number preceded by the letters "WN CA" or "WA CA."

(a) These letters and numbers are the "CA number" of the storage facility.

(b) This CA number verifies that the fruits or vegetables meet the requirements for controlled atmosphere storage.

(c) This CA number must appear on all containers, after they are certified, in which CA fruits or vegetables are packed.)) operator li-

cense, AGR form 6074 must be completed and submitted to the department.

(3) The application must be accompanied by a fee of five dollars per controlled atmosphere storage room, with a minimum fee of twenty-five dollars for five rooms or less.

(4) The initial license application must be completed before September 1st of any given year. Once issued, the license is valid for one year and must be renewed each year on or before August 31st.

(5) A license can be renewed after August 31st but such a renewal is considered "late." Late renewals are regulated by RCW 15.30.070, which requires payment for the original license fee plus a late renewal penalty of two dollars and fifty cents.

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**WAC 16-450-028** ~~((What requirements affect all licensed))~~ Controlled atmosphere ((storage)) facility ((operators?)) operator requirements.

~~(1) Every licensed operator ((or lessee)) must submit to ((the manager of their local)) WSDA ((fruit and vegetable inspection district)) a signed, completed ((copy of WSDA)) form ((6075A (Storage Closing and Inventory Operator) or a form approved by the director whenever they close a CA room in one of their facilities. The completed form must contain)) containing the following information:~~

~~(a) Location of the ((room)) storage facility;~~

~~(b) Storage room number;~~

~~(c) Date the room was closed and sealed; and~~

~~(d) Quantity of loose or packed fruit or vegetables in the room identified by variety((; and~~

~~(e) Quantity of packed fruit in the room identified by variety)).~~

~~(2) Every licensed operator ((or lessee)) must, at least once a day, record the following information on a form approved by the director:~~

~~(a) The percentage of carbon dioxide and oxygen inside the sealed storage ((area)) room;~~

~~(b) The temperature inside the sealed storage ((area)) room; and~~

~~(c) The time ((the percentages and temperature)) and date readings were ((measured)) recorded for both the air components and temperatures.~~

~~(3) ((WSDA fruit and vegetable inspectors have the right)) The director has the authority to audit ((the forms required in this section. Upon completing an audit, the inspector must report their audit results on WSDA form 6076 (Audit of Daily Log) or a form approved by the director)) and report the results of the controlled atmosphere records.~~

~~(4) ((All Standard and Red Delicious apple varieties must be stored in sealed controlled atmosphere storage on or before December 15 of each year to qualify and be identified as Washington controlled atmosphere storage apples.~~

~~(5)) For auditing purposes, all licensed operators must notify ((their local)) WSDA ((inspection office)) before they open ((any)) a controlled atmosphere storage room((s or)) and before ((they pack)) any controlled atmosphere storage fruit or vegetable is packed.~~

NEW SECTION

**WAC 16-450-041 Controlled atmosphere requirements.** (1) The oxygen content of each storage room must be reduced to five percent within twenty calendar days after the room is sealed.

(2) Stored fruits or vegetables must be kept in controlled atmosphere storage under required degrees of temperature and percentage of air components for the specified period listed below:

<b>Apple Varieties</b>	<b>Minimum Storage Period</b>
Gala and Jonagold	Forty-five continuous calendar days
Other	Sixty continuous calendar days
<b>Pear Varieties</b>	<b>Minimum Storage Period</b>
Bartlett	Forty-five continuous calendar days
Other summer	Sixty continuous calendar days
Bosc	Forty-five continuous calendar days
Other winter	Sixty continuous calendar days

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**WAC 16-450-042 ((What are the specific)) Controlled atmosphere ((storage)) requirements for Bartlett pears((?)).** ((To qualify as controlled atmosphere storage pears,)) Bartlett pears must comply with the requirements in chapter 15.30 RCW, this chapter and the following additional condition and maturity requirements:

(1) ((Oxygen content of each room where the pears are stored must be reduced to five percent within twenty calendar days after the room is sealed.

(2) The pears must be kept in controlled atmosphere storage, under the required degrees of temperature and percentage of air components, for at least forty-five continuous calendar days.

(3) At the time of shipment, the pears marked with a CA number must:

(a)) Be no further advanced in maturity than "mostly hard—some firm."

((b)) (2) Not exceed an average of two percent decay ((and/or)) or breakdown.

((4) Pears that fail to meet any requirement in this section:

(a) Must not be sold as CA storage fruit; and

(b) Their containers must not be marked with a CA number.))

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~~WAC 16-450-044 ((What are the specific)) Controlled atmosphere requirements for winter pears(?). ((To qualify as controlled atmosphere storage pears,)) All winter pear(s) varieties must comply with the requirements in chapter 15.30 RCW, this chapter and the following additional condition and maturity requirements:~~

~~(1) ((Oxygen content of each room where the pears are stored must be reduced to five percent within twenty calendar days after the room is sealed.~~

~~(2) The pears must be kept in controlled atmosphere storage, under the required degrees of temperature and percentage of air components, for:~~

~~(a) At least forty five continuous calendar days for Bose pears; and~~

~~(b) At least sixty continuous calendar days for all other varieties of winter pears.~~

~~(3) All CA marked winter pears must meet the following standards when shipped:~~

~~(a) Condition standards:~~

~~(1) No more than two percent decay;~~

~~((1)) (2) No more than two percent scald; and~~

~~((1)) (3) A five percent maximum aggregate for all condition factors including cork.~~

~~((b) Maturity standards:~~

~~(1) (4) No more than five percent must be advanced in maturity beyond "firm."~~

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~~WAC 16-450-060 ((What are the shipping standards for)) Controlled atmosphere ((storage fruits and vegetables?)) requirements for apples. ((1) When shipped, all controlled atmosphere fruits and vegetables must be certified and marked with a CA number and dated state lot stamp.~~

~~(2)) Apples must meet U.S. condition standards for export((~~

~~(3) Pears must meet the maturity requirements of WAC 16-450-044 (3)(a) and (b) or 16-450-044 (3)(b)) as stated in the United States standards of grades for apples, 7 C.F.R. Sections 51.300 - 321 (January 1, 2014).~~

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-450-016            What is controlled atmosphere storage?

- WAC 16-450-022 How can I obtain a license to operate or lease a controlled atmosphere storage facility in Washington state?
- WAC 16-450-024 When must I apply for a license to operate or lease a controlled atmosphere storage facility in Washington state?
- WAC 16-450-026 Can I renew my license after August 31?
- WAC 16-450-032 Violations of this chapter and/or chapter 15.30 RCW.
- WAC 16-450-040 What requirements apply to controlled atmosphere storage facilities?
- WAC 16-450-046 When must controlled atmosphere fruits and vegetables be identified for certification?
- WAC 16-450-048 What inspection, certification and marking requirements apply to controlled atmosphere fruits and vegetables?
- WAC 16-450-050 When is a reinspection of controlled atmosphere fruit and vegetables required?
- WAC 16-450-070 What if my fruit does not comply with the requirements of this chapter?