

DEPARTMENT OF AGRICULTURE

FOOD AND DAIRY DIVISION

REGULATION NO. 531. CELERY FOR SALE UNDER SEAL OF QUALITY

(By authority conferred on the commission of agriculture by sections 5 and 14 of Act No. 70 of the Public Acts of 1961, and sections 9 and 177 of Act No. 380 of the Public Acts of 1965, being SS289.635, 289.644, 16.109, and 16.277 of the Michigan Compiled Laws)

R 285.531.1 Source.

Rule 1. Only celery produced, packed, and processed within the state may be identified with Michigan seal of quality.

History: 1979 AC.

R 285.531.2 Grade.

Rule 2. Each lot of celery identified as Michigan seal of quality shall be graded in accordance with the standards as set forth in these rules and shall be accompanied by a federal-state inspection certificate denoting grade.

History: 1979 AC.

R 285.531.3 Seals.

Rule 3. The Michigan seal of quality label, tag, or other device bearing the official emblem shall be obtained only at sources approved by the department of agriculture and at a cost as set forth in the established schedule of fees. The use of the Michigan seal of quality is available to any person, firm, or corporation for use in marketing celery who complies with these rules and any instructions issued therewith.

History: 1979 AC.

R 285.531.4 Agreement and permit.

Rule 4. No person, firm, or corporation shall use the Michigan seal of quality in connection with the grading and labeling of celery unless there is in force an official written agreement between the applicant and the department of agriculture. The director shall issue a permit to make an imprint on tags, labels, and other devices of the Michigan seal of quality emblem for celery to manufacturers who sign an official agreement with the department of agriculture. Agreements and permits shall expire 1 year after date of issuance. Agreements or permits shall be renewed annually upon request prior to date of expiration and shall be in effect unless the holders are otherwise notified by the director.

History: 1979 AC.

R 285.531.5 Penalties.

Rule 5. A violation of any of the applicable laws and rules shall be grounds for revocation of the permit to use the Michigan seal of quality and subject the violator to other penalties as prescribed by law.

History: 1979 AC.

R 285.531.6 Standards of quality.

Rule 6. The grade for celery shall be Michigan seal of quality and the standards for such grade to which the seal can be affixed are as follows:

- (a) Individual celery stalks shall:
  - (i) Be fairly well developed, well formed.
  - (ii) Have good heart formation.
  - (iii) Be green unless specified as fairly well blanched or mixed blanch.
  - (iv) Have tops generally green or light green in color.
  - (v) Be fresh and crisp.
  - (vi) Be well trimmed, fairly compact, clean.
  - (vii) Have an average midrib length of the outer whorl of branches not less than 8 inches, excepting packages of 2-4 stalks which are clipped to 12 inches or shorter shall have an average midrib length of not less than 6 inches.
  - (viii) Not be longer than container length or shorter than 1 1/2 inches of container length.
  - (ix) Be free from black heart, brown stem, soft rot, pink rot, blue stem, virus disease, doubles.
  - (x) Be free from damage caused by freezing, growth cracks, horizontal cracks, pithy branches, seed stems, suckers, wilting, blight, other diseases, insect or mechanical or other means.
- (b) All celery stalks in each package shall have similar varietal characteristics and meet all of the standards of quality for individual celery stalks.
- (c) Each lot in containers of approximately 9 3/4 x 16 x 20 1/8 inches inside dimensions shall average not less than 65 pounds gross weight or 58 pounds net weight when packed; other size containers shall be of equivalent weight.
- (d) Celery shall be considered as out-of-grade and cannot be sold under the Michigan seal of quality if upon examination:
  - (i) More than 10% of the individual stalks, by count, in any lot fail to meet the grade requirements for individual celery stalks, including therein not more than 2% for soft rot.
  - (ii) More than 10% of the individual stalks, by count, fail to meet the length required or specified.
  - (iii) More than 5% of the individual stalks by count, fail to meet the requirements as to average midrib length.

History: 1979 AC.

R 285.531.7 Shipping containers.

Rule 7. Shipping containers intended for use in connection with the distribution of celery packed under the Michigan seal of quality shall meet the following requirements:

- (a) Shall be new, clean, and of a type recognized as a suitable shipping container for celery.
- (b) Shall be lined with full-length container liners of a suitable type of liner paper recognized for use with celery if recognized as a type of container requiring a liner.
- (c) Shall bear in plain sight and in plain letters on 1 end or side, the name of the person who first packed or authorized the packing of the celery or the name under which the packer is engaged in business, together with a sufficiently explicit address to permit ready location of the packer, and in figures not less than 1/4 of an inch in height, the number of stalks in the container expressed in numerical count, or in dozens and half dozens followed by the term "doz." or "dozen" in like size letters or type.
- (d) Unless otherwise specified in connection with the grade, stalks shall be not longer than the distance from 1 side, end, or bottom of the container to the corresponding opposite side, end, or top of the container, and stalks shall not be shorter than 1 1/2 inches from the corresponding opposite side, end, or top of container. Such measurement shall not include the bulge. (Example: Celery stalks packed in 16-inch containers shall be not longer than 16 inches and not shorter than 14 1/2 inches.) In any container when stalk length is specified, it shall be the minimum length expressed in even-numbered whole inches.
- (e) The number of stalks of celery in the container may be specified by numerical count or in terms of dozens or half dozens. Permitted variations from the number specified in dozens shall be over only as follows:
  - (i) 3 dozen stalks or less: 1 stalk over.
  - (ii) 4 dozen stalks: 2 stalks over.
  - (iii) More than 4 dozen stalks: 4 stalks over.

When containers are marked with a numerical count, not more than 5% of the containers in any lot may vary more than 1 stalk, providing the average for the lot is not less than the number specified.

History: 1979 AC.

R 285.531.8 Consumer packages.

Rule 8. Consumer packages shall be new, clean, and of a type recognized as a consumer package for celery; and bear upon them in plain sight, and in plain letters not less than 1/8 inch in height the name of the person who first packed or authorized the packing of the celery, or the name under which the packer is engaged in business, and a sufficiently explicit address to permit ready location of the packer.

History: 1979 AC.

R 285.531.9 Application of tolerances.

Rule 9. The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations if the averages for the entire lot are within the tolerances specified:

(a) For packages which contain 20 stalks or more and a tolerance of 10% or more is provided, individual packages in any lot may contain not more than 1 1/2 times the tolerance specified.

(b) For packages which contain 20 stalks or more and a tolerance of less than 10% is provided, individual packages may contain not more than double the tolerance specified except that at least 1 defective and 1 off-size stalk may be permitted in any package.

(c) For packages which contain less than 20 stalks individual packages in any lot may contain not more than double the tolerance specified, except that at least 1 defective and 1 off-size stalk may be permitted in any package; provided that, for packages which contain 6 stalks or less, individual packages in any lot are not restricted as to the percentage of defects.

History: 1979 AC.

R 285.531.10 Practices and facilities.

Rule 10. Coolers, holding rooms, and any other facility in which celery is held, stored, or in any manner maintained for periods longer than required for normal movement of fresh celery shall:

(a) Be constructed, maintained, and operated in compliance with Michigan laws and rules governing food establishments, food handling, and sanitation.

(b) Not be used for commodities or products not compatible with food products.

(c) Be free from objectionable odors and from molds.

(d) Be maintained in a sanitary condition.

History: 1979 AC.

R 285.531.11 Definitions.

Rule 11. As used in these rules:

(a) "Stalk" means an individual plant.

(b) "Similar varietal characteristics" means that the stalks in any package have the same general appearance and character of growth.

(c) "Fairly well developed" means that the branches are of fairly good width and thickness in relation to the length of midribs and type of celery and that there is not excessive open space in the center of the stalk.

(d) "Well formed" means that the branches are fairly straight and not more than slightly curved or twisted.

(e) "Clean" means that the stalk is practically free from dirt or other foreign material. Stalks may have a small amount of dirt on the inside of the branches or in the heart branches which cannot be removed by good commercial methods of washing.

(f) "Well trimmed" means that not more than 1 relatively thin, short or spindly, or coarse and fibrous outer branch remains; that the main root has been cut off so as not to extend more than 1 1/2 inches below the point of attachment of the lowest outer branches; that secondary rootlets are not of such number or length as to materially affect the appearance of the stalk; and that the appearance is not materially affected by the presence of discolored leaves or by excessive removal of leaves or portions of leaves.

(g) "Fairly compact" means that the branches on the stalk are reasonably close together throughout most of their length.

(h) "Damage," unless otherwise specifically defined in this section, means any defect which materially affects the appearance or the edible or shipping quality of the celery stalk or the general appearance of the stalks in the container. Any 1 of the following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any 1 defect, shall be considered as damage:

(i) Growth cracks; when more than 2 branches are affected by growth cracks which are over 1/2 inch in length, or when more than 4 branches have growth cracks.

(ii) Horizontal cracks; when more than 3 branches have horizontal cracks which are over 1/2 inch in length or when more than 6 branches have horizontal cracks.

(iii) Pithy branches; when more than 2 are pithy in that portion of the midrib between a point 1 1/2 inches above the point of attachment to the base and the first node, or between a point 1 1/2 inches below the first node and the point of attachment to the base, or when pith occurs at both ends of the midrib and more than a total of 1 1/2 inches is affected. Stalks having 6 outer branches or less shall have not more than 1/3 of the outer branches affected by pith as described above.

(iv) Seedstems; when the length of seedstem exceeds 1 1/2 the diameter of the stalk or 6 inches in length.

(v) Dirt; when there is caked dirt on the stalk or when dirt is present between the branches to the extent that the appearance is materially affected.

(vi) Doubles; when not separated and when separated and either of the stalks is not fairly straight.

(vii) Disease:

(A) Brown stem, cracked stem, and crater blotch when materially affecting more than 2 branches or when the aggregate area exceeds 2/3 of a square inch on the branches.

(B) Discoloration when each of more than 2 branches or 1/4 of the branches of the stalk, whichever is less, has more than 3 distinct hair-like lines more than 3 inches long occurring on the outer side of the branch or an aggregate area of more than 1/4 inch by 1 inch of blotch or solid type discoloration occurring on the inner side.

(viii) Insects; when worms are present, or when insect injury occurs on heart branches, or when insect injury affects the midrib portion of more than 2 branches, or when injury on other portions materially affects the appearance of the stalk.

(ix) Mechanical injury; when the root has been cut off too closely leaving the branches without support, when more than 2 branches are materially scuffed or bruised, when the branches have been broken above the first node to an extent which materially affects the appearance, or when more than 2 branches are broken below the first node except that all branches may be cut below the first node if the stalk is of the length specified.

(i) "Green" means that the midrib portions of the outer branches on the stalk are generally green to light green color.

(j) "Fairly well blanched" means that the midrib portions of the outer branches on the stalk are generally of a creamy white to pale green color.

(k) "Mixed blanch" consists of green and fairly well blanched stalks of celery in the same container.

(l) "Average midrib length" means the average length of all the branches in the outer whorl measured from the point of attachment at the base to the first node.

(m) "Branch" means the leaf of a stalk and consists of the edible stem-like portion and the tops or leaf blades.

(n) "Length of stalk" means the distance from where the root is cut off to a point which represents the average length of the longest branches.

(o) "Diameter" means the greatest dimension of the stalk measured at a point 2 inches above the point of attachment of the lowest outer branch to the base.

(p) "Length of seedstem" means the distance from the base of the outer branches of the stalk to the top of the actual seedstem, exclusive of any leaves or leafstems attached to the top of the seedstem.

History: 1979 AC.