

DOMINION OF CANADA

DEPARTMENT OF AGRICULTURE

BULLETINS 1-20

1905-1907

DAIRY AND COLD STORAGE
COMMISSIONER'S SERIES

Sheet the outside of the studs with matched siding. Line the inside with rough boards, as well as the under side of the rafters. Leave space between studs empty.

Have doors in sections running up from the sill to the gable at one end of the ice-house.

3. Before putting in the ice cover the stones or gravel in the ice-house with 12 inches of *dry* sawdust.

4. Pack the ice directly on the sawdust. Leave a space of 12 inches between the walls and the ice. Place the cakes of ice as close together as possible, and fill in all unavoidable spaces with crushed ice or snow, well rammed. Never use any sawdust between the tiers.

5. Fill the 12-inch space between the ice and the wall with *dry* sawdust. Be careful that the sawdust does not contain any ice chips or snow. When no sawdust is available, cut hay or cut straw, or chaff, may be used, but in this case the space between the wall and the ice should be twice as large (24 inches instead of 12) and care should be taken to have the hay or straw packed as well as possible.

6. Cover the ice on top with sawdust or long hay; 12 inches of sawdust will do. Hay should be put on 2 feet thick. Hay and sawdust make an equally good covering, if used in proper quantities.

When sawdust is used, put on two feet thick at first. This will leave 12 inches to spare to fill in the sides in the spring, when the sawdust along the sides has settled.

7. A loft floor over the ice-house does more harm than good, as it prevents circulation of air and keeps the covering damp. Have an opening at each end of the gable fitted with louvre boards, and have a ventilator 18-inch square going through the middle of the roof to create a thorough circulation of air and thus prevent accumulation of heat under the roof.

8. Bank the ice-house up above the sill with earth or sawdust, in order to prevent any entrance of air around the sill.

NOTES.

1. It may be well to point out that in the construction shown in these plans, the real insulation is the air confined between the inside and the outside sheathing, and made *dead air* by being held in the small spaces among the shavings. It is important, therefore, that these inner and outer shells should be made as nearly impervious as possible. The greatest care should be exercised in making tight joints and leaving no cracks or openings of any kind. Even a nail hole allows a stream of air to pass which, being continuous, soon has an appreciable effect.

2. It is a good plan to hang a canvas curtain over all refrigerator door openings, on the side opposite to that on which the door opens. It should be weighted at the bottom, so that it will fall quickly into position after a person passes through. This will prevent loss of cold air, which flows out of a cold room when a door is opened.

3. Many creamery proprietors are deceived as to the actual temperature maintained in their cold storage rooms. A good test is to push the bulb of an ordinary float thermometer about 3 inches into a package of butter which has been in the room two or three days. This will give a fair average of the temperature maintained in the room.

4. The use of salt, with ice, in a refrigerator, does not increase the cooling power of a given weight of ice. The effect of the salt is to cause the ice to melt more rapidly and thus absorb heat more quickly. A ton of ice, in melting, absorbs 284,000 heat units, either with or without salt. With salt the absorption is quickened, hence a lower temperature for a shorter period. A heat unit (B.T.U.) is the amount of heat required to raise 1 pound of water 1 degree F. One pound of ice in melting absorbs 142 heat units.

Copies of this bulletin, in English or French, may be procured, free of charge, by applying to the Dairy Commissioner, Ottawa, Ont.

DEPARTMENT OF AGRICULTURE
DAIRY COMMISSIONER'S BRANCH
FRUIT DIVISION
OTTAWA, CANADA

GENERAL INSTRUCTIONS

RE

THE FRUIT MARKS ACT, 1901 AS AMENDED 1902 AND 1906

BULLETIN No. 11

OTTAWA, July 24, 1906.

To the Honourable the Minister of Agriculture.

SIR,—I beg to transmit herewith the general instructions issued from this office for the guidance of inspectors and other persons charged with the enforcement of the Fruit Marks Act, 1901, together with a copy of the Act (as amended) and the Orders in Council relative to the same. I recommend that these be printed for distribution.

I have the honour to be,

Your obedient servant,

J. A. RUDDICK,
Dairy Commissioner.

THE FRUIT MARKS ACT, 1901.

(1 EDWARD VII., CHAP. 27), AS AMENDED IN 1902 (2 EDWARD VII., CHAP. 10), AND IN 1906 (6 EDWARD VII., CHAP. 15).

I.—TEXT OF THE ACT.

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Fruit Marks Act*, 1901.
2. This Act shall come into operation on the first day of July, nineteen hundred and one.
3. In this Act, unless the context otherwise requires,—

(a) The expression 'closed package' means a box or barrel of which the contents cannot be seen or inspected when such package is closed;

(b) The expression 'fruit' shall not include wild fruit, nor cranberries whether wild or cultivated.

4. Every person who, by himself or through the agency of another person, packs fruit in a closed package, intended for sale, shall cause the package to be marked in a plain and indelible manner, in letters not less than half an inch in length, before it is taken from the premises where it is packed,—

(a) With the initials of his Christian names, his full surname, and his address, or, in the case of a firm or corporation, with the firm or corporate name and address;

(b) With the name of the variety or varieties; and

(c) With a designation of the grade of fruit, which shall include one of the following four marks, viz.: 'Fancy,' 'No. 1,' 'No. 2,' 'No. 3,' but such mark may be accompanied by any other designation of grade or brand, provided that such designation of grade or brand is not inconsistent with, or marked more conspicuously than, the one, of the said four marks, which is used on the said package.

5. No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package and intended for sale, unless such package is marked as required by the next preceding section.

6. No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package upon which is marked any designation which represents such fruit as of,—

(a) 'Fancy' quality, unless such fruit consist of well grown specimens of one variety, sound, of uniform and of at least normal size and of good colour for the variety, of normal shape, free from worm holes, bruises, scab and other defects, and properly packed;

(b) 'No. 1' quality, unless such fruit consist of well grown specimens of one variety, sound, of not less than medium size and of good colour for the variety, of normal shape and not less than ninety per cent free from scab, worm holes, bruises and other defects, and properly packed;

(c) 'No. 2' quality, unless such fruit consist of specimens of not less than nearly medium size for the variety, and not less than eighty per cent free from worm holes and such other defects as cause material waste, and properly packed.

7. No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in any package in which the faced or shown surface gives a false representation of the contents of such package; and it shall be considered a false representation when more than fifteen per cent of such fruit is substantially smaller in size than, or inferior in grade to, or different in variety from, the faced or shown surface of such package.

8. Every person who, by himself or through the agency of another person, violates any of the provisions of this Act shall, for each offence, upon summary conviction, be liable to a fine not exceeding one dollar and not less than twenty-five cents for each package which is packed, sold, offered, exposed or had in possession for sale contrary to the provisions of this Act, together with the costs of prosecution; and in default of payment of such fine and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding one month, unless such fine and the costs of enforcing it are sooner paid.

9. Whenever any fruit in any package is found to be so packed that the faced or shown surface gives a false representation of the contents of the package, any inspector charged with the enforcement of this Act may mark the words 'falsely packed' in a plain and indelible manner on the package.

2. Whenever any fruit packed in a closed package is found to be falsely marked, the said inspector may efface such false marks and mark the words 'falsely marked' in a plain and indelible manner on the package.

3. The inspector shall give notice, by letter or telegram, to the packer whose name is marked on the package within twenty-four hours after he marks the words 'falsely packed' or 'falsely marked' on the package.

10. Every person who not being an inspector wilfully alters, effaces or obliterates wholly or partially, or causes to be altered, effaced or obliterated, any marks on any package which has undergone inspection shall incur a penalty of forty dollars.

11. The person on whose behalf any fruit is packed, sold, offered or had in possession for sale, contrary to the provisions of the foregoing sections of this Act, shall be *prima facie* liable for the violation of this Act.

12. Any person charged with the enforcement of this Act may enter upon any premises to make any examination of any packages of fruit suspected of being falsely marked or packed in violation of any of the provisions of this Act, whether such packages are on the premises of the owner, or on other premises, or in the possession of a railway or steamship company; and any person who obstructs or refuses to permit the making of any such examination shall, upon summary conviction, be liable to a penalty not exceeding five hundred dollars and not less than twenty-five dollars, together with the costs of prosecution, and in default of payment of such penalty and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding six months, unless the said penalty and costs of enforcing it are sooner paid.

13. In any complaint, information or conviction under this Act, the matter complained of may be declared, and shall be held to have arisen, within the meaning of Part LVIII. of *The Criminal Code*, 1892, at the place where the fruit was packed, sold, offered, exposed or had in possession for sale.

14. No appeal shall lie from any conviction under this Act except to a superior, county, circuit or district court, or the court of the sessions of the peace having jurisdiction where the conviction was had; and such appeal shall be brought, notice of appeal in writing given, recognizance entered into, or deposit made within ten days after the date of conviction; and such trial shall be heard, tried, adjudicated upon and decided, without the intervention of a jury, at such time and place as the court or judge hearing the trial appoints, within thirty days from the date of conviction unless the said court or judge extends the time for hearing and decision beyond such thirty days; and in all other respects not provided for in this Act the procedure under Part LVIII. of *The Criminal Code*, 1892, shall, so far as applicable, apply.

15. Any pecuniary penalty imposed under this Act shall, when recovered, be payable one-half to the informant or complainant, and the other half to His Majesty.

16. The Governor in Council may make such regulations as he considers necessary in order to secure the efficient enforcement and operation of this Act; and may by such regulations impose penalties not exceeding fifty dollars on any person offending against them; and the regulations so made shall be in force from the date of their publication in the *Canada Gazette* or from such other date as is specified in the proclamation in that behalf; and the violation of any such regulation shall be deemed an offence against this Act and punishable as such.

II.—ORDER IN COUNCIL OF 14TH SEPTEMBER, 1901.

PRIVY COUNCIL, CANADA.

AT THE GOVERNMENT HOUSE AT OTTAWA,

The 14th day of September, 1901.

PRESENT:

His Excellency the Governor General in Council.

Whereas by section 16 of the Act, 1 Edward VII., Chapter 27, intituled 'An Act to provide for the Marking and Inspection of packages containing Fruit for Sale,' it is provided as follows:—

'16. The Governor in Council may make such regulations as he considers necessary in order to secure the efficient enforcement and operation of this Act; and may by such regulations impose penalties not exceeding fifty dollars on any person offending against them; and the regulations so made shall be in force from the date of their publication in the *Canada Gazette*, or from such other date as is specified in the proclamation in that behalf; and the violation of any such regulation shall be deemed an offence against this Act and punishable as such.'

Therefore His Excellency the Governor General in Council is pleased, in virtue of the above cited provisions of the said Act to make the following regulations, the same to come into force on the date of their publication in the *Canada Gazette*.

1. The Minister of Agriculture may make appointments of inspectors and other persons for the enforcement of the Act.

2. Any inspector charged with the enforcement of the Act may detain, for the time necessary to complete his inspection, any shipment of fruit, in respect of which he has reasonable grounds for believing that the marking of the package, or the packing of the fruit, constitutes a violation of the Act; such fruit shall at all times be at the risk and charges of the owner thereof; and any inspector detaining fruit shall give the owner, where ascertained, notice that such fruit is being detained, in storage or otherwise, as the case may be.

3. The despatch of a prepaid telegram or letter to the packer whose name is marked on the package shall be considered due notice.

4. No person shall for himself or on behalf of any other person, pack any fruit for sale, contrary to the provisions of the Act.

5. Any inspector or other person who violates any of the regulations made under the authority of the Act shall for each offence, on summary conviction, be liable to a fine of not less than five dollars and not exceeding fifty dollars, together with the costs of prosecution.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

III.—GENERAL INSTRUCTIONS.

1. Inspectors will visit orchards and packing houses to give information with regard to the Act. They will keep notes of what they observe during such visits.

2. Inspectors will examine fruit at all points in the district assigned them, whether at shipping stations, packing houses, orchards or elsewhere, as directed and as opportunity offers.

3. The Act does not provide for the inspection of particular lots of fruit at the request of buyers or sellers. When not under specific directions, inspectors will use their discretion as to where they can best employ their time within the district assigned them.

4. Inspectors will avoid anything which would delay unnecessarily the movement of fruit, or which would interfere with the interests of those concerned in the fruit trade, except in so far as action may be necessary to prevent violation of the Act.

5. Packages which have been inspected are to be closed by the inspector and left in marketable order after examination, unless the owner prefers to take charge of such opened packages.

6. Inspectors will report to the department by telegram regarding any particular shipments which in their judgment should be examined at the port of export or elsewhere.

IV.—EXPLANATIONS FOR GUIDANCE OF INSPECTORS.

Sec. 3 (a). Baskets and berry crates (even with close covers) will not be considered closed packages to be affected by Sections 4 and 6; the packing of fruit in any package is subject to the provisions of Section 7.

Sec. 4. Premises including the shipping station.

Sec. 4 (a). Firm or corporation. Unregistered partnerships are not included in these terms.

In case no name appears on packages, proceedings may be taken against the owner where ascertained; otherwise against the party in whose possession the fruit is found.

Sec. 6 (a). Uniform is to be taken as referring to the specimens in each individual package. Normal sized apples and very large apples, packed in the same packages, would not be uniform. (c) ("Defects as cause material waste"). These will include abnormal growths, bruises, immaturity and the effects of fungous diseases.

Properly packed. 'Slacks' and over-pressed packages are to be considered as not properly packed if the condition is likely to result in permanent damage during handling or transit.

V.—EXPLANATORY NOTES.

(a).—For the Grower.

If the grower sells his fruit unpacked, the Act does not apply to him in any particular.

If he sells his fruit in uncovered barrels or boxes, the Act requires only that the top of each package shall be no better than the fruit throughout the package.

If the grower packs his own fruit he accepts the responsibility of the packing, as described in the following paragraph:

(b).—For the Owner.

Section 4 of the Act requires that the person who owns the fruit when it is packed in closed barrels or boxes must mark plainly on each package:—

1. His name and post office address.
2. The name of the variety of the fruit.
3. The grade of the fruit, whether it is 'Fancy,' 'No. 1,' 'No. 2,' or 'No. 3.'

If he marks the package 'Fancy' the fruit must be as described in Section 6, sub-section (a), practically perfect.

On reading sub-section (b) carefully, it will be seen that the packer should aim to discard every injured or defective fruit, and not to deliberately include the ten per cent of inferior specimens which the law allows. This margin is meant to make the work of grading easier and more rapid than if absolute perfection were exacted.

It should be noted that the definitions of grades do not vary from year to year: no provision is made for lowering the standard when the quality of the crop is poor. In such a case the only result is that a smaller proportion of the fruit is of the higher grades.

The Act makes no restriction as to the quality of fruit which is marked 'No. 3.'

On the owner is laid the duty of seeing that the face of each package fairly represents the contents as required by Section 7. Over-facing is an offence against the Act which is most severely dealt with by the courts.

(c).—*For the Packer.*

Whether he is putting up his own fruit or that of another person, the packer is required by Section 4 of the Order in Council, printed above, to pack the fruit in accordance with the law. He should read the whole Act carefully, but should give Sections 6 and 7 special attention. If he violates either of these, he is liable to the fine specified in Section 5 of the Order in Council.

DEPARTMENT OF AGRICULTURE
DAIRY AND COLD STORAGE COMMISSIONER'S BRANCH
FRUIT DIVISION
OTTAWA, - - - CANADA

GENERAL INSTRUCTIONS

RE

THE INSPECTION AND SALE ACT, PART IX.

REFERRING TO

FRUIT AND FRUIT PACKAGES

BULLETIN No. 11

Dairy and Cold Storage Commissioner's Series

(REVISED EDITION)

