

DEPARTMENT OF AGRICULTURE

FOOD AND DAIRY DIVISION

REGULATION NO. 542. GREENHOUSE LEAF LETTUCE 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, being SS289.635 and 289.644 of the Michigan Compiled Laws)

R 285.542.1 Source.

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

History: 1979 AC.

R 285.542.2 Grade.

Rule 2. Each lot of greenhouse leaf lettuce identified as Michigan seal of quality shall be graded in accordance with the standards as set forth in these rules.

History: 1979 AC.

R 285.542.3 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 Michigan department of agriculture and at a cost as set forth in the established schedule of fees. The Michigan seal of quality is available for use in marketing greenhouse leaf lettuce to any person, firm, or corporation who complies with these rules and any instructions issued therewith.

History: 1979 AC.

R 285.542.4 Agreements and permits.

Rule 4. No person, firm, or corporation shall use the Michigan seal of quality in connection with the grading and labeling of greenhouse leaf lettuce unless there is in force an official written agreement between the applicant and the Michigan 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 greenhouse leaf lettuce to manufacturers who sign an official agreement with the Michigan department of agriculture. Agreements and 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 285.542.5 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 285.542.6 Standards of quality.

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

(a) Individual greenhouse leaf lettuce plants shall be:

(i) Well grown.

(ii) Fairly well trimmed.

(iii) Free from decay.

(iv) Free from damage caused by coarse stems, bleached or discolored leaves, spray-burn, dirt, wilting, freezing, disease, insects, or other means.

(b) All leaf lettuce plants in each package shall have similar varietal characteristics and meet all of the standards of quality for individual leaf lettuce plants.

(c) Size, unless otherwise specified, shall meet the following requirements:

(i) The minimum length of individual plants shall not be less than 7 inches.

(ii) The maximum length of individual plants shall not be more than 14 inches.

(d) Uniformity of packing:

(i) There shall not be more variation than 4 inches in length of plants within a container.

(ii) Plants shall be placed in the container with tips at the end of the container, but not touching, with butts toward the middle. Care should be taken to pack plants in layers, alternately, and parallel to the greatest dimension of the container.

(e) Containers of approximately 20 1/2 x 10 x 8 inches inside dimensions shall contain 8 3/4 pounds minimum net weight of dry leaf lettuce.

History: 1979 AC.

R 285.542.7 Tolerances for defects.

Rule 7. Greenhouse leaf lettuce to which the Michigan seal of quality emblem has been affixed shall meet the following requirements:

(a) Not more than 10%, by count, of the plants of leaf lettuce in any lot may fail to meet the requirements of the grade, but

(b) Not more than 1/2 of this amount, or 5%, shall be allowed for serious damage, including in this latter amount not more than 1% for plants affected by decay.

History: 1979 AC.

R 285.542.8 Tolerances for size.

Rule 8. In order to allow for variations incident to proper sizing, the following tolerances by count shall be allowed: When size is designated by minimum and maximum length, not more than 5% of the plants in any lot may be shorter than the designated minimum and not more than 10% may be longer than the designated maximum.

History: 1979 AC.

R 285.542.9 Packages.

Rule 9. All containers intended for use in connection with the distribution of greenhouse leaf lettuce packed under the Michigan seal of quality must meet the following requirements:

(a) Shipping containers:

(i) Shall be new, clean, and a type recognized as a suitable shipping container for greenhouse leaf lettuce.

(ii) Shall bear upon them in plain sight and in plain letters on 1 outside end or side, the name of the person who first packed or authorized the packing of the leaf lettuce, or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer and in figures not less than 1/4 of an inch in height.

(b) Consumer packages:

(i) Shall be new and of a type recognized as a consumer package for leaf lettuce.

(ii) Shall bear upon them in plain sight and in plain letters the name of the person who first packed or authorized the packing of the leaf lettuce, or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer and in figures not less than 1/8 inch in height.

(c) Application of tolerances. The contents of individual packages in the lot based on sample inspection are subject to the following limitations, providing the averages for the entire lot are within the tolerance specified:

(i) For packages which contain more than 15 plants and a tolerance of 10% or more is provided, individual packages in any lot shall have not more than 1 1/2 times the tolerance specified.

(ii) For packages which contain more than 15 plants and a tolerance of less than 10% is provided, and for packages which contain 15 plants or less, individual packages in any lot shall have not more than double the tolerance specified, except that at least 1 defective and 1 off-size plant may be permitted in any package.

History: 1979 AC.

#### R 285.542.10 Practices and facilities.

Rule 10. Any person who produces or supplies leaf lettuce to be packed under the Michigan seal of quality and any person grading, packing, holding, transporting, distributing, or offering for sale leaf lettuce under the Michigan seal of quality shall be subject to the following provisions governing the conservation of leaf lettuce quality: Coolers, holding rooms, and any other facility in which leaf lettuce is held, stored, or in any manner maintained for periods longer than required for normal movement of fresh leaf lettuce shall:

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

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

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

History: 1979 AC.

#### R 285.542.11 Definitions.

Rule 11. As used in these rules:

(a) "Similar varietal characteristics" means that the plants in any container are of the same general type.

(b) "Well grown" means that the plant is not stunted or poorly developed.

(c) "Fairly well trimmed" means that the stem is trimmed off to within 3/4 inch of the point of attachment of the first whorl of leaves and that leaves which are materially bleached or discolored have been removed.

(d) "Damage" means any specific defect described in these rules or an equally objectionable variation of this defect, any other defect, or any combination of defects, which materially detracts from the appearance or the edible or shipping quality of the leaf lettuce. The following specific defect shall be considered as damage: Stems when more than 3 1/2 inches in length, measured from the end of the butt to the point of attachment of the last whorl of leaves.

(e) "Serious damage" means any defect, or any combination of defects, which seriously detracts from the appearance or the edible or shipping quality of the lettuce.

History: 1979 AC.