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COMMISSION IMPLEMENTING REGULATION (EU) No 543/2011

of 7 June 2011

laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors

(OJ L 157, 15.6.2011, p. 1)

Amended by:

		Official Journal		
		No	page	date
►M1	Commission Implementing Regulation (EU) No 726/2011 of 25 July 2011	L 194	25	26.7.2011
►M2	Commission Implementing Regulation (EU) No 898/2011 of 7 September 2011	L 231	11	8.9.2011
►M3	Commission Implementing Regulation (EU) No 996/2011 of 7 October 2011	L 264	25	8.10.2011
►M4	Commission Implementing Regulation (EU) No 1020/2011 of 14 October 2011	L 270	14	15.10.2011
►M5	Commission Implementing Regulation (EU) No 1095/2011 of 28 October 2011	L 283	32	29.10.2011
►M6	Commission Implementing Regulation (EU) No 1325/2011 of 16 December 2011	L 335	66	17.12.2011
►M7	Commission Implementing Regulation (EU) No 72/2012 of 27 January 2012	L 26	26	28.1.2012
►M8	Commission Implementing Regulation (EU) No 302/2012 of 4 April 2012	L 99	21	5.4.2012
►M9	Commission Implementing Regulation (EU) No 366/2012 of 27 April 2012	L 116	10	28.4.2012
►M10	Commission Implementing Regulation (EU) No 450/2012 of 29 May 2012	L 140	53	30.5.2012
►M11	Commission Implementing Regulation (EU) No 701/2012 of 30 July 2012	L 203	60	31.7.2012
►M12	Commission Implementing Regulation (EU) No 755/2012 of 16 August 2012	L 223	6	21.8.2012
►M13	Commission Implementing Regulation (EU) No 781/2012 of 28 August 2012	L 232	5	29.8.2012
►M14	Commission Implementing Regulation (EU) No 988/2012 of 25 October 2012	L 297	9	26.10.2012
►M15	Commission Implementing Regulation (EU) No 353/2013 of 18 April 2013	L 109	1	19.4.2013
►M16	Commission Regulation (EU) No 519/2013 of 21 February 2013	L 158	74	10.6.2013
►M17	Commission Implementing Regulation (EU) No 565/2013 of 18 June 2013	L 167	26	19.6.2013
►M18	Commission Implementing Regulation (EU) No 594/2013 of 21 June 2013	L 170	43	22.6.2013

►**M19**	Commission Implementing Regulation (EU) No 956/2013 of 4 October 2013	L 263	9	5.10.2013
►**M20**	Commission Implementing Regulation (EU) No 979/2013 of 11 October 2013	L 272	35	12.10.2013
►**M21**	Commission Implementing Regulation (EU) No 443/2014 of 30 April 2014	L 130	41	1.5.2014
►**M22**	Commission Delegated Regulation (EU) No 499/2014 of 11 March 2014	L 145	5	16.5.2014
►**M23**	Commission Implementing Regulation (EU) No 1139/2014 of 27 October 2014	L 307	34	28.10.2014
►**M24**	Commission Implementing Regulation (EU) 2015/678 of 29 April 2015	L 111	24	30.4.2015
►**M25**	Commission Implementing Regulation (EU) 2015/2000 of 9 November 2015	L 292	4	10.11.2015
►**M26**	Commission Implementing Regulation (EU) 2015/2244 of 3 December 2015	L 318	23	4.12.2015
►**M27**	Commission Implementing Regulation (EU) 2016/674 of 29 April 2016	L 116	23	30.4.2016
►**M28**	Commission Implementing Regulation (EU) 2016/2097 of 30 November 2016	L 326	9	1.12.2016
►**M29**	Commission Delegated Regulation (EU) 2017/891 of 13 March 2017	L 138	4	25.5.2017
►**M30**	Commission Implementing Regulation (EU) 2017/1185 of 20 April 2017	L 171	113	4.7.2017
►**M31**	Commission Delegated Regulation (EU) 2019/428 of 12 July 2018	L 75	1	19.3.2019
►**M32**	Commission Implementing Regulation (EU) 2020/2102 of 15 December 2020	L 425	84	16.12.2020

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TITLE I

INTRODUCTORY PROVISIONS

Article 1

Scope and use of terms

1. This Regulation lays down implementing rules for Regulation 1234/2007 as regards the fruit and vegetables and processed fruit and vegetables sectors.

However, Titles II and III of this Regulation shall only apply in respect of products of the fruit and vegetables sector as referred to in Article 1(1)(i) of Regulation (EC) No 1234/2007 and of such products intended solely for processing.

2. Terms used in Regulation (EC) No 1234/2007 shall have the same meaning when used in this Regulation unless this Regulation provides otherwise.

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TITLE II

CLASSIFICATION OF PRODUCTS

CHAPTER I

General rules

Article 3

Marketing standards; holders

1. The requirements of Article 113a(1) of Regulation (EC) No 1234/2007 shall be the general marketing standard. The details of the general marketing standard are set out in Part A of Annex I to this Regulation.

Fruit and vegetables not covered by a specific marketing standard shall conform to the general marketing standard. However, where the holder is able to show that the products are in conformity with any applicable standards adopted by the United Nations Economic Commission for Europe (UNECE), they shall be considered as conforming to the general marketing standard.

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2. The specific marketing standards referred to in Article 113(1)(b) of Regulation (EC) No 1234/2007 are set out in Part B of Annex I to this Regulation as regards the following products:

(a) apples,

(b) citrus fruit,

(c) kiwifruit,

(d) lettuces, curled leaved and broad-leaved endives,

(e) peaches and nectarines,

(f) pears,

(g) strawberries,

(h) sweet peppers,

(i) table grapes,

(j) tomatoes.

3. For the purposes of Article 113a(3) of Regulation (EC) No 1234/2007, 'holder' means any natural or legal person who is in physical possession of the products concerned.

Article 4

Exceptions and exemptions from the application of marketing standards

1. By way of derogation from Article 113a(3) of Regulation (EC) No 1234/2007, the following products shall not be required to conform to the marketing standards:

(a) provided they are clearly marked with the words 'intended for processing' or 'for animal feed' or any other equivalent wording, products:

(i) intended for industrial processing, or

(ii) intended for animal feed or other non-food use;

(b) products transferred by the producer on his holding to consumers for their personal use;

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(c) products recognised in a Commission Decision taken at the request of a Member State in accordance with the procedure referred to in Article 195(2) of Regulation (EC) No 1234/2007 as products of a given region which are sold by the retail trade of that region or, in exceptional and duly justified cases, of that Member State, in case of well established traditional local consumption;

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(d) products having undergone a trimming or cutting making them 'ready to eat' or 'kitchen ready'.

(e) products marketed as edible sprouts, following germination of seeds of plants classified as fruit and vegetables under Article 1(1)(i) and Part IX of Annex I to Regulation (EC) No 1234/2007.

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2. By way of derogation from Article 113a(3) of Regulation (EC) No 1234/2007, the following products shall not be required to conform to the marketing standards within a given production area:

(a) products sold or delivered by the grower to preparation and packaging stations or storage facilities, or shipped from his holding to such stations; and

(b) products shipped from storage facilities to preparation and packaging stations.

3. By way of derogation from Article 113a(3) of Regulation (EC) No 1234/2007, Member States may exempt from the specific marketing standards products presented for retail sale to consumers for their personal use and labelled ‘product intended for processing’ or with any other equivalent wording and intended for processing other than those referred to in paragraph 1(a)(i) of this Article.

4. By way of derogation from Article 113a(3) of Regulation (EC) No 1234/2007, Member States may exempt from the marketing standards products directly sold by the producer to the final consumer for personal use on markets reserved only for producers within a given production area defined by Member States.

5. By way of derogation from Article 113a(3) of Regulation (EC) No 1234/2007 as regards the specific marketing standards, fruit and vegetables other than the ‘Extra’ Class, at stages following dispatch, may show a slight lack of freshness and turgidity and slight deterioration due to their development and their tendency to perish.

6. By way of derogation from Article 113a(3) of Regulation (EC) No 1234/2007, the following products shall not be required to conform to the general marketing standard:

(a) non-cultivated mushrooms of CN code 0709 59,

(b) capers of CN code 0709 90 40,

(c) bitter almonds of CN code 0802 11 10,

(d) shelled almonds of CN code 0802 12,

(e) shelled hazelnuts of CN code 0802 22,

(f) shelled walnuts of CN code 0802 32,

(g) pine nuts of CN code 0802 90 50,

(h) pistachios of CN code 0802 50 00,

(i) macadamia of CN code 0802 60 00,

(j) pecans of CN code ex 0802 90 20,

(k) other nuts of CN code 0802 90 85,

(l) dried plantains of CN code 0803 00 90,

(m) dried citrus of CN code 0805,

(n) mixtures of tropical nuts of CN code 0813 50 31,

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(o) mixtures of other nuts of CN code 0813 50 39,

(p) saffron of CN code 0910 20.

7. Evidence shall be supplied to the competent authority of the Member State that the products covered by paragraphs 1(a) and 2 fulfil the conditions laid down, in particular with regard to their intended use.

Article 5

Information particulars

1. The information particulars required by this Chapter shall be shown legibly and obviously on one side of the packaging, either indelibly printed directly onto the package or on a label which is an integral part of the package or affixed to it.

2. For goods shipped in bulk and loaded directly onto a means of transport, the information particulars referred to in paragraph 1 shall be given in a document accompanying the goods or shown on a notice placed in an obvious position inside the means of transport.

3. In the case of distance contracts within the meaning of Article 2(1) of Directive 97/7/EC of the European Parliament and of the Council ([1]), conformity with the marketing standards shall require that the information particulars shall be available before the purchase is concluded.

4. Invoices and accompanying documents, excluding receipts for the consumer, shall indicate the name and the country of origin of the products and, where appropriate, the class, the variety or commercial type if required in a specific marketing standard, or the fact that it is intended for processing.

Article 6

Information particulars at the retail stage

1. At retail stage, the information particulars required by this Chapter shall be legible and conspicuous. Products may be presented for sale provided the retailer displays prominently, adjacent to and legibly the information particulars relating to country of origin and, where appropriate, class and variety or commercial type in such a way as not to mislead the consumer.

2. For products which are pre-packaged within the meaning of Directive 2000/13/EC of the European Parliament and of the Council ([2]), the net weight shall be indicated, in addition to all the information provided for in the marketing standards. However, in the case of products sold by number, the requirement to indicate the net weight shall not apply if the number of items may be clearly seen and easily counted from the outside or, if the number is indicated on the label.

([1]) OJ L 144, 4.6.1997, p. 19.
([2]) OJ L 41, 14.2.2003, p. 33.

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Article 7

Mixes

1. The marketing of packages of a net weight of 5 kg or less containing mixes of different species of fruits, of vegetables or of fruits and vegetables shall be allowed, provided that:

(a) the products are of uniform quality and each product concerned complies with the relevant specific marketing standard or, where no specific marketing standard exists for a particular product, the general marketing standard;

(b) the package is appropriately labelled, in accordance with this Chapter; and

(c) the mix is not such as to mislead the consumer.

2. The requirements of paragraph 1(a) shall not apply to products included in a mix which are not products of the fruit and vegetables sector referred to in Article 1(2)(i) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ([1]).

3. If the products in a mix originate in more than one Member State or third country, the full names of the countries of origin may be replaced with one of the following, as appropriate:

(a) ‘mix of EU fruit’, ‘mix of EU vegetables’ or ‘mix of EU fruit and vegetables’;

(b) ‘mix of non-EU fruit’, ‘mix of non-EU vegetables’ or ‘mix of non-EU fruit and vegetables’;

(c) ‘mix of EU and non-EU fruit’, ‘mix of EU and non-EU vegetables’ or ‘mix of EU and non-EU fruit and vegetables’.

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CHAPTER II

Checks on conformity to marketing standards

Section 1

General provisions

Article 8

Scope

This Chapter lays down rules on conformity checks, which shall mean the checks carried out on fruit and vegetables at all marketing stages, in order to verify that they conform to the marketing standards and other provisions of this Title and of Articles 113 and 113a of Regulation (EC) No 1234/2007.

([1]) Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671.)

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Article 9

Coordinating authorities and inspection bodies

1. Each Member State shall designate:

(a) a single competent authority responsible for coordination and contacts in the areas covered by this Chapter, hereinafter called ‘the coordinating authority’; and

(b) an inspection body or bodies responsible for the application of this Chapter, hereinafter called ‘the inspection bodies’.

The coordinating authorities and inspection bodies referred to in the first subparagraph may be public or private. However, the Member States shall be responsible for them in either case.

2. The Member States shall notify the Commission of:

(a) the name and postal and e-mail address of the coordinating authority they have designated pursuant to paragraph 1(a);

(b) the name and postal and e-mail address of the inspection bodies they have designated pursuant to paragraph 1(b); and

(c) the exact description of the respective spheres of activity of the inspection bodies they have designated.

3. The coordinating authority may be the inspection body or one of the inspection bodies or any other body designated pursuant to paragraph 1.

4. The Commission shall make publicly available the list of coordinating authorities designated by the Member States in the manner it considers appropriate.

Article 10

Trader database

1. Member States shall set up a database on traders in fruit and vegetables, which shall list, under the conditions established in this Article, traders involved in the marketing of fruit and vegetables for which standards have been laid down pursuant to Article 113 of Regulation (EC) No 1234/2007.

For this purpose, Member States may use any other database or databases already established for other purposes.

2. For the purpose of this Regulation, ‘trader’ means any natural or legal person who:

(a) holds fruit and vegetables subject to marketing standards with a view to:

  (i) displaying or offering them for sale,

  (ii) selling them, or

  (iii) marketing them in any other manner, or

(b) actually carries out any of the activities referred to in point (a) as regards fruit and vegetables subject to marketing standards.

The activities referred to in point (a) of the first subparagraph shall cover:

(a) distance selling whether by internet or otherwise,

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(b) such activities carried out by the natural or legal person for itself or on behalf of a third party, and

(c) such activities carried out in the Union and/or by export to third countries and/or import from third countries.

3. Member States shall determine the conditions under which the following traders are to be included or not in the database:

(a) traders whose activities are exempt from the obligation to comply with the marketing standards pursuant to Article 4; and

(b) natural or legal persons whose activities in the fruit and vegetables sector are limited either to the transport of goods, or to the sale at the retail stage.

4. Where the trader database is composed of several distinct elements, the coordinating authority shall ensure that the database, its elements and their updating are uniform. The updating of the database shall be done in particular using the information collected during conformity checks.

5. The database shall contain for each trader:

(a) the registration number, name and address;

(b) information needed for its classification in one of the risk categories mentioned in Article 11(2), in particular, position in the marketing chain and information concerning the importance of the firm;

(c) information concerning findings made during previous checks of each trader;

(d) any other information considered necessary for checks such as information concerning the existence of a quality assurance system or self-check system related to the conformity to the marketing standards.

The updating of the database shall be carried out in particular using the information collected during conformity checks.

6. Traders shall provide the information that Member States consider necessary to set up and update the database. Member States shall determine the conditions under which traders not established in their territory but trading on it shall be listed in their database.

Section 2

Conformity checks carried out by the Member States

Article 11

Conformity checks

1. Member States shall ensure that conformity checks are carried out selectively, based on a risk analysis, and with appropriate frequency, so as to ensure compliance with the marketing standards and other provisions of this Title and of Articles 113 and 113a of Regulation (EC) No 1234/2007.

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The criteria to assess the risk shall include the existence of a conformity certificate referred to in Article 14 issued by a competent authority of a third country where the conformity checks have been approved pursuant to Article 15. The existence of such certificate shall be considered as a factor reducing the risk of non-conformity.

The criteria to assess the risk may also include:

(a) the nature of the product, the period of production, the price of the product, the weather, the packing and handling operations, the storage conditions, the country of origin, the means of transport or the volume of the lot;

(b) the size of the traders, their position in the marketing chain, the volume or value marketed by them, their product range, the delivery area or the type of business carried out such as storage, sorting, packing or sale;

(c) findings made during previous checks including the number and type of defects found, the usual quality of products marketed, the level of technical equipment used;

(d) the reliability of traders' quality assurance systems or self-checking systems related to the conformity to marketing standards;

(e) the place where the check is carried out, in particular if it is the point of first entry into the Union, or the place where the products are being packed or loaded;

(f) any other information that might indicate a risk of non-compliance.

2. The risk analysis shall be based on the information contained in the trader database referred to in Article 10 and shall classify traders in risk categories.

Member States shall lay down in advance:

(a) the criteria for assessing the risk of non-conformity of lots;

(b) on the basis of a risk analysis for each risk category, the minimum proportions of traders or lots and/or quantities which will be subject to a conformity check.

Member States may choose not to carry out selective checks on products not subject to specific marketing standards, based on a risk analysis.

3. Where checks reveal significant irregularities, Member States shall increase the frequency of checks in relation to traders, products, origins, or other parameters.

4. Traders shall provide inspection bodies with all the information those bodies judge necessary for organising and carrying out conformity checks.

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Article 12

Approved traders

1. Member States may authorise traders classified in the lowest risk category and providing special guarantees on conformity to marketing standards to use the specimen in Annex II in the labelling of each package at the stage of dispatch and/or to sign the conformity certificate as referred to in Article 14.

2. The authorisation shall be granted for a period of at least one year.

3. Traders benefiting from this possibility shall:

(a) have inspection staff who have received training approved by the Member States;

(b) have suitable equipment for preparing and packing produce;

(c) commit themselves to carry out a conformity check on the goods they dispatch and have a register recording all checks carried out.

4. Where an authorised trader no longer complies with the requirements for authorisation the Member State shall withdraw the authorisation.

5. Notwithstanding paragraph 1, authorised traders may continue to use specimens which conformed to Regulation (EC) No 1580/2007 on ►**M18** 21 June 2011 ◄ until stocks are exhausted.

Authorisations granted to traders before ►**M18** 22 June 2011 ◄ shall continue to apply for the period for which they were granted.

Article 13

Acceptance of declarations by customs

1. Customs may only accept export declarations and/or declarations for the release for free circulation for the products subject to specific marketing standards if:

(a) the goods are accompanied by a conformity certificate, or

(b) the competent inspection body has informed the customs authority that the lots concerned have been issued a conformity certificate, or

(c) the competent inspection body has informed the customs authority that it has not issued a conformity certificate for the lots concerned because they do not needed to be checked in the light of the risk assessment referred to in Article 11(1).

This shall be without prejudice to any conformity checks the Member State may carry out pursuant to Article 11.

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2. Paragraph 1 shall also apply to products subject to the general marketing standard set out in Part A of Annex I and products referred to in Article 4(1)(a) if the Member State concerned considers it necessary in the light of the risk analysis referred to in Article 11(1).

Article 14

Certificate of conformity

1. Certificates of conformity may be issued by a competent authority to confirm that the products concerned conform to the relevant marketing standard (hereinafter referred to as 'certificate'). The certificate for use by competent authorities in the Union is set out in Annex III.

Instead of certificates issued by competent authorities in the Union, the third countries referred to in Article 15(4) may use their own certificates provided that they contain at least equivalent information to the Union certificate. The Commission shall make available, by the means it considers appropriate, specimens of such third country certificates.

2. The certificates may be issued either in paper format with original signature or in verified electronic format with electronic signature.

3. Each certificate shall be stamped by the competent authority and signed by the person or persons empowered to do so.

4. The certificate shall be issued in at least one of the official languages of the Union.

5. Each certificate shall bear a serial number, by which it can be identified. A copy of each issued certificate shall be retained by the competent authority.

6. Notwithstanding the first subparagraph of paragraph 1, Member States may continue to use certificates which conformed to Regulation (EC) No 1580/2007 on 30 June 2009 until stocks are exhausted.

Section 3

Conformity checks carried out by third countries

Article 15

Approval of conformity checks carried out by third countries prior to import into the Union

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1. At the request of a third country, the Commission may, in accordance with the procedure referred to in Article 195(2) of Regulation (EC) No 1234/2007, approve checks on conformity to marketing standards carried out by that third country prior to import into the Union.

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2. The approval referred to in paragraph 1 may be granted to third countries where the Union marketing standards, or at least equivalent standards, are met for products exported to the Union.

The approval shall specify the official authority in the third country under the responsibility of which checks referred to in paragraph 1 are carried out. That authority shall be responsible for contacts with the Union. The approval shall also specify the third country inspection bodies in charge of the proper checks.

The approval may only apply to products originating in the third country concerned and may be limited to certain products.

3. The third country inspection bodies shall be official bodies or bodies officially recognised by the authority referred to in paragraph 2 which provide satisfactory guarantees and dispose of the necessary personnel, equipment and facilities to carry out checks according to the methods referred to in Article 17(1) or equivalent methods.

4. The third countries where the conformity checks have been approved under this Article, and the products concerned, shall be set out in Annex IV.

The Commission shall make available, by the means it considers appropriate, details of the official authorities and inspection bodies concerned.

Article 16

Suspension of approval of the conformity checks

The Commission may suspend approval of the conformity checks if it is found that, in a significant number of lots and/or quantities, the goods do not correspond to the information in the certificates of conformity issued by the third country inspection bodies.

Section 4

Methods of inspection

Article 17

Methods of inspection

1. The conformity checks provided for in this Chapter, with the exception of those at the point of retail sale to the end consumer, shall be carried out in accordance with the methods of inspection laid down in Annex V, save as otherwise provided in this Regulation.

Member States shall lay down specific arrangements for checking conformity at the point of retail sale to the end consumer.

2. Where inspectors find that the goods conform with the marketing standards, the inspection body may issue a certificate of conformity as set out in Annex III.

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3. Where the goods do not conform with the standards, the inspection body shall issue a finding of non-conformity for the attention of the trader or their representatives. Goods for which a finding of non-conformity has been issued may not be moved without the authorisation of the inspection body which issued that finding. That authorisation can be subject to the respect of conditions laid down by the inspection body.

Traders may decide to bring all or some of the goods into conformity. Goods brought into conformity may not be marketed before the competent inspection body has ensured by all appropriate means that the goods have actually been brought into conformity. The competent inspection body shall issue, where applicable, a certificate of conformity as set out in Annex III for the lot or part thereof only after the goods have been brought into conformity.

If an inspection body accepts a trader's wish to bring the goods into conformity in a Member State other than that where the check leading to a finding of non-conformity has been carried out, the trader shall notify the competent inspection body of the destination Member State of the non-conforming lot. The Member State issuing the finding of non-conformity shall send a copy of that finding to the other Member States concerned including the Member State of destination of the non-conforming lot.

Where the goods can neither be brought into conformity nor sent to animal feed, industrial processing or any other non-food use, the inspection body may, if necessary, request traders to take adequate measures in order to ensure that the products concerned are not marketed.

Traders shall supply all information deemed necessary by Member States for the application of this paragraph.

Section 5

Notifications

Article 18

Notifications

1. A Member State where a consignment from another Member State is found not to conform with the marketing standards because of defects or deterioration which could have been detected at the time of packaging shall notify forthwith the Commission and the Member States likely to be concerned.

2. A Member State where a lot of goods from a third country has been rejected from release into free circulation because of non-compliance with the marketing standards shall notify forthwith the Commission, the Member States likely to be concerned and the third country concerned and listed in Annex IV.

3. Member States shall notify the Commission of their provisions of inspection and risk analysis systems. They shall inform the Commission of any subsequent amendments to those systems.

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4. Member States shall notify the Commission and the other Member States of the summarised results of the inspections at all marketing stages in a given year by 30 June of the following year.

5. The notifications referred to in paragraphs 1 to 4 shall be made by the means specified by the Commission.

TITLE III

PRODUCER ORGANISATIONS

CHAPTER I

Requirements and recognition

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Section 4

Producer groups

Article 36

Submission of recognition plans

1. A legal entity or clearly defined part of a legal entity shall submit the recognition plan referred to in Article 125e(1) of Regulation (EC) No 1234/2007 to the competent authority of the Member State in which the entity has its head office.

2. Member States shall lay down:

(a) the minimum criteria which the legal entity or clearly defined part of a legal entity shall meet to be able to submit a recognition plan;

(b) the rules for the drafting, content and implementation of recognition plans;

(c) the period during which a former member of a producer organisation shall be prohibited from joining a producer group after leaving the producer organisation in respect of the products for which the producer organisation was recognised;

(d) the administrative procedures for the approval, monitoring and fulfilling of recognition plans; and

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(e) the rules to avoid that a producer benefits from Union aid for producer groups for more than 5 years.

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Article 37

Content of recognition plans

A draft recognition plan shall cover at least the following:

(a) a description of the initial situation, in particular as regards the number of producer members, giving full details of members, production, including the value of marketed production, marketing and infrastructure that is at the producer group's disposal, including infrastructure owned by individual members of the producer group;

(b) the proposed date for starting implementation of the plan and its duration, which shall not exceed five years; and

(c) activities and investments to be implemented in order to achieve recognition.

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The investments referred to in point (c) of the first paragraph shall not include investments listed in Annex Va.

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Article 38

Approval of recognition plans

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1. The competent authority of the Member State shall take one of the decisions referred to in paragraph 3 within three months of receipt of a draft recognition plan accompanied by all supporting documents. Member States may provide for a shorter deadline.

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2. Member States may adopt additional rules concerning the eligibility of operations and expenditure under recognition plans, including rules on the eligibility of investments, for the purpose of achieving compliance by producer groups with the recognition criteria for producer organisations referred to in Article 125b(1) of Regulation (EC) No 1234/2007.

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3. Following the conformity checks referred to in Article 111, the competent authority of the Member State shall, as appropriate:

(a) provisionally accept the plan and grant preliminary recognition;

(b) request changes to the plan, including changes in relation to its duration. In particular, the Member State shall assess whether the phases proposed are not unduly long and demand modifications where a producer group could meet the recognition criteria for producer organisations before the end of the five-year period referred to in the third subparagraph of Article 125e(1) of Regulation (EC) No 1234/2007;

(c) reject the plan, especially in the case where the legal entities or clearly defined parts of such entities applying for preliminary recognition as producer groups already meet the criteria for recognition as a producer organisation.

Provisional acceptance may be granted, where necessary, only if the changes requested under point (b) have been incorporated in the plan.

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4. The competent authority of the Member State shall notify the Commission, by 1 July in any given year, of the decisions provisionally accepting recognition plans and the financial implications of those plans, using the templates set out in Annex Vb.

5. Once the allocation coefficients referred to in the second subparagraph of Article 47(4) have been set, the competent authority of the Member State shall provide the producer groups concerned with an opportunity to amend or withdraw their recognition plan. Where a producer group does not withdraw its plan the competent authority shall accept such plan definitively subject to such amendments as the competent authority may deem necessary.

6. The competent authority of the Member State shall notify the legal entity or clearly defined part of a legal entity of decisions referred to in paragraphs 3 and 5.

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Article 39

Implementation of recognition plans

1. The recognition plan shall be implemented in annual segments starting on 1 January. Member States may allow producer groups to break down these annual segments into semestrial segments.

For the first year of implementation in accordance with the proposed date referred to in Article 37(b), the recognition plan shall begin:

(a) on 1 January following the date of its acceptance by the competent authority of the Member State; or

(b) on the first calendar day following the date of its acceptance.

The first year of implementation of the recognition plan shall in any event end on 31 December of the same year.

▼M8

2. Member States shall set the conditions under which producer groups may request changes to plans during their implementation. Those requests shall be accompanied by all the necessary supporting documents.

Member States shall determine the conditions under which recognition plans may be amended during an annual or semestrial segment without prior approval by the competent authority of the Member State. Those changes shall only be eligible for aid if they are communicated by the producer group to the competent authority of the Member State without delay.

Producer groups may be authorised by the competent authority of the Member State, during a given year and in respect of that year, to increase the total amount of expenditure laid down in a recognition plan by a maximum of 5 % of the amount initially approved, or to decrease it by a maximum percentage to be fixed by Member States, in both cases provided that the overall objectives of the recognition plan are maintained and provided that the overall Union expenditure at the level of the Member State concerned does not exceed the amount of Union contribution allocated to that Member State in accordance with Article 47(4).

▼M8

In the case of mergers of producer groups as referred to in Article 48, the limit of 5 % shall apply to the total amount of expenditure laid down in the recognition plans of the merging producer groups.

▼B

3. The competent authority of the Member State shall decide on changes to plans within three months of receipt of the request for change, after considering the evidence supplied. Where no decision is taken on a request for change within that period, the request shall be deemed to have been rejected. Member States may provide for a shorter deadline.

Article 40

Applications for recognition as a producer organisation

1. Producer groups implementing a recognition plan may, at any time, submit an application for recognition under Article 125b of Regulation (EC) No 1234/2007. Such applications shall in any event be submitted before the end of the transitional period referred to in Article 125e(1) of Regulation (EC) No 1234/2007.

2. From the date on which such an application is lodged, the group in question may submit a draft operational programme under Article 63.

Article 41

Producer groups' main activities

1. The main activity of a producer group shall relate to the concentration of supply and the placing on the market of the products of its members for which it is preliminary recognised.

2. A producer group may sell products from producers which are not a member of a producer group, where it is recognised for those products and provided that the economic value of that activity is below the value of the marketed production of the producer group's own members and of members of other producer groups.

Article 42

Value of marketed production

1. Article 50(1) to (4) and (7) and the first sentence of paragraph 6 of that Article shall apply mutatis mutandis to producer groups.

2. Where a reduction of the value of marketed production of at least 35 % has occurred due to reasons, duly justified to the Member State, falling outside the responsibility and control of the producer group, the total value of marketed production shall be deemed to represent 65 % of the total value declared in the previous application or applications for aid covering the most recent annual segment, as verified by the Member State, and in the absence thereof, of the value declared initially in the approved recognition plan.

3. The value of marketed production shall be as calculated under the legislation applicable as regards the period for which the aid is claimed.

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Article 43

Financing of recognition plans

1. The rates of aid referred to in Article 103a(3) of Regulation (EC) No 1234/2007 shall be reduced by half in relation to marketed production which exceeds EUR 1 000 000.

2. The aid referred to in Article 103a(1)(a) of Regulation (EC) No 1234/2007 shall be subject to an annual ceiling for each producer group of EUR 100 000.

3. The aid referred to in Article 103a(1) of Regulation (EC) No 1234/2007 shall be paid:

(a) in annual or semestrial instalments at the end of each annual or semestrial period for the implementation of the recognition plan; or

(b) in instalments covering part of an annual period if the plan starts during the annual period or if recognition occurs under Article 125b of Regulation (EC) No 1234/2007 before the end of an annual period. In that case, the ceiling referred to in paragraph 2 of this Article shall be reduced proportionately.

In order to calculate the instalments, the Member States may use as a basis the marketed production corresponding to a period other than that in respect of which the instalment is paid, where checks so require. The difference between the periods shall be less than the actual period concerned.

4. The exchange rate applicable to the amounts referred to in paragraphs 1 and 2 shall be the rate most recently published by the European Central Bank prior to the first day of the period for which the aid in question is granted.

Article 44

Aid for investments required for recognition

Investments linked to the implementation of recognition plans referred to in Article 37(c) of this Regulation for which aid is provided for under Article 103a(1)(b) of Regulation (EC) No 1234/2007 shall be financed pro rata to their use for the products of the members of a producer group for which preliminary recognition is granted.

Investments likely to distort competition in respect of the other economic activities of the producer group shall be excluded from Union aid.

▼M8

Investments may be implemented on individual holdings and/or premises of producer members of the producer group, provided that they contribute to the objectives of the recognition plan. If the member leaves the producer group, Member States shall ensure that the investment or its residual value, where its amortisation period has not yet expired, is recovered.

▼B

Article 45

Application for aid

1. A producer group shall submit a single application for the aid referred to in Article 103a(1)(a) and (b) of Regulation (EC) No 1234/2007 within three months of the end of each annual or semestrial period as referred to in Article 43(3) of this Regulation. The application shall include a declaration of the value of marketed production for the period for which the aid is claimed.

2. Applications for aid covering semestrial periods may be submitted only if the recognition plan is broken into semestrial periods as referred to in Article 39(1). All applications for aid shall be accompanied by a written declaration from the producer group to the effect that the latter:

(a) complies and will comply with Regulation (EC) No 1234/2007 and with this Regulation; and

(b) has not benefited, is not benefiting and will not benefit either directly or indirectly from duplicate Union or national financing for actions implemented under its recognition plan for which Union financing is granted pursuant to this Regulation.

3. Member States shall fix the deadline for paying the aid which in any case shall not be later than six months after the receipt of the application.

Article 46

Eligibility

Member States shall evaluate the eligibility of producer groups for the aid under this Regulation in order to establish that the aid is duly justified, taking into account the conditions and the date on which any earlier public aid was granted to the producer organisations or groups from which the members of the producer group in question originate and to any movements of members between producer organisations and producer groups.

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Article 47

Union contribution

1. Subject to paragraph 4 of this Article, the Union contribution towards aid as referred to in Article 103a(1)(a) of Regulation (EC) No 1234/2007 shall amount to:

(a) 75 % in the regions eligible under the Convergence Objective; and

(b) 50 % in other regions.

The Member State may pay its national aid as a flat-rate payment. The aid application shall not be required to include evidence as to the use of the aid.

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2. The Union contribution towards aid as referred to in Article 103a(1)(b) of Regulation (EC) No 1234/2007, expressed in terms of a capital grant or capital-grant equivalent, shall not exceed, as a percentage of eligible investment costs:

(a) 50 % in the regions eligible under the Convergence Objective; and

(b) 30 % in other regions.

The Member States concerned shall undertake to contribute at least 5 % of eligible investment costs.

Beneficiaries of aid towards eligible investment costs shall pay at least:

(a) 25 % in the regions eligible under the Convergence Objective; and

(b) 45 % in other regions.

3. Subject to paragraph 4 of this Article, the Union contribution to the aid referred to in Article 103a(1)(b) of Regulation (EC) No 1234/2007 shall be determined for each producer group on the basis of its value of marketed production and shall be subject to the following rules:

(a) in respect of producer groups in Member States which acceded to the European Union on 1 May 2004 or thereafter, no ceiling shall apply in the first two years of implementation of their recognition plan, and a ceiling of 70 %, 50 % and 20 % of the value of the marketed production shall apply in the third, fourth and fifth year of implementation of their recognition plan respectively;

(b) in respect of producer groups in the outermost regions of the Union as referred to in Article 349 of the Treaty or in the smaller Aegean Islands as referred to in Article 1(2) of Council Regulation (EC) No 1405/2006 ([1]), the Union contribution shall be capped at 25 %, 20 %, 15 %, 10 % and 5 % of the value of the marketed production in the first, second, third, fourth and fifth year of implementation of their recognition plan respectively.

4. The total expenditure for the Union contribution towards aid as referred to in Article 103a of Regulation (EC) No 1234/2007 shall not exceed EUR 10 000 000 per calendar year.

On the basis of the notifications referred to in Article 38(4) the Commission shall set allocation coefficients and establish the total available Union contribution per Member State per year on the basis of those coefficients. If for any year the total amount resulting from the notifications referred to in Article 38(4) does not exceed the maximum amount of the Union contribution, the allocation coefficient shall be set at 100 %.

([1]) OJ L 265, 26.9.2006, p. 1.

▼M8

The Union contribution shall be granted in accordance with the allocation coefficient referred to in the second subparagraph. No Union contribution shall be granted in respect of recognition plans that were not notified in accordance with Article 38(4).

The exchange rate applicable to the Union contribution per Member State shall be the rate most recently published by the European Central Bank prior to the date provided for in Article 38(4).

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Article 48

Mergers

1. Aid as provided for in Article 103a(1) of Regulation (EC) No 1234/2007 may be given, or may continue to be given, to producer groups which have been granted preliminary recognition and which result from the merger between two or more producer group granted preliminary recognition.

2. For the purposes of calculating the aid payable pursuant to paragraph 1, the producer group resulting from the merger shall replace the merging groups.

3. Where two or more producer groups merge, the new entity shall assume the rights and obligations of the producer group which has been granted preliminary recognition the earliest.

4. Where a producer group which has been granted preliminary recognition merges with a recognised producer organisation, the resulting entity shall no longer be eligible for preliminary recognition as a producer group, nor for the aid referred to in Article 103a(1) of Regulation (EC) No 1234/2007. The resulting entity shall continue to be treated as the recognised producer organisation, provided that it respects the applicable requirements. If necessary, the producer organisation shall request a change to its operational programme, and to this end Article 29 shall apply mutatis mutandis.

However, actions carried out by producer groups before such a merger shall continue to be eligible under the conditions set out in the recognition plan.

Article 49

Consequences of recognition

1. Aid as provided for in Article 103a(1) of Regulation (EC) No 1234/2007 shall cease once recognition is granted.

2. Where an operational programme is submitted pursuant to this Regulation, the Member State concerned shall ensure that there is no duplicated financing of the measures set out in the recognition plan.

3. Investments qualifying for the aid or the costs referred to in Article 103a(1)(b) of Regulation (EC) No 1234/2007 may be carried over to operational programmes provided they are in line with the requirements of this Regulation.

4. Member States shall fix the period, starting after implementation of the recognition plan, within which the producer group shall be required to be recognised as a producer organisation. The period shall not exceed four months.

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TITLE V

GENERAL, TRANSITIONAL AND FINAL PROVISIONS

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Article 149

Repeal

Regulation (EC) No 1580/2007 is repealed.

However, Article 134 of Regulation (EC) No 1580/2007 shall continue to apply until 31 August 2011.

References to the repealed Regulation shall be construed as references to this Regulation and shall, where appropriate, be read in accordance with the correlation table set out in Annex XIX.

Article 150

Transitional provisions

1. Operational programmes which benefit from Article 203a(3)(a) of Regulation (EC) No 1234/2007 may continue to run until their end provided they comply with the rules applicable prior to 1 January 2008.

2. For the purposes of Article 203a(6) of Regulation (EC) No 1234/2007, the rules on the minimum characteristics of the raw material supplied for processing and minimum quality requirements for finished products which shall remain applicable in respect of the raw materials harvested in the territory of Member States which make use of the transitional arrangement referred to in that paragraph shall be, in addition to any relevant marketing standards referred to in Title II of this Regulation, those contained in the Commission Regulations listed in Annex XX.

3. Recognition plans accepted under Regulation (EC) No 2200/96 which continue to benefit from acceptance pursuant to Article 203a(4) of Regulation (EC) No 1234/2007 for producer groups not in Member States which acceded to the European Union on 1 May 2004 or after that date and not in the outermost regions of the Union as referred to in Article 349 of the Treaty or in the smaller Aegean Islands as referred to in Article 1(2) of Council Regulation (EC) No 1405/2006 ([1]) shall be financed at the rates set out in Article 103a(3)(b) of Regulation (EC) No 1234/2007.

([1]) OJ L 265, 26.9.2006, p. 1.

▼B

Recognition plans accepted under Regulation (EC) No 2200/96 which benefited from Article 14(7) of that Regulation and continue to benefit from acceptance pursuant to Article 203a(4) of Regulation (EC) No 1234/2007 shall be financed at the rates set out in Article 103a(3)(a) of Regulation (EC) No 1234/2007.

4. Member States shall modify their national strategies by 15 September 2011 at the latest if necessary in order to:

(a) duly justify what distance shall be considered as significant as referred to in Article 50(7)(b);

(b) set out a maximum percentage of the annual expenditure under an operational programme to be spent on actions related to the environmental management on packaging as referred to in the second subparagraph of Article 60(4).

5. Operational programmes that were approved before the date of entry into force of this Regulation may continue to run until their end without fulfilling the maximum percentage provided for by the second subparagraph of Article 60(4).

Article 151

Entry into force

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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ANNEX I

MARKETING STANDARDS REFERRED TO IN ARTICLE 3

PART A

General marketing standard

The purpose of this general marketing standard is to define the quality requirements for fruit and vegetables, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— a slight deterioration due to their development and their tendency to perish.

1. **Minimum requirements**

   Subject to the tolerances allowed, the products shall be:

   — intact,

   — sound; products affected by rotting or deterioration such as to make them unfit for consumption are excluded,

   — clean, practically free of any visible foreign matter,

   — practically free from pests,

   — free from damage caused by pests affecting the flesh,

   — free of abnormal external moisture,

   — free of any foreign smell and/or taste.

   The condition of the products must be such as to enable them:

   — to withstand transportation and handling,

   — to arrive in satisfactory condition at the place of destination.

2. **Minimum maturity requirements**

   The products must be sufficiently developed, but not over-developed, and fruit must display satisfactory ripeness and must not be overripe.

   The development and state of maturity of the products must be such as to enable them to continue their ripening process and to reach a satisfactory degree of ripeness.

3. **Tolerance**

   A tolerance of 10 % by number or weight of product not satisfying the minimum quality requirements shall be permitted in each lot. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

4. **Marking**

   Each package ([1]) must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

   A. *Identification*

   Name and physical address of the packer and/or the dispatcher (for example: street/city/region/postal code and, if different from the country of origin, the country).

([1]) These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

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This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference ‘Packer and/or Dispatcher’ (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. *Origin*

Full name of the country of origin ([1]). For products originating in a Member State this shall be in the language of the country of origin or any other language understandable by the consumers of the country of destination. For other products, this shall be in any language understandable by the consumers of the country of destination.

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART B

Specific marketing standards

PART 1: *MARKETING STANDARD FOR APPLES*

I. **DEFINITION OF PRODUCE**

This standard applies to apples of varieties (cultivars) grown from *Malus domestica* Borkh., to be supplied fresh to the consumer, apples for industrial processing being excluded.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for apples, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the ‘Extra’ Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, apples must be:

— intact,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter,

— practically free from pests,

— free from damage caused by pests affecting the flesh,

([1]) The full or commonly used name shall be indicated.

▼M31

— free from serious watercore, except for varieties marked with ‘V’ listed in the appendix to this standard,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

The development and condition of the apples must be such as to enable them:

— to withstand transportation and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Maturity requirements**

The apples must be sufficiently developed, and display satisfactory ripeness.

The development and state of maturity of the apples must be such as to enable them to continue their ripening process and to reach the degree of ripeness required in relation to the varietal characteristics.

In order to verify the minimum maturity requirements, several parameters may be considered (for example morphological aspect, taste, firmness and refractometric index).

C. **Classification**

Apples are classified in three classes defined below.

(i) *‘Extra’ Class*

Apples in this class must be of superior quality. They must be characteristic of the variety ([1]) and with the stalk which must be intact.

Apples must express the following minimum surface colour characteristic of the variety:

— 3/4 of total surface red coloured in case of colour group A,

— 1/2 of total surface mixed red coloured in case of colour group B,

— 1/3 of total surface slightly red coloured, blushed or striped in case of colour group C,

— no minimum colour requirement in case of colour group D.

The flesh must be perfectly sound.

They must be free from defects with the exception of very slight superficial defects provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— very slight skin defects,

— very slight russeting ([2]) such as:

— brown patches that may not go outside the stem cavity and may not be rough and/or

— slight isolated traces of russeting.

([1]) A non-exhaustive list of varieties providing a classification on colouring and russeting is set out in the appendix to this standard.

([2]) Varieties marked with ‘R’ in the appendix to this standard are exempt from the provisions on russeting.

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(ii) *Class I*

Apples in this class must be of good quality. They must be characteristic of the variety ([1]).

Apples must express the following minimum surface colour characteristic of the variety:

— 1/2 of total surface red coloured in case of colour group A,

— 1/3 of total surface mixed red coloured in case of colour group B,

— 1/10 of total surface slightly red coloured, blushed or striped in case of colour group C,

— no minimum colour requirement in case of colour group D.

The flesh must be perfectly sound.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape,

— a slight defect in development,

— a slight defect in colouring,

— slight bruising not exceeding 1 cm^2 of total surface area and not discoloured,

— slight skin defects which must not extend over more than:

  — 2 cm in length for defects of elongated shape,

  — 1 cm^2 of total surface area for other defects, with the exception of scab (*Venturia inaequalis*), which must not extend over more than 0,25 cm^2, cumulative, in area,

— slight russeting ([2]) such as:

  — brown patches that may go slightly beyond the stem or pistil cavities but may not be rough and/or

  — thin net-like russeting not exceeding 1/5 of the total fruit surface and not contrasting strongly with the general colouring of the fruit and/or

  — dense russeting not exceeding 1/20 of the total fruit surface, while

  — thin net-like russeting and dense russeting taken together may not exceed a maximum of 1/5 of the total surface of the fruit.

The stalk may be missing, provided the break is clean and the adjacent skin is not damaged.

([1]) A non-exhaustive list of varieties providing a classification on colouring and russeting is set out in the appendix to this standard.

([2]) Varieties marked with ‘R’ in the appendix to this standard are exempt from the provisions on russeting.

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(iii) *Class II*

This class includes apples which do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

The flesh must be free from major defects.

The following defects may be allowed, provided the apples retain their essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape,

— defects in development,

— defects in colouring,

— slight bruising not exceeding 1,5 cm^2 in area which may be slightly discoloured,

— skin defects which must not extend over more than:

  — 4 cm in length for defects of elongated shape,

  — 2,5 cm^2 of total surface area for other defects, with the exception of scab (*Venturia inaequalis*), which must not extend over more than 1 cm^2, cumulative, in area;

— slight russeting ([1]) such as

  — brown patches that may go beyond the stem or pistil cavities and may be slightly rough and/or

  — thin net-like russeting not exceeding 1/2 of the total fruit surface and not contrasting strongly with the general colouring of the fruit and/or

  — dense russeting not exceeding 1/3 of the total fruit surface, while

  — thin net-like russeting and dense russeting taken together may not exceed a maximum of 1/2 of the total surface of the fruit.

III. **PROVISIONS CONCERNING SIZING**

Size is determined either by the maximum diameter of the equatorial section or by weight.

The minimum size shall be 60 mm, if measured by diameter or 90 g, if measured by weight. Fruit of smaller sizes may be accepted, if the Brix level ([2]) of the produce is equal to or greater than to 10,5° Brix and the size is not smaller than 50 mm or 70 g.

To ensure the uniformity in size, the range in size between produce in the same package shall not exceed:

(a) for fruit sized by diameter:

  — 5 mm for ‘Extra’ Class fruit and for Classes I and II fruit packed in rows and layers. However, for apples of the varieties Bramley's Seedling (Bramley, Triomphe de Kiel) and Horneburger, the difference in diameter may amount to 10 mm, and

([1]) Varieties marked with ‘R’ in the appendix to this standard are exempt from the provisions on russeting.

([2]) Calculated as described in the OECD guidance on objective tests, available at: http://www.oecd.org/agriculture/fruit-vegetables/publications.

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— 10 mm for Class I fruit packed in sales packages or loose in the package. However, for apples of the varieties Bramley's Seedling (Bramley, Triomphe de Kiel) and Horneburger, the difference in diameter may amount to 20 mm.

(b) for fruit sized by weight:

— For 'Extra' Class and Classes I and II apples packed in rows and layers:

Range (g)	Weight difference (g)
70-90	15 g
91-135	20 g
136-200	30 g
201-300	40 g
> 300	50 g

— For Class I fruit packed in sales packages or loose in the package:

Range (g)	Uniformity (g)
70-135	35
136-300	70
> 300	100

There is no sizing uniformity requirement for Class II fruit packed in sales packages or loose in the package.

Varieties of miniature apples, marked with an 'M' in the appendix to this standard, are exempted from the sizing provisions. Those miniature varieties must have a minimum Brix level ([1]) of 12°.

IV. **PROVISIONS CONCERNING TOLERANCES**

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. **Quality tolerances**

(i) *'Extra' Class*

A total tolerance of 5 per cent, by number or weight, of apples not satisfying the requirements of the class, but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of apples not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

([1]) Calculated as described in the OECD guidance on objective tests, available at: http://www.oecd.org/agriculture/fruit-vegetables/publications.

▼M31

(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of apples satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. **Size tolerances**

For all classes: a total tolerance of 10 per cent, by number or weight, of apples not satisfying the requirements as regards sizing is allowed. This tolerance may not be extended to include produce with a size:

— 5 mm or more below the minimum diameter,

— 10 g or more below the minimum weight.

V. **PROVISIONS CONCERNING PRESENTATION**

A. **Uniformity**

The contents of each package must be uniform and contain only apples of the same origin, variety, quality and size (if sized) and the same degree of ripeness.

In the case of the 'Extra' Class, uniformity also applies to colouring.

However, a mixture of apples of distinctly different varieties may be packed together in a sales package provided they are uniform in quality and, for each variety concerned, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents. Information lasered on single fruit should not lead to flesh or skin defects.

B. **Packaging**

The apples must be packed in such a way as to protect the produce properly. In particular, sales packages of a net weight exceeding 3 kg shall be sufficiently rigid to ensure proper protection of the produce.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects.

Packages must be free of all foreign matter.

VI. **PROVISIONS CONCERNING MARKING**

Each package [1] must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

[1] These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

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This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference ‘Packer and/or Dispatcher’ (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— ‘Apples’ if the contents are not visible from the outside.

— Name of the variety. In the case of a mixture of apples of distinctly different varieties, names of the different varieties.

The name of the variety may be replaced by a synonym. A trade name [1] may only be given in addition to the variety or the synonym.

In the case of mutants with varietal protection, this variety name may replace the basic variety name. In case of mutants without varietal protection, this mutant name may only be indicated in addition to the basic variety name.

— ‘Miniature variety’, where appropriate.

C. **Origin of produce**

Country of origin [2] and, optionally, district where grown, or national, regional or local place name.

In the case of a mixture of distinctly different varieties of apples of different origins, the indication of each country of origin shall appear next to the name of the variety concerned.

D. **Commercial specifications**

— Class

— Size, or for fruit packed in rows and layers, number of units.

If identification is by the size, this should be expressed:

(a) for produce subject to the uniformity rules, as minimum and maximum diameters or minimum and maximum weights;

(b) optionally, for produce not subject to the uniformity rules, as the diameter or the weight of the smallest fruit in the package followed by ‘and over’ or equivalent denomination or, where appropriate, followed by the diameter or weight of the largest fruit in the package.

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

[1] A trade name can be a trade mark for which protection has been sought or obtained or any other commercial denomination.

[2] The full or commonly used name shall be indicated.

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Appendix

Non-exhaustive list of apple varieties

Fruits of varieties that are not part of the list must be graded according to their varietal characteristics.

Some of the varieties listed in the following table may be marketed under names for which trademark protection has been sought or obtained in one or more countries. The three first columns of the table hereunder do not intend to include such trademarks. References to known trademarks have been included in the fourth column for information only.

Legend:

M = miniature variety

R = russet variety

V = watercore

* = mutant without varietal protection but linked to a registered/protected trademark; mutants not marked with the asterisk are protected varieties

Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
African Red			African Carmine ™	B	
Akane		Tohoku 3, Primerouge		B	
Alkmene		Early Windsor		C	
Alwa				B	
Amasya				B	
Ambrosia			Ambrosia ®	B	
Annurca				B	
Ariane			Les Naturianes ®	B	
Arlet		Swiss Gourmet		B	R
AW 106			Sapora ®	C	
Belgica				B	
Belle de Boskoop		Schone van Boskoop, Goudreinette		D	R
	Boskoop rouge	Red Boskoop, Roter Boskoop, Rode Boskoop		B	R
	Boskoop Valastrid			B	R
Berlepsch		Freiherr von Berlepsch		C	
	Berlepsch rouge	Red Berlepsch, Roter Berlepsch		B	

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Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
Braeburn				B	
	Hidala		Hillwell ®	A	
	Joburn		Aurora ™, Red Braeburn ™, Southern Rose ™	A	
	Lochbuie Red Braeburn			A	
	Mahana Red Braeburn		Redfield ®	A	
	Mariri Red		Eve ™, Aporo ®	A	
	Royal Braeburn			A	
Bramley's Seedling		Bramley, Triomphe de Kiel		D	
Cardinal				B	
Caudle			Cameo ®, Camela®	B	
	Cauflight		Cameo ®, Camela®	A	
CIV323			Isaaq ®	B	
CIVG198			Modi ®	A	
Civni			Rubens ®	B	
Collina				C	
Coop 38			Goldrush ®, Delisdor ®	D	R
Coop 39			Crimson Crisp ®	A	
Coop 43			Juliet ®	B	
Coromandel Red		Corodel		A	
Cortland				B	
Cox's Orange Pippin		Cox orange, Cox's O.P.		C	R
Cripps Pink			Pink Lady ®, Flavor Rose ®	C	
	Lady in Red		Pink Lady ®	B	
	Rosy Glow		Pink Lady ®	B	
	Ruby Pink			B	
Cripps Red			Sundowner ™, Joya ®	B	
Dalinbel			Antares ®	B	R

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Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
Delblush			Tentation ®	D	
Delcorf			Delbarestivale ®	C	
	Celeste			B	
	Bruggers Festivale		Sissired ®	A	
	Dalili		Ambassy ®	A	
	Wonik*		Appache ®	A	
Delcoros			Autento ®	A	
Delgollune			Delbard Jubilé ®	B	
Delicious ordinaire		Ordinary Delicious		B	
Discovery				C	
Dykmanns Zoet				C	
Egremont Russet				D	R
Elise		De Roblos, Red Delight		A	
Elstar				C	
	Bel-El		Red Elswout ®	C	
	Daliest		Elista ®	C	
	Daliter		Elton ™	C	
	Elshof			C	
	Elstar Boerekamp		Excellent Star ®	C	
	Elstar Palm		Elstar PCP ®	C	
	Goedhof		Elnica ®	C	
	Red Elstar			C	
	RNA9842		Red Flame ®	C	
	Valstar			C	
	Vermuel		Elrosa ®	C	
Empire				A	
Fiesta		Red Pippin		C	
Fresco			Wellant ®	B	R
Fuji				B	V
	Aztec		Fuji Zhen ®	A	V
	Brak		Fuji Kiku ® 8	B	V

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Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
	Fuji Fubrax		Fuji Kiku ® Fubrax	B	V
	Fuji Supreme			A	V
	Heisei Fuji		Beni Shogun ®	A	V
	Raku-Raku			B	V
Gala				C	
	Baigent		Brookfield ®	A	
	Bigigalaprim		Early Red Gala ®	B	
	Fengal		Gala Venus	A	
	Gala Schnico		Schniga ®	A	
	Gala Schnico Red		Schniga ®	A	
	Galaval			A	
	Galaxy		Selekta ®	B	
	Gilmac		Neon ®	A	
	Imperial Gala			B	
	Jugula			B	
	Mitchgla		Mondial Gala ®	B	
	Natali Gala			B	
	Regal Prince		Gala Must ®	B	
	Royal Beaut			A	
	Simmons		Buckeye ® Gala	A	
Gloster				B	
Golden 972				D	
Golden Delicious		Golden		D	
	CG10 Yellow Delicious		Smothee ®	D	
	Golden Delicious Reinders		Reinders ®	D	
	Golden Parsi		Da Rosa ®	D	
	Leratess		Pink Gold ®	D	
	Quemoni		Rosagold ®	D	
Goldstar			Rezista Gold Granny ®	D	

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Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
Gradigold			Golden Supreme ™, Golden Extreme ™	D	
Gradiyel			Goldkiss ®	D	
Granny Smith				D	
	Dalivair		Challenger ®	D	
Gravensteiner		Gravenstein		D	
Hokuto				C	
Holsteiner Cox		Holstein		C	R
Honeycrisp			Honeycrunch ®	C	
Horneburger				D	
Idared				B	
	Idaredest			B	
	Najdared			B	
Ingrid Marie				B	R
James Grieve				D	
Jonagold				C	
	Early Jonagold		Milenga ®	C	
	Dalyrian			C	
	Decosta			C	
	Jonagold Boerekamp		Early Queen ®	C	
	Jonagold Novajo	Veulemanns		C	
	Jonagored		Morren's Jonagored ®	C	
	Jonagored Supra		Morren's Jonagored ® Supra ®	C	
	Red Jonaprince		Wilton's ®, Red Prince ®	C	
	Rubinstar			C	
	Schneica	Jonica		C	
	Vivista			C	
Jonathan				B	
Karmijn de Sonnaville				C	R

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Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
La Flamboyante			Mairac ®	B	
Laxton's Superb				C	R
Ligol				B	
Lobo				B	
Lurefresh			Redlove ® Era ®	A	
Lureprec			Redlove ® Circe ®	A	
Luregust			Redlove ® Calypso ®	A	
Luresweet			Redlove ® Odysso ®	A	
Maigold				B	
Maribelle			Lola ®	B	
McIntosh				B	
Melrose				C	
Milwa			Diwa ®, Junami ®	B	
Moonglo				C	
Morgenduft		Imperatore		B	
Mountain Cove			Ginger Gold ™	D	
Mutsu		Crispin		D	
Newton				C	
Nicogreen			Greenstar ®	D	
Nicoter			Kanzi ®	B	
Northern Spy				C	
Ohrin		Orin		D	
Paula Red				B	
Pinova			Corail ®	C	
	RoHo 3615		Evelina ®	B	
Piros				C	
Plumac			Koru ®	B	
Prem A153			Lemonade ®, Honeymoon ®	C	
Prem A17			Smitten ®	C	

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Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
Prem A280			Sweetie™	B	
Prem A96			Rockit ™	B	M
Rafzubin			Rubinette ®	C	
	Rafzubex		Rubinette ® Rosso	A	
Rajka			Rezista Romelike ®	B	
Red Delicious		Rouge américaine		A	
	Campsur		Red Chief ®	A	
	Erovan		Early Red One ®	A	
	Evasni		Scarlet Spur ®	A	
	Stark Delicious			A	
	Starking			C	
	Starkrimson			A	
	Starkspur			A	
	Topred			A	
	Trumdor		Oregon Spur Delicious ®	A	
Reine des Reinettes		Gold Parmoné, Goldparmäne		C	V
Reinette grise du Canada		Graue Kanadarenette, Renetta Canada		D	R
Rome Beauty		Belle de Rome, Rome, Rome Sport		B	
Rubin				C	
Rubinola				B	
Šampion		Shampion, Champion, Szampion		B	
	Reno 2			A	
	Šampion Arno	Szampion Arno		A	
Santana				B	
Sciearly			Pacific Beauty ™	A	
Scifresh			Jazz ™	B	

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Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
Sciglo			Southern Snap ™	A	
Scilate			Envy ®	B	
Sciray		GS48		A	
Scired			Pacific Queen ™	A	R
Sciros			Pacific Rose ™	A	
Senshu				C	
Spartan				A	
Stayman				B	
Summerred				B	
Sunrise				A	
Sunset				D	R
Suntan				D	R
Sweet Caroline				C	
Topaz				B	
Tydeman's Early Worcester		Tydeman's Early		B	
Tsugaru				C	
UEB32642			Opal ®	D	
Worcester Pearmain				B	
York				B	
Zari				B	

PART 2: *MARKETING STANDARD FOR CITRUS FRUIT*

I. **DEFINITION OF PRODUCE**

This standard applies to citrus fruit of varieties (cultivars) grown from the following species, to be supplied fresh to the consumer, citrus fruit for industrial processing being excluded:

— lemons grown from the species *Citrus limon* (L.) Burm. f. and hybrids thereof,

— mandarins grown from the species *Citrus reticulata* Blanco, including satsumas (*Citrus unshiu* Marcow), clementines (*Citrus clementina* hort. ex Tanaka), common mandarins (*Citrus deliciosa* Ten.) and tangerines (*Citrus tangerina* Tanaka) grown from these species and hybrids thereof,

— oranges grown from the species *Citrus sinensis* (L.) Osbeck and hybrids thereof.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for citrus fruit after preparation and packaging.

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However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the 'Extra' Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, the citrus fruit must be:

— intact,

— free of bruising and/or extensive healed overcuts,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter,

— practically free from pests,

— free from damage caused by pests affecting the flesh,

— free of signs of shrivelling and dehydration,

— free of damage caused by low temperature or frost,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

The development and condition of the citrus fruit must be such as to enable it:

— to withstand transportation and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Maturity requirements**

The citrus fruit must have reached an appropriate degree of development and ripeness, account being taken of criteria proper to the variety, the time of picking and the growing area.

Maturity of citrus fruit is defined by the following parameters specified for each species below:

— minimum juice content,

— minimum sugar/acid ratio ([1]),

— colouring.

The degree of colouring shall be such that following normal development the citrus fruit reach the colour typical of the variety at their destination point.

([1]) Calculated as described in the OECD guidance on objective tests, available at: http://www.oecd.org/agriculture/fruit-vegetables/publications.

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	Minimum juice content (per cent)	Minimum sugar/ acid ratio	Colouring
Lemons	20		Must be typical of the variety. Fruit with a green (but not dark green) colour is allowed, provided it satisfies the minimum requirements as to juice content
Satsumas, clementines, other mandarin varieties and their hybrids			
Satsumas	33	6,5:1	Must be typical of the variety on at least one third of the surface of the fruit
Clementines	40	7,0:1	
Other mandarin varieties and their hybrids	33	7,5:1 ([1])	
Oranges			
Blood oranges	30	6,5:1	Must be typical of the variety. However, fruit with light green colour not exceeding one fifth of the total surface area of the fruit is allowed, provided it satisfies the minimum requirements as to juice content. Oranges produced in areas with high temperatures and high relative humidity conditions during the developing period having a green colour exceeding one fifth of the surface area of the fruit are allowed, provided they satisfy the minimum requirements as to juice content.
Navels group	33	6,5:1	
Other varieties	35	6,5:1	
Mosambi, Sathgudi and Pacitan with more than one fifth green colour	33		
Other varieties with more than one fifth green colour	45		

([1]) For the varieties Mandora and Minneola the minimum sugar/acid ratio is 6,0:1 until the end of the marketing year commencing 1 January 2023.

Citrus fruit meeting these maturity requirements may be ‘degreened’. This treatment is only permitted if the other natural organoleptic characteristics are not modified.

C. **Classification**

Citrus fruit is classified in three classes, as defined below:

(i) *‘Extra’ Class*

Citrus fruit in this class must be of superior quality. It must be characteristic of the variety and/or commercial type.

It must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Citrus fruit in this class must be of good quality. It must be characteristic of the variety and/or commercial type.

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The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape,

— slight defects in colouring, including slight sunburn,

— slight progressive skin defects, provided they do not affect the flesh,

— slight skin defects occurring during the formation of the fruit, such as silver scurfs, russets or pest damage,

— slight healed defects due to a mechanical cause such as hail damage, rubbing or damage from handling,

— slight and partial detachment of the peel (or rind) for all fruit of the mandarin group.

(iii) *Class II*

This class includes citrus fruit which does not qualify for inclusion in the higher classes but satisfies the minimum requirements specified above.

The following defects may be allowed, provided the citrus fruit retains its essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape,

— defects in colouring, including sunburn,

— progressive skin defects, provided they do not affect the flesh,

— skin defects occurring during the formation of the fruit, such as silver scurfs, russets or pest damage,

— healed defects due to a mechanical cause such as hail damage, rubbing or damage from handling,

— superficial healed skin alterations,

— rough skin,

— a slight and partial detachment of the peel (or rind) for oranges and a partial detachment of the peel (or rind) for all fruit of the mandarin group.

III. **PROVISIONS CONCERNING SIZING**

Size is determined by the maximum diameter of the equatorial section of the fruit or by count.

A. **Minimum size**

The following minimum sizes apply:

Fruit	Diameter (mm)
Lemons	45
Satsumas, other mandarin varieties and hybrids	45
Clementines	35
Oranges	53

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B. **Uniformity**

Citrus fruit may be sized by one of the following options:

(a) To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

— 10 mm, if the diameter of the smallest fruit (as indicated on the package) is < 60 mm

— 15 mm, if the diameter of the smallest fruit (as indicated on the package) is ≥ 60 mm but < 80 mm

— 20 mm, if the diameter of the smallest fruit (as indicated on the package) is ≥ 80 mm but < 110 mm

— there is no limitation of difference in diameter for fruit ≥ 110 mm.

(b) When size codes are applied, the codes and ranges in the following tables must be respected:

	Size code	Diameter (mm)
Lemons		
	0	79 - 90
	1	72 - 83
	2	68 - 78
	3	63 - 72
	4	58 - 67
	5	53 - 62
	6	48 - 57
	7	45 - 52
Satsumas, clementines, and other mandarin varieties and hybrids		
	1 - XXX	78 and above
	1 - XX	67 - 78
	1 or 1 - X	63 - 74
	2	58 - 69
	3	54 - 64
	4	50 - 60
	5	46 - 56
	6 ([1])	43 - 52
	7	41 - 48
	8	39 - 46
	9	37 - 44
	10	35 - 42

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	Size code	Diameter (mm)
Oranges		
	0	92 – 110
	1	87 – 100
	2	84 – 96
	3	81 – 92
	4	77 – 88
	5	73 – 84
	6	70 – 80
	7	67 – 76
	8	64 – 73
	9	62 – 70
	10	60 – 68
	11	58 – 66
	12	56 – 63
	13	53 – 60

([1]) Sizes below 45 mm refer to clementines only.

Uniformity in size is achieved by the above-mentioned size scales, unless otherwise stated as follows:

For fruit in bulk bins and fruit in sales packages of a maximum net weight of 5 kg, the maximum difference must not exceed the range obtained by grouping three consecutive sizes in the size scale.

(c) For fruit sized by count, the difference in size should be consistent with (a).

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) *'Extra' Class*

A total tolerance of 5 per cent, by number or weight, of citrus fruit not satisfying the requirements of the class, but meeting those of Class I is allowed. Within this tolerance, not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of citrus fruit not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance, not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

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(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of citrus fruit satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance, not more than 2 per cent in total may consist of produce affected by decay.

B. **Size tolerances**

For all classes: a total tolerance of 10 per cent, by number or weight, of citrus fruit corresponding to the size immediately below and/or above that (or those, in the case of the combination of three sizes) mentioned on the packages is allowed.

In any case, the tolerance of 10 % applies only to fruit not smaller than the following minima:

Fruit	Diameter (mm)
Lemons	43
Satsumas, other mandarin varieties and hybrids	43
Clementines	34
Oranges	50

V. **PROVISIONS CONCERNING PRESENTATION**

A. **Uniformity**

The contents of each package must be uniform and contain only citrus fruit of the same origin, variety or commercial type, quality and size, and appreciably of the same degree of ripeness and development.

In addition, for the ‘Extra’ Class, uniformity in colouring is required.

However, a mixture of citrus fruit of distinctly different species may be packed together in a sales package, provided they are uniform in quality and, for each species concerned, in variety or commercial type and origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

The citrus fruit must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defects.

If the fruit is wrapped, thin, dry, new and odourless ([1]) paper must be used.

([1]) The use of preserving agents or any other chemical substance liable to leave a foreign smell on the skin of the fruit is permitted where it is compatible with the applicable European Union provisions.

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The use of any substance tending to modify the natural characteristics of the citrus fruit, especially its taste or smell [1], is prohibited.

Packages must be free of all foreign matter. However, a presentation where a short (not wooden) twig with some green leaves adheres to the fruit is allowed.

VI. **PROVISIONS CONCERNING MARKING**

Each package [2] must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— 'Lemons', 'Mandarins' or 'Oranges' if the produce is not visible from the outside.

— 'Mixture of citrus fruit' or equivalent denomination and common names of the different species, in case of a mixture of citrus fruit of distinctly different species.

— For oranges, name of the variety, and/or the respective variety group in the case of 'Navels', and 'Valencias'.

— For 'Satsumas' and 'Clementines', the common name of the species is required and the name of the variety is optional.

— For other mandarins and hybrids thereof, the name of the variety is required.

— For lemons: the name of the variety is optional.

— 'Seeded' in case of clementines with more than 10 seeds.

— 'Seedless' (optional, seedless citrus fruit may occasionally contain seeds).

[1] The use of preserving agents or any other chemical substance liable to leave a foreign smell on the skin of the fruit is permitted where it is compatible with the applicable European Union provisions.

[2] These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

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C. **Origin of produce**

— Country of origin [1] and, optionally, district where grown, or national, regional or local place name.

— In the case of a mixture of citrus fruit of distinctly different species of different origins, the indication of each country of origin shall appear next to the name of the species concerned.

D. **Commercial specifications**

— Class.

— Size expressed as:

— Minimum and maximum sizes (in mm) or

— Size code(s) followed, optionally, by a minimum and maximum size or

— Count.

— When used, mention of the preserving agent or other chemical substances used at post-harvest stage.

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 3: *MARKETING STANDARD FOR KIWIFRUIT*

I. **DEFINITION OF PRODUCE**

This standard applies to kiwifruit (also known as *Actinidia* or kiwi) of varieties (cultivars) grown from *Actinidia chinensis* Planch. and *Actinidia deliciosa* (A. Chev.), C.F. Liang and A.R. Ferguson to be supplied fresh to the consumer, kiwifruit for industrial processing being excluded.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for kiwifruit, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the ‘Extra’ Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, the kiwifruit must be:

— intact (but free of peduncle),

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter,

— practically free from pests,

— free from damage caused by pests affecting the flesh,

[1] The full or commonly used name shall be indicated.

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— adequately firm; not soft, shrivelled or water-soaked,

— well formed, double/multiple fruit being excluded,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

The development and condition of the kiwifruit must be such as to enable it:

— to withstand transportation and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Minimum maturity requirements**

The kiwifruit must be sufficiently developed and display satisfactory ripeness.

In order to satisfy this requirement, the fruit at packing must have attained a degree of ripeness of at least 6,2° Brix ([1]) or an average dry matter content of 15 %, which should lead to 9,5° Brix ([1]) when entering the distribution chain.

C. **Classification**

Kiwifruit is classified in three classes as defined below.

(i) *'Extra' Class*

Kiwifruit in this class must be of superior quality. It must be characteristics of the variety.

The fruit must be firm and the flesh must be perfectly sound.

It must be free from defects with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

The ratio of the minimum/maximum diameter of the fruit measured at the equatorial section must be 0,8 or greater.

(ii) *Class I*

Kiwifruit in this class must be of good quality. It must be characteristic of the variety.

The fruit must be firm and the flesh must be perfectly sound.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape (but free of swelling or malformations),

— slight defects in colouring,

— slight skin defects, provided the total area affected does not exceed 1 cm^2,

— small 'Hayward mark' like longitudinal lines and without protuberance.

The ratio of the minimum/maximum diameter of the fruit measured at the equatorial section must be 0,7 or greater.

([1]) Calculated as described in the OECD guidance on objective tests, available at: http://www.oecd.org/agriculture/fruit-vegetables/publications.

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(iii) *Class II*

This class includes kiwifruit that does not qualify for inclusion in the higher classes, but satisfies the minimum requirements specified above.

The fruit must be reasonably firm and the flesh should not show any serious defects.

The following defects may be allowed provided the kiwifruit retains its essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape,

— defects in colouring,

— skin defects such as small healed cuts or scarred/grazed tissue, provided that the total area affected does not exceed 2 cm^2,

— several more pronounced 'Hayward marks' with a slight protuberance,

— slight bruising.

III. **PROVISIONS CONCERNING SIZING**

Size is determined by the weight of the fruit.

The minimum weight for 'Extra' Class is 90 g, for Class I is 70 g and for Class II is 65 g.

To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

— 10 g for fruit of weight up to 85 g,

— 15 g for fruit weighing between 85 g and 120 g,

— 20 g for fruit weighing between 120 g and 150 g,

— 40 g for fruit weighing 150 g or more.

IV. **PROVISIONS CONCERNING TOLERANCES**

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. **Quality tolerances**

(i) *'Extra' Class*

A total tolerance of 5 per cent, by number or weight, of kiwifruit not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of kiwifruit not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

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(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of kiwifruit satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. **Size tolerances**

For all classes: a total tolerance of 10 %, by number or weight, of kiwifruit not satisfying the requirements as regards sizing is allowed.

However, the kiwifruit must not weigh less than 85 g in 'Extra' Class, 67 g in Class I and 62 g in Class II.

V. **PROVISIONS CONCERNING PRESENTATION**

A. **Uniformity**

The contents of each package must be uniform and contain only kiwifruit of the same origin, variety, quality and size.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

The kiwifruit must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps, bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed to the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defects.

Packages must be free of all foreign matter.

VI. **PROVISIONS CONCERNING MARKING**

Each package [1] must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

[1] These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

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— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— ‘Kiwifruit’ and/or ‘Actinidia’, if the contents are not visible from the outside.

— Name of the variety (optional).

— Flesh colour or equivalent indication, if not green.

C. **Origin of produce**

Country of origin ([1]) and, optionally, district where grown, or national, regional or local place name.

D. **Commercial specifications**

— Class.

— Size expressed by the minimum and maximum weight of the fruit.

— Number of fruits (optional).

E. **Official control mark (optional)**

Packages need not bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 4: *MARKETING STANDARD FOR LETTUCES, CURLED-LEAVED ENDIVES AND BROAD-LEAVED (BATAVIAN) ENDIVES*

I. **DEFINITION OF PRODUCE**

This standard applies to

— lettuces of varieties (cultivars) grown from:

— *Lactuca sativa* var. *capitata* L. (head lettuces including crisphead and ‘Iceberg’ type lettuces),

— *Lactuca sativa* var. *longifolia* Lam. (cos or romaine lettuces),

— Lactuca sativa var. crispa L. (leaf lettuces),

— crosses of these varieties and

— curled-leaved endives of varieties (cultivars) grown from *Cichorium endivia* var. *crispum* Lam. and

— broad-leaved (Batavian) endives (escaroles) of varieties (cultivars) grown from *Cichorium endivia* var. *latifolium* Lam.

to be supplied fresh to the consumer.

This standard does not apply to produce for industrial processing, produce presented as individual leaves, lettuces with root ball or lettuces in pots.

([1]) The full or the commonly used name shall be indicated.

▼M31

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for produce, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, the produce must be:

— intact,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean and trimmed, i.e. practically free from all earth or other growing medium and practically free of any visible foreign matter,

— fresh in appearance,

— practically free from pests,

— practically free from damage caused by pests,

— turgescent,

— not running to seed,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

In the case of lettuce, a reddish discolouration, caused by low temperature during growth, is allowed, unless it seriously affects the appearance of the lettuce.

The roots must be cut close to the base of the outer leaves and the cut must be neat.

The produce must be of normal development. The development and condition of the produce must be such as to enable it:

— to withstand transportation and handling, and

— to arrive in a satisfactory condition at the place of destination.

B. **Classification**

The produce is classified in two classes, as defined below:

(i) *Class I*

Produce in this class must be of good quality. It must be characteristic of the variety and/or commercial type.

The produce must also be:

— well formed,

— firm, taking into account the cultivation methods and the type of produce,

— free from damage or deterioration impairing edibility,

— free from frost damage.

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Head lettuces must have a single well-formed heart. However, in the case of head lettuces grown under protection, the heart may be small.

Cos lettuces must have a heart, which may be small.

The centre of curled-leaved endives and broad-leaved (Batavian) endives must be yellow in colour.

(ii) *Class II*

This class includes produce which do not qualify for inclusion in Class I, but satisfy the minimum requirements specified above.

The produce must be:

— reasonably well-formed,

— free from damage and deterioration which may seriously impair edibility.

The following defects may be allowed provided the produce retains its essential characteristics as regards the quality, the keeping quality and presentation:

— slight discolouration,

— slight damage caused by pests.

Head lettuces must have a heart, which may be small. However, in the case of head lettuces grown under protection, absence of heart is permissible.

Cos lettuces may show no heart.

III. **PROVISIONS CONCERNING SIZING**

Size is determined by the weight of one unit.

To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

(a) Lettuces

— 40 g when the lightest unit weighs less than 150 g per unit,

— 100 g when the lightest unit weighs between 150 g and 300 g per unit,

— 150 g when the lightest unit weighs between 300 g and 450 g per unit,

— 300 g when the lightest unit weighs more than 450 g per unit.

(b) Curled-leaved and broad-leaved (Batavian) endives

— 300 g.

IV. **PROVISIONS CONCERNING TOLERANCES**

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. **Quality tolerances**

(i) *Class I*

A total tolerance of 10 per cent, by number, of produce not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

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(ii) *Class II*

A total tolerance of 10 per cent, by number, of produce satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. **Size tolerances**

For all classes: a total tolerance of 10 per cent, by number, of produce not satisfying the requirements as regards sizing is allowed.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and contain only produce of the same origin, variety or commercial type, quality and size.

However, a mixture of lettuces and/or endives of distinctly different, varieties, commercial types and/or colours may be packed together in a package, provided they are uniform in quality and, for each variety, commercial type and/or colour, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

The produce must be packed in such a way as to protect it properly. It must be reasonably packed having regard to the size and type of packaging, without empty spaces or crushing.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package [1] must bear the following particulars in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference ‘Packer and/or Dispatcher’ (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

[1] These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

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— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— ‘Lettuces’, ‘butterhead lettuces’, ‘batavia’, ‘crisphead lettuces (Iceberg)’, ‘cos lettuces’, ‘leaf lettuce’ (or, for example and where appropriate, ‘Oak leaf’, ‘Lollo bionda’, ‘Lollo rossa’),‘curled-leaved endives’, ‘broad-leaved (Batavian) endives’, or equivalent denomination if the contents are not visible from the outside.

— ‘Grown under protection’, or equivalent denomination where appropriate.

— Name of the variety (optional).

— ‘Mixture of lettuces/endives’, or equivalent denomination in the case of a mixture of lettuces and/or endives of distinctly different varieties, commercial types and/or colours. If the produce is not visible from the outside, the varieties, commercial types and/or colours, and the quantity of each in the package must be indicated.

C. **Origin of produce**

— Country of origin [1] and, optionally, district where grown, or national, regional or local place name.

— In the case of a mixture of lettuces and/or endives of distinctly different varieties, commercial types and/or colours of different origins, the indication of each country of origin shall appear next to the name of the variety, commercial type and/or colour concerned.

D. **Commercial specifications**

— Class

— Size, expressed by the minimum weight per unit, or number of units

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 5: *MARKETING STANDARD FOR PEACHES AND NECTARINES*

I. **DEFINITION OF PRODUCE**

This standard applies to peaches and nectarines of varieties (cultivars) grown from *Prunus persica* Sieb. and Zucc., to be supplied fresh to the consumer, peaches and nectarines for industrial processing being excluded.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for peaches and nectarines, after preparation and packaging.

[1] The full or the commonly used name shall be indicated.

▼M31

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the 'Extra' Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, peaches and nectarines must be:

— intact,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter,

— practically free from pests,

— free from damage caused by pests affecting the flesh,

— free of fruit split at the stalk cavity,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

The development and condition of peaches and nectarines must be such as to enable them:

— to withstand transportation and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Maturity requirements**

The fruit must be sufficiently developed and display satisfactory ripeness. The minimum refractometric index of the flesh should be greater than or equal to 8° Brix ([1]).

C. **Classification**

Peaches and nectarines are classified into three classes, as defined below:

(i) *'Extra' Class*

Peaches and nectarines in this class must be of a superior quality. They must be characteristic of the variety.

The flesh must be perfectly sound.

They must be free from defects with the exception of very slight superficial defects, provided that these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Peaches and nectarines in this class must be of good quality. They must be characteristic of the variety. The flesh must be perfectly sound.

([1]) Calculated as described in the OECD guidance on objective tests, available at: http://www.oecd.org/agriculture/fruit-vegetables/publications.

▼M31

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape,

— a slight defect in development,

— slight defects in colouring,

— slight pressure marks not exceeding 1cm^2 in total surface area,

— slight skin defects which must not extend over more than:

— 1,5 cm in length for defects of elongated shape,

— 1 cm^2 in total surface area for other defects.

(iii) *Class II*

This class includes peaches and nectarines which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The flesh must be free from major defects.

The following defects may be allowed provided the peaches and nectarines retain their essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape,

— defects in development, including split stones, provided the fruit is closed and the flesh is sound,

— defects in colouring,

— bruises which may be slightly discoloured and not exceeding 2 cm^2 in total surface area,

— skin defects which must not extend over more than

— 2,5 cm in length for defects of elongated shape,

— 2 cm^2 in total surface area for other defects.

III. **PROVISIONS CONCERNING SIZING**

Size is determined either by the maximum diameter of the equatorial section, by weight, or by count.

The minimum size shall be:

— 56 mm or 85 g in Class ‘Extra’,

— 51 mm or 65 g in Classes I and II.

However, fruit below 56 mm or 85 g, is not marketed in the period from 1 July to 31 October (northern hemisphere) and from 1 January to 30 April (southern hemisphere).

The following provisions are optional for Class II.

To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

(a) For fruit sized by diameter:

— 5 mm for fruit below 70 mm,

— 10 mm for fruit of 70 mm and more.

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(b) For fruit sized by weight:

— 30 g for fruit below 180 g,

— 80 g for fruit of 180 g and more.

(c) For fruit sized by count, the difference in size should be consistent with (a) or (b).

If size codes are applied, those in the table below have to be respected.

	code	Diameter			weight	
		from (mm)	To (mm)		from (g)	to (g)
1	D	51	56		65	85
2	C	56	61		85	105
3	B	61	67		105	135
4	A	67	73	or	135	180
5	AA	73	80		180	220
6	AAA	80	90		220	300
7	AAAA	> 90			> 300	

IV. **PROVISIONS CONCERNING TOLERANCES**

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements for the class indicated.

A. **Quality tolerances**

(i) *'Extra' Class*

A total tolerance of 5 per cent, by number or weight, of peaches or nectarines not satisfying the requirements of the class, but meeting those of class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of peaches or nectarines not satisfying the requirements of the class, but meeting those of class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of peaches or nectarines satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. **Size tolerances**

For all classes (if sized): a total tolerance of 10 per cent, by number or weight, of peaches or nectarines not satisfying the requirements as regards sizing is allowed.

▼M31

V. **PROVISIONS CONCERNING PRESENTATION**

A. **Uniformity**

The contents of each package must be uniform and contain only peaches or nectarines of the same origin, variety, quality, degree of ripeness and size (if sized), and for the 'Extra' Class, the contents must also be uniform in colouring.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

The peaches or nectarines must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed to the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defect.

Packages must be free of all foreign matter.

VI. **PROVISIONS CONCERNING MARKING**

Each package [1] must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside:

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— 'Peaches' or 'Nectarines', if the contents are not visible from the outside.

— Colour of the flesh.

— Name of the variety (optional).

[1] These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

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C. **Origin of produce**

Country of origin ([1]) and, optionally, district where grown, or national, regional or local place name.

D. **Commercial specifications**

— Class.

— Size (if sized) expressed as minimum and maximum diameters (in mm) or minimum and maximum weights (in g) or as size code.

— Number of units (optional).

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 6: *MARKETING STANDARD FOR PEARS*

I. **DEFINITION OF PRODUCE**

This standard applies to pears of varieties (cultivars) grown from *Pyrus communis* L. to be supplied fresh to the consumer, pears for industrial processing being excluded.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for pears, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the ‘Extra’ Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, pears must be:

— intact,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter,

— practically free from pests,

— free from damage caused by pests affecting the flesh,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

([1]) The full or the commonly used name shall be indicated.

▼M31

The development and condition of the pears must be such as to enable them:

— to withstand transportation and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Maturity requirements**

The development and state of maturity of the pears must be such as to enable them to continue their ripening process and to reach the degree of ripeness required in relation to the varietal characteristics.

C. **Classification**

Pears are classified in three classes, as defined below:

(i) *'Extra' Class*

Pears in this class must be of superior quality. They must be characteristic of the variety ([1]).

The flesh must be perfectly sound, and the skin free from rough russeting.

They must be free from defects with the exception of very slight superficial defects provided these do not affect the general appearance of the fruit, the quality, the keeping quality and presentation in the package.

The stalk must be intact.

Pears must not be gritty.

(ii) *Class I*

Pears in this class must be of good quality. They must be characteristic of the variety. ([2])

The flesh must be perfectly sound.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape,

— a slight defect in development,

— slight defects in colouring,

— very slight rough russeting,

— slight skin defects which must not extend over more than:

  — 2 cm in length for defects of elongated shape,

  — 1 cm^2 of total surface area for other defects, with the exception of scab (*Venturia pirina* and *V. inaequalis*), which must not extend over more than 0,25 cm^2 cumulative in area.

— slight bruising not exceeding 1 cm^2 in area.

([1]) A non-exhaustive list of large fruited and summer pear varieties is included in the appendix to this standard.

([2]) A non-exhaustive list of large fruited and summer pear varieties is included in the appendix to this standard.

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The stalk may be slightly damaged.

Pears must not be gritty.

(iii) *Class II*

This class includes pears that do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

The flesh must be free from major defects.

The following defects may be allowed provided the pears retain their essential characteristics as regards the quality, the keeping quality and presentation.

— defects in shape,

— defects in development,

— defects in colouring,

— slight rough russeting,

— skin defects which must not extend over more than:

— 4 cm in length for defects of elongated shape,

— 2,5 cm^2 of total surface area for other defects, with the exception of scab (*Venturia pirina* and *V. inaequalis*), which must not extend over more than 1 cm^2 cumulative in area,

— slight bruising not exceeding 2 cm^2 in area.

III. **PROVISIONS CONCERNING SIZING**

Size is determined by maximum diameter of the equatorial section or by weight.

The minimum size shall be:

(a) For fruit sized by diameter:

	'Extra'	Class I	Class II
Large-fruited varieties	60 mm	55 mm	55 mm
Other varieties	55 mm	50 mm	45 mm

(b) For fruit sized by weight:

	'Extra'	Class I	Class II
Large-fruited varieties	130 g	110 g	110 g
Other varieties	110 g	100 g	75 g

Summer pears included in the appendix to this standard do not have to respect the minimum size.

To ensure the uniformity in size, the range in size between produce in the same package shall not exceed:

(a) For fruit sized by diameter:

— 5 mm for 'Extra' Class fruit and for Class I and II fruit packed in rows and layers

— 10 mm for Class I fruit packed in sales packages or loose in the package.

▼M31

(b) For fruit sized by weight:

— for ‘Extra’ Class fruit and Class I and II fruit packed in rows and layers:

Range (g)	Weight difference (g)
75 – 100	15
100 – 200	35
200 – 250	50
> 250	80

— for Class I fruit packed in sales packages or loose in the package:

Range (g)	Weight difference (g)
100 – 200	50
> 200	100

There is no sizing uniformity limit for Class II fruit packed in sales packages or loose in the package.

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) *‘Extra’ Class*

A total tolerance of 5 per cent, by number or weight, of pears not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of pears not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of pears satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

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B. **Size tolerances**

For all classes: a total tolerance of 10 per cent, by number or weight, of pears not satisfying the requirements as regards sizing is allowed. This tolerance may not be extended to include produce with a size:

— 5 mm or more below the minimum diameter

— 10 g or more below the minimum weight.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and contain only pears of the same origin, variety, quality, and size (if sized) and the same degree of ripeness.

In the case of the 'Extra' Class, uniformity also applies to colouring.

However, a mixture of pears of distinctly different varieties may be packed together in a sales package, provided they are uniform in quality and, for each variety concerned, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

Pears must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defects.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ([1]) must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

([1]) These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

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This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference ‘Packer and/or Dispatcher’ (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— ‘Pears’, if the contents of the package are not visible from the outside.

— Name of the variety. In the case of a mixture of pears of distinctly different varieties, names of the different varieties.

— The name of the variety may be replaced by a synonym. A trade name ([1]) may only be given in addition to the variety or the synonym.

C. **Origin of produce**

Country of origin ([2]) and, optionally, district where grown, or national, regional or local place name.

In the case of a mixture of distinctly different varieties of pears of different origins, the indication of each country of origin shall appear next to the name of the variety concerned.

D. **Commercial specifications**

— Class.

— Size, or for fruit packed in rows and layers, number of units.

If identification is by the size, this should be expressed:

(a) for produce subject to the uniformity rules, as minimum and maximum diameters or minimum and maximum weights,

(b) optionally, for produce not subject to the uniformity rules, as the diameter or the weight of the smallest fruit in the package followed by ‘and over’ or equivalent denomination or, where appropriate, the diameter or the weight of the largest fruit in the package.

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

([1]) A trade name can be a trade mark for which protection has been sought or obtained or any other commercial denomination.

([2]) The full or the commonly used name shall be indicated.

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Appendix

Non-exhaustive list of large-fruited and summer pear varieties

Small-fruited and other varieties which do not appear in the table may be marketed as long as they meet the size requirements for other varieties as described in Section III of the standard.

Some of the varieties listed in the following table may be marketed under names for which trade mark protection has been sought or obtained in one or more countries. The first and second columns of the table do not intend to include such trade marks. References to known trade marks have been included in the third column for information only.

Legend:

L = Large-fruited variety

SP = Summer pear, for which no minimum size is required.

Variety	Synonyms	Trade marks	Size
Abbé Fétel	Abate Fetel		L
Abugo o Siete en Boca			SP
AkVa			SP
Alka			L
Alsa			L
Amfora			L
Alexandrine Douillard			L
Bambinella			SP
Bergamotten			SP
Beurré Alexandre Lucas	Lucas		L
Beurré Bosc	Bosc, Beurré d'Apremont, Empereur Alexandre, Kaiser Alexander		L
Beurré Clairgeau			L
Beurré d'Arenberg	Hardenpont		L
Beurré Giffard			SP
Beurré précoce Morettini	Morettini		SP
Blanca de Aranjuez	Agua de Aranjuez, Espadona, Blanquilla		SP
Carusella			SP
Castell	Castell de Verano		SP
Colorée de Juillet	Bunte Juli		SP
Comice rouge			L
Concorde			L

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Variety	Synonyms	Trade marks	Size
Condoula			SP
Coscia	Ercolini		SP
Curé	Curato, Pastoren, Del cura de Ouro, Espadon de invierno, Bella de Berry, Lombardia de Rioja, Batall de Campana		L
D'Anjou			L
Dita			L
D. Joaquina	Doyenné de Juillet		SP
Doyenné d'hiver	Winterdechant		L
Doyenné du Comice	Comice, Vereinsdechant		L
Erika			L
Etrusca			SP
Flamingo			L
Forelle			L
Général Leclerc		Amber Grace ™	L
Gentile			SP
Golden Russet Bosc			L
Grand champion			L
Harrow Delight			L
Jeanne d'Arc			L
Joséphine			L
Kieffer			L
Klapa Mīlule			L
Leonardeta	Mosqueruela, Margallon, Colorada de Alcanadre, Leonarda de Magallon		SP
Lombacad		Cascade ®	L
Moscatella			SP
Mramornaja			L
Mustafabey			SP
Packham's Triumph	Williams d'Automne		L
Passe Crassane	Passa Crassana		L
Perita de San Juan			SP
Pérola			SP
Pitmaston	Williams Duchesse		L

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Variety	Synonyms	Trade marks	Size
Précoce de Trévoux	Trévoux		SP
Président Drouard			L
Rosemarie			L
Santa Maria	Santa Maria Morettini		SP
Spadoncina	Agua de Verano, Agua de Agosto		SP
Suvenirs			L
Taylors Gold			L
Triomphe de Vienne			L
Vasarine Sviestine			L
Williams Bon Chrétien	Bon Chrétien, Bartlett, Williams, Summer Bartlett		L

PART 7: *MARKETING STANDARD FOR STRAWBERRIES*

I. **DEFINITION OF PRODUCE**

This standard applies to strawberries of varieties (cultivars) grown from the genus *Fragaria* L. to be supplied fresh to the consumer, strawberries for industrial processing being excluded.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for strawberries, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the ‘Extra’ Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, the strawberries must be:

— intact, undamaged,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter,

— fresh in appearance, but not washed,

— practically free from pests,

— practically free from damage caused by pests,

— with the calyx (except in the case of wood strawberries); the calyx and the stalk (if present) must be fresh and green,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

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The strawberries must be sufficiently developed and display satisfactory ripeness. The development and the condition must be such as to enable them:

— to withstand transportation and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Classification**

The strawberries are classified in three classes, as defined below:

(i) *'Extra' Class*

The strawberries in this class must be of superior quality. They must be characteristic of the variety.

They must be:

— bright in appearance, allowing for the characteristics of the variety,

— free from soil.

They must be free from defects with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Strawberries in this class must be of good quality. They must be characteristic of the variety.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape,

— presence of a small white patch, not exceeding one tenth of the total surface area of the fruit,

— slight superficial pressure marks.

They must be practically free from soil.

(iii) *Class II*

This class includes strawberries that do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The following defects may be allowed provided the strawberries retain their essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape,

— a white patch not exceeding one fifth of the total surface area of the fruit,

— slight dry bruising not likely to spread,

— slight traces of soil.

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III. **PROVISIONS CONCERNING SIZING**

Size is determined by the maximum diameter of the equatorial section.

The minimum size shall be:

— 25 mm in 'Extra' Class,

— 18 mm in Classes I and II.

There is no minimum size for wood strawberries.

IV. **PROVISIONS CONCERNING TOLERANCES**

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. **Quality tolerances**

(i) *'Extra' Class*

A total tolerance of 5 per cent, by number or weight, of strawberries not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of strawberries not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 2 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of strawberries satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. **Size tolerances**

For all classes: a total tolerance of 10 per cent, by number or weight, of strawberries not satisfying the requirements as regards the minimum size is allowed.

V. **PROVISIONS CONCERNING PRESENTATION**

A. **Uniformity**

The contents of each package must be uniform and contain only strawberries of the same origin, variety and quality.

In the 'Extra' Class, strawberries, with the exception of wood strawberries, must be particularly uniform and regular with respect to degree of ripeness, colour and size. In Class I, strawberries may be less uniform in size.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

The strawberries must be packed in such a way as to protect the produce properly.

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The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free of all foreign matter.

VI. **PROVISIONS CONCERNING MARKING**

Each package ([1]) must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— 'Strawberries' if the contents of the package are not visible from the outside.

— Name of the variety (optional).

C. **Origin of produce**

Country of origin ([2]) and, optionally, district where grown or national, regional or local place name.

D. **Commercial specifications**

— Class.

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

([1]) These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

([2]) The full or the commonly used name shall be indicated.

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PART 8: *MARKETING STANDARD FOR SWEET PEPPERS*

I. **DEFINITION OF PRODUCE**

This standard applies to sweet peppers of varieties ([1]) (cultivars) grown from *Capsicum annuum* L., to be supplied fresh to the consumer, sweet peppers for industrial processing being excluded.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for sweet peppers, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the 'Extra' Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, the sweet peppers must be:

— intact,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter,

— fresh in appearance,

— firm,

— practically free from pests,

— free from damage caused by pests affecting the flesh,

— free of damage caused by low temperature or frost,

— with peduncles attached; the peduncle must be neatly cut and the calyx be intact,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

The development and condition of the sweet peppers must be such as to enable them to:

— withstand transport and handling, and

— arrive in satisfactory condition at the place of destination.

([1]) Some sweet pepper varieties may have hot taste.

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B. **Classification**

Sweet peppers are classified in three classes, as defined below:

(i) *'Extra' Class*

Sweet peppers in this class must be of superior quality. They must be characteristic of the variety and/or commercial type.

They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Sweet peppers in this class must be of good quality. They must be characteristic of the variety and/or commercial type.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape,

— slight silvering or damage caused by thrips covering not more than 1/3 of the total surface area,

— slight skin defects, such as:

  — pitting, scratching, sunburn, pressure marks covering in total not more than 2 cm for defects of elongated shape, and 1cm^2 for other defects; or

  — dry superficial cracks covering in total not more than 1/8 of the total surface area,

— slightly damaged peduncle.

(iii) *Class II*

This class includes sweet peppers which do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

The following defects may be allowed provided the sweet peppers retain their essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape,

— silvering or damage caused by thrips covering not more than 2/3 of the total surface area,

— skin defects, such as:

  — pitting, scratching, sunburn, bruising, and healed injuries covering in total not more than 4 cm in length for defects of elongated shape and 2,5 cm^2 of the total area for other defects; or

  — dry superficial cracks covering in total not more than 1/4 of the total surface area

— blossom end deterioration not more than 1 cm^2,

— shrivelling not exceeding 1/3 of the surface,

— damaged peduncle and calyx, provided the surrounding flesh remains intact.

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III. **PROVISIONS CONCERNING SIZING**

Size is determined by the maximum diameter of the equatorial section or by weight. To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

(a) For sweet peppers sized by diameter:

— 20 mm.

(b) For sweet peppers sized by weight:

— 30 g where the heaviest piece weighs 180 g or less,

— 80 g where the lightest piece weighs more than 180 g but less than 260 g,

— No limit where the lightest piece weighs 260 g or more.

Elongated sweet peppers should be sufficiently uniform in length.

Uniformity in size is not compulsory for Class II.

IV. **PROVISIONS CONCERNING TOLERANCES**

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. **Quality tolerances**

(i) *'Extra' Class*

A total tolerance of 5 per cent, by number or weight, of sweet peppers not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of sweet peppers not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements or of produce affected by decay.

(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of sweet peppers satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. **Size tolerances**

For all classes (if sized): a total tolerance of 10 per cent, by number or weight, of sweet peppers not satisfying the requirements as regards sizing is allowed.

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V. **PROVISIONS CONCERNING PRESENTATION**

A. **Uniformity**

The contents of each package must be uniform and contain only sweet peppers of the same origin, variety or commercial type, quality, size (if sized) and, in the case of Classes 'Extra' and I, of appreciably the same degree of ripeness and colouring.

However, a mixture of sweet peppers of distinctly different commercial types and/or colours may be packed together in a package, provided they are uniform in quality, and for each commercial type and/or colour concerned, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

The sweet peppers must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defect.

Packages must be free of all foreign matter.

VI. **PROVISIONS CONCERNING MARKING**

Each package ([1]) must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

([1]) These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

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B. **Nature of produce**

— ‘Sweet peppers’ if the contents are not visible from the outside.

— ‘Mixture of sweet peppers’, or equivalent denomination, in the case of a mixture of distinctly different commercial types and/or colours of sweet peppers. If the produce is not visible from the outside, the commercial types and/or colours and the quantity of each in the package must be indicated.

C. **Origin of produce**

Country of origin ([1]) and, optionally, district where grown or national, regional or local place name.

In the case of a mixture of distinctly different commercial types and/or colours of sweet peppers of different origins, the indication of each country of origin shall appear next to the name of the commercial type and/or colour concerned.

D. **Commercial specifications**

— Class.

— Size (if sized) expressed as minimum and maximum diameters or minimum and maximum weights.

— Number of units (optional).

— ‘Hot’ or equivalent denomination, where appropriate.

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 9: *MARKETING STANDARD FOR TABLE GRAPES*

I. **DEFINITION OF PRODUCE**

This standard applies to table grapes of varieties (cultivars) grown from *Vitis vinifera* L. to be supplied fresh to the consumer, table grapes for industrial processing being excluded.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for table grapes, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the ‘Extra’ Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, bunches and berries must be:

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

([1]) The full or the commonly used name shall be indicated.

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— clean, practically free of any visible foreign matter,

— practically free from pests,

— practically free from damage caused by pests,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

In addition, berries must be:

— intact,

— well formed,

— normally developed.

Pigmentation due to sun is not a defect.

The development and condition of the table grapes must be such as to enable them:

— to withstand transportation and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Maturity requirements**

The juice of the fruit shall have a refractometric index ([1]) of at least:

— 12° Brix for the Alphonse Lavallée, Cardinal and Victoria varieties,

— 13° Brix for all other seeded varieties,

— 14° Brix for all seedless varieties.

In addition, all varieties must have satisfactory sugar/acidity ratio levels.

C. **Classification**

The table grapes are classified into three classes defined below:

(i) *'Extra' Class*

Table grapes in this class must be of superior quality. They must be characteristic of the variety, allowing for the district in which they are grown.

Berries must be firm, firmly attached, evenly spaced along the stalk and have their bloom virtually intact.

They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Table grapes in this class must be of good quality. They must be characteristic of the variety, allowing for the district in which they are grown.

Berries must be firm, firmly attached and, as far as possible, have their bloom intact. They may, however, be less evenly spaced along the stalk than in the 'Extra' Class.

([1]) Calculated as described in the OECD guidance on objective tests, available at: http://www.oecd.org/agriculture/fruit-vegetables/publications.

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The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality, and presentation in the package:

— a slight defect in shape,

— slight defects in colouring,

— very slight sun scorch affecting the skin only.

(iii) *Class II*

This class includes table grapes that do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The bunches may show slight defects in shape, development and colouring, provided these do not impair the essential characteristics of the variety, allowing for the district in which they are grown.

The berries must be sufficiently firm and sufficiently firmly attached, and, where possible, still have their bloom. They may be less evenly spaced along the stalk than in Class I.

The following defects may be allowed provided the table grapes retain their essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape,

— defects in colouring,

— slight sun scorch affecting the skin only,

— slight bruising,

— slight skin defects.

III. **PROVISIONS CONCERNIG SIZING**

Size is determined by the weight of the bunch.

The minimum bunch weight shall be 75 g. This provision does not apply to packages intended for single servings.

IV. **PROVISIONS CONCERNING TOLERANCES**

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. **Quality tolerances**

(i) *'Extra' Class*

A total tolerance of 5 per cent, by weight, of bunches not satisfying the requirements of the class, but meeting those for Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by weight, of bunches not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

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In addition to those tolerances, a maximum of 10 per cent, by weight, of loose berries, i.e. berries detached from the bunch/cluster, are allowed provided that the berries are sound and intact.

(iii) *Class II*

A total tolerance of 10 per cent, by weight, of bunches satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

In addition to those tolerances, a maximum of 10 per cent, by weight, of loose berries, i.e. berries detached from the bunch/cluster, are allowed provided that the berries are sound and intact.

B. **Size tolerances**

For all classes: a total tolerance of 10 per cent, by weight, of bunches not satisfying the requirements as regards sizing is allowed. In each sales package, one bunch weighing less than 75 g is allowed to adjust the weight, provided the bunch meets all other requirements of the specified class.

V. **PROVISIONS CONCERNING PRESENTATION**

A. **Uniformity**

The contents of each package must be uniform and contain only bunches of the same origin, variety, quality and degree of ripeness.

In the case of the 'Extra' Class, the bunches must be approximately uniform in size and colouring.

However, a mixture of table grapes of distinctly different varieties may be packed together in a package, provided they are uniform in quality and, for each variety concerned, in origin.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

The table grapes must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps, bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects.

Packages must be free of all foreign matter, although a fragment of vine shoot no more than 5 cm in length may be left on the stem of the bunch as a form of special presentation.

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VI. **PROVISIONS CONCERNING MARKING**

Each package [1] must bear the following particulars in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— 'Table Grapes' if the contents are not visible from the outside.

— Name of the variety. In the case of a mixture of table grapes of distinctly different varieties, names of the different varieties.

C. **Origin of produce**

— Country of origin [2] and, optionally, district where grown, or national, regional or local place name.

— In the case of a mixture of distinctly different varieties of table grapes of different origins, the indication of each country of origin shall appear next to the name of the variety concerned.

D. **Commercial specifications**

— Class.

— 'Bunches below 75 g intended for single servings', where appropriate.

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

(1) These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

(2) The full or the commonly used name shall be indicated.

▼M31

PART 10: *MARKETING STANDARD FOR TOMATOES*

I. **DEFINITION OF PRODUCE**

This standard applies to tomatoes of varieties (cultivars) grown from *Solanum lycopersicum* L. to be supplied fresh to the consumer, tomatoes for industrial processing being excluded.

Tomatoes may be classified into four commercial types:

— 'round',

— 'ribbed',

— 'oblong' or 'elongated',

— 'cherry/cocktail' tomatoes (miniature varieties) of all shapes.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for tomatoes, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

— a slight lack of freshness and turgidity,

— for products graded in classes other than the 'Extra' Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, the tomatoes must be:

— intact,

— sound, produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter,

— fresh in appearance,

— practically free from pests,

— free from damage caused by pests affecting the flesh,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

In the case of trusses of tomatoes, the stalks must be fresh, healthy, clean and free from all leaves and any visible foreign matter.

The development and condition of the tomatoes must be such as to enable them:

— to withstand transportation and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Maturity requirements**

The development and state of maturity of the tomatoes must be such as to enable them to continue their ripening process and to reach a satisfactory degree of ripeness.

▼**M31**

C. **Classification**

Tomatoes are classified in three classes, as defined below:

(i) *'Extra' Class*

Tomatoes in this class must be of superior quality. They must be firm and characteristic of the variety.

They must be free from greenbacks and other defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Tomatoes in this class must be of good quality. They must be reasonably firm and characteristic of the variety.

They must be free of cracks and visible greenbacks.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape and development,

— slight defects in colouring,

— slight skin defects,

— very slight bruises.

Furthermore, 'ribbed' tomatoes may show:

— healed cracks not more than 1 cm long,

— no excessive protuberances,

— small umbilicus, but no suberisation,

— suberisation of the stigma up to 1 cm^2,

— fine blossom scar in elongated form (like a seam), but not longer than two-thirds of the greatest diameter of the fruit.

(iii) *Class II*

This class includes tomatoes which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

They must be reasonably firm (but may be slightly less firm than in Class I) and must not show unhealed cracks.

The following defects may be allowed provided the tomatoes retain their essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape and development,

— defects in colouring,

— skin defects or bruises, provided the fruit is not seriously affected,

▼M31

— healed cracks not more than 3 cm in length for round, ribbed or oblong tomatoes.

Furthermore, ‘ribbed’ tomatoes may show:

— more pronounced protuberances than allowed under Class I, but without being misshapen,

— an umbilicus,

— suberisation of the stigma up to 2 cm^2,

— fine blossom scar in elongated form (like a seam).

III. **PROVISIONS CONCERNING SIZING**

Size is determined by the maximum diameter of the equatorial section, by weight or by count.

The following provisions shall not apply to trusses of tomatoes and are optional for:

— cherry and cocktail tomatoes below 40 mm in diameter;

— ribbed tomatoes of irregular shape; and

— Class II.

To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

(a) For tomatoes sized by diameter:

— 10 mm, if the diameter of the smallest fruit (as indicated on the package) is under 50 mm,

— 15 mm, if the diameter of the smallest fruit (as indicated on the package) is 50 mm and over but under 70 mm,

— 20 mm, if the diameter of the smallest fruit (as indicated on the package) is 70 mm and over but under 100 mm,

— there is no limitation of difference in diameter for fruit equal or over 100 mm.

In case size codes are applied, the codes and ranges in the following table have to be respected:

Size code	Diameter (mm)
0	≤ 20
1	> 20 ≤ 25
2	> 25 ≤ 30
3	> 30 ≤ 35
4	> 35 ≤ 40
5	> 40 ≤ 47
6	> 47 ≤ 57
7	> 57 ≤ 67
8	> 67 ≤ 82
9	> 82 ≤ 102
10	> 102

▼M31

(b) For tomatoes sized by weight or by count, the difference in size should be consistent with the difference indicated in point (a).

IV. **PROVISIONS CONCERNING TOLERANCES**

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. **Quality tolerances**

(i) *'Extra' Class*

A total tolerance of 5 per cent, by number or weight, of tomatoes not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of tomatoes not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce neither satisfying the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

In the case of trusses of tomatoes, 5 percent, by number or weight, of tomatoes detached from the stalk is allowed.

(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of tomatoes satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

In the case of trusses of tomatoes, 10 percent, by number or weight, of tomatoes detached from the stalk is allowed.

B. **Size tolerances**

For all classes: a total tolerance of 10 per cent, by number or weight, of tomatoes not satisfying the requirements as regards sizing is allowed.

V. **PROVISIONS CONCERNING PRESENTATION**

A. **Uniformity**

The contents of each package must be uniform and contain only tomatoes of the same origin, variety or commercial type, quality and size (if sized).

The ripeness and colouring of tomatoes in 'Extra' Class and Class I must be practically uniform. In addition, the length of 'oblong' tomatoes must be sufficiently uniform.

However, a mixture of tomatoes of distinctly different colours, varieties and/or commercial types may be packed together in a package, provided they are uniform in quality and, for each colour, variety and/or commercial type concerned, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

▼M31

B. **Packaging**

Tomatoes must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed to the produce shall be such that, when removed, they neither leave visible traces of glue nor lead to skin defects. Information lasered on single fruitshould not lead to flesh or skin defects.

Packages must be free of all foreign matter.

VI. **PROVISIONS CONCERNING MARKING**

Each package ([1]) must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside:

A. **Identification**

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference ‘Packer and/or Dispatcher’ (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

— for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. **Nature of produce**

— ‘Tomatoes’ or ‘trusses of tomatoes’ and the commercial type, or ‘cherry/cocktail tomatoes’ or ‘trusses of cherry/cocktail tomatoes’) or equivalent denomination for other miniature varieties if the contents are not visible from the outside.

— ‘Mixture of tomatoes’, or equivalent denomination, in the case of a mixture of distinctly different varieties, commercial types and/or colours of tomatoes. If the produce is not visible from the outside, the colours, varieties or commercial types and the quantity of each in the package must be indicated.

— Name of the variety (optional).

([1]) These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

▼M31

C. **Origin of produce**

Country of origin ([1]) and, optionally, district where grown, or national, regional or local place name.

In the case of a mixture of distinctly different colours, varieties and/or commercial types of tomatoes of different origins, the indication of each country of origin shall appear next to the name of the colour, variety and/or commercial type concerned.

D. **Commercial specifications**

— Class.

— Size (if sized) expressed as

  — minimum and maximum diameters; or

  — minimum and maximum weights; or

  — size code as specified in Section III; or

  — count followed by the minimum and maximum sizes.

E. **Official control mark (optional)**

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

([1]) The full or the commonly used name shall be indicated.

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ANNEX II

SPECIMEN MENTIONED IN ARTICLE 12(1)

	European Union marketing standard for fresh fruit and vegetables No (of the approved trader) (Member State)

▼B

ANNEX III

CERTIFICATE OF CONFORMITY WITH THE EUROPEAN UNION MARKETING STANDARDS FOR FRESH FRUIT AND VEGETABLES REFERRED TO IN ARTICLES 12, 13 AND 14

<table>
<tr><td colspan="2">1. Trader</td><td colspan="2">Certificate of conformity with the European Union marketing standards applicable to fresh fruit and vegetables

No .....

(This certificate is exclusively for the use of inspection bodies)</td></tr>
<tr><td colspan="2" rowspan="2">2. Packer identified on packaging (if other than trader)</td><td colspan="2">3. Inspection body</td></tr>
<tr><td>4. Place of inspection/ country of origin (1)</td><td>5. Region or country of destination</td></tr>
<tr><td colspan="2">6. Identifier of means of transport</td><td colspan="2">7.

☐ internal

☐ import

☐ export</td></tr>
<tr><td>8. Packages (number and type)

–

–</td><td>9. Type of product (variety if the standard specifies)</td><td>10. Quality class</td><td>11. Total net weight in kg</td></tr>
<tr><td colspan="4">12. The consignment referred to above conforms, at the issue time, with the European Union marketing standards in force.

.....

Customs office foreseen ..... Place and date of issue

Valid until (date): .....

.....

Signatory (name in block letters):

Signature ..... Seal of the competent authority</td></tr>
<tr><td colspan="4">13. Observations</td></tr>
</table>

(1) Where the goods are being re-exported, indicate the origin in box 9.

▼**M32**

ANNEX IV

Third countries where the conformity checks have been approved under Article 15 and the products concerned

Country	Products
Switzerland	Fresh fruit and vegetables
Morocco	Fresh fruit and vegetables
South Africa	Fresh fruit and vegetables
Israel (1)	Fresh fruit and vegetables
India	Fresh fruit and vegetables
New Zealand	Apples, pears and kiwi fruit
Senegal	Fresh fruit and vegetables
Kenya	Fresh fruit and vegetables
Turkey	Fresh fruit and vegetables
United Kingdom (2)	Fresh fruit and vegetables

(1) The Commission's approval under Article 15 is given to fruit and vegetables originating within the State of Israel, excluding the territories under Israeli administration since June 1967, namely the Golan Heights, the Gaza Strip, East Jerusalem and the rest of the West Bank.

(2) In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex references to the United Kingdom do not include Northern Ireland.

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ANNEX V

METHODS OF INSPECTION REFERRED TO IN ARTICLE 17(1)

The following methods of inspection are based on the provisions of the guide for the implementation of quality control of fresh fruit and vegetables adopted by the OECD Scheme for the Application of International Standards for Fruit and Vegetables.

1. DEFINITIONS

1.1. **Package**

Individually packaged part of a lot, including contents. The packaging is conceived so as to facilitate handling and transport of a number of sales packages or of products loose or arranged, in order to prevent damage by physical handling and transport. The package may constitute a sales package. Road, rail, ship and air containers are not considered as packages.

1.2. **Sales package**

Individually packaged part of a lot, including contents. The packaging of sales packages is conceived so as to constitute a sales unit to the final user or consumer at the point of purchase.

1.3. **Pre-packages**

Pre-packages are sales packages such as the packaging enclosing the foodstuff completely or only partially, but in such a way that the contents cannot be altered without opening or changing the packaging. Protective films covering single produce are not considered as a pre-package.

1.4. **Consignment**

Quantity of produce to be sold by a given trader found at the time of inspection and defined by a document. A consignment may consist of one or several types of produce; it may contain one or several lots of fresh, dry or dried fruit and vegetables.

1.5. **Lot**

Quantity of produce which, at the time of inspection at one place, has similar characteristics with regard to:

— packer and/or dispatcher,

— country of origin,

— nature of produce,

— class of produce,

— size (if the produce is graded according to size),

— variety or commercial type (according to the relevant provisions of the standard),

— type of packaging and presentation.

However, if during the conformity check of consignments as defined in point 1.4 it is difficult to distinguish between different lots and/or presentation of individual lots is not possible, all lots of a specific consignment may be treated as one lot if they are similar in regard to type of produce, dispatcher, country of origin, class and variety or commercial type, if this is provided for in the relevant marketing standard.

1.6. **Sampling**

Collective samples taken temporarily from a lot during conformity check.

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1.7. **Primary sample**

Package taken at random from the lot, in case of packed produce or, in case of bulk produce (direct loading into a transport vehicle or compartment thereof), a quantity taken at random from a point in the lot.

1.8. **Bulk sample**

Several primary samples supposed to be representative for the lot so that the total quantity is sufficient to allow the assessment of the lot with regard to all criteria.

1.9. **Secondary sample**

An equal quantity of produce taken at random from the primary sample.

In the case of packed nuts, the secondary sample shall weigh between 300 g and 1 kg. If the primary sample is made up of packages containing sales packages, the secondary sample shall be one or more sales packages that in aggregate are at least 300 g.

In the case of other packed produce, the secondary sample shall comprise of 30 units, in case the net weight of the package is 25 kg or less and the package does not contain any sales packages. In certain cases this means that the whole content of the package has to be checked, if the primary sample contains not more than 30 units.

1.10. **Composite sample (dry and dried produce only)**

A composite sample is a mix, weighing at least 3 kg, of all the secondary samples taken from the bulk sample. Produce in the composite sample shall be evenly mixed.

1.11. **Reduced sample**

Quantity of produce taken at random from the bulk or composite sample having a size which is restricted to the minimum quantity necessary but sufficient to allow the assessment of certain individual criteria.

If the inspection method would destroy the produce, the size of the reduced sample shall not exceed 10 % of the bulk sample or, in the case of nuts in shell, 100 nuts taken from the composite sample. In the case of small dry or dried products (i.e. 100 g include more than 100 units) the reduced sample shall not exceed 300 g.

For the assessment of criteria on the degree of the development and/or ripeness, the constitution of the sampling shall be done according to the objective methods described in the Guidance on Objective Tests to Determine Quality of Fruit and Vegetables and Dry and Dried Produce.

Several reduced samples may be taken from a bulk or composite sample in order to check the conformity of the lot against different criteria.

2. IMPLEMENTATION OF CONFORMITY CHECK

2.1. **General remark**

A conformity check shall be made by assessing samples taken at random from different points in the lot to be controlled. It is based on the principle of presumption that the quality of the samples is representative of the quality of the lot.

2.2. **Place of control**

A conformity check may be carried out during packing operation, at the point of dispatch, during transport, at the point of reception, at whole sale and retail level.

In cases where the inspection body does not carry out the conformity check in their own premises, the holder shall provide facilities enabling the conduct of a conformity check.

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2.3. **Identification of lots and/or getting a general impression of the consignment**

The identification of lots shall be carried out on the basis of their marking or other criteria, such as the indications laid down under Council Directive 89/396/EEC ([1]). In the case of consignments which are made up of several lots it is necessary for the inspector to get a general impression of the consignment with the aid of accompanying documents or declarations concerning the consignments. The inspector shall then determine how far the lots presented comply with the information in these documents.

If the produce is to be or has been loaded onto a means of transport, the registration number of the latter shall be used for identification of the consignment.

2.4. **Presentation of produce**

The inspector shall decide which packages are to be checked. The presentation shall be made by the operator and shall include the presentation of the bulk sample as well as the supply of all information necessary for the identification of the consignment or lot.

If reduced or secondary samples are required, these shall be identified by the inspector from the bulk sample.

2.5. **Physical check**

— Assessment of packaging and presentation:

The packaging, including the material used within the package, shall be tested for suitability and cleanness according to the provisions of the relevant marketing standard. This shall be done on the basis of primary samples, in case of packed produce and in all other cases on the basis of the transport vehicle. If only certain types of packaging or presentation are permitted, the inspector shall check whether these are being used.

— Verification of marking:

The inspector shall check whether the produce is marked according to the relevant marketing standard. This shall include a check on the accuracy of marking and/or the extent of any amendments required.

In case of packed produce, this check shall be carried out on the basis of the primary samples, in all other cases on the basis of the documents attached to the pallet or the transport vehicle.

Fruit and vegetables individually wrapped in plastic shall not be considered as pre-packed foodstuff in the meaning of European Parliament and Council Directive 2000/13/EC and shall not necessarily need to be marked in accordance with the marketing standards. In such cases, the plastic wrapping may be considered as a simple protection for fragile products.

— Verification of conformity of the produce:

The inspector shall determine the size of the bulk sample in such way as to be able to assess the lot. The inspector selects at random the packages to be inspected or in the case of bulk produce the points of the lot from which individual samples shall be taken.

Care shall be taken to ensure that the removal of samples does not adversely affect the quality of the produce.

Damaged packages shall not be used as part of the bulk sample. They shall be set aside and may, if necessary, be subject to a separate examination and report.

([1]) OJ L 186, 30.6.1989, p. 21.

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The bulk sample shall comprise the following minimum quantities whenever a lot is declared unsatisfactory or the risk of a produce not conforming to the marketing standard has to be examined:

Packed produce	
Number of packages in the lot	Number of packages to be taken (primary samples)
Up to 100	5
From 101 to 300	7
From 301 to 500	9
From 501 to 1 000	10
More than 1 000	15 (minimum)

Produce in bulk (direct loading into a transport vehicle or compartment thereof)	
Quantity of lot in kg or number of bundles in the lot	Quantity of primary samples in kg or number of bundles
Up to 200	10
From 201 to 500	20
From 501 to 1 000	30
From 1 001 to 5 000	60
More than 5 000	100 (minimum)

In the case of bulky fruit and vegetables (over 2 kg per unit), the primary samples shall be made up of at least five units. In the case of lots comprising fewer than 5 packages or weighing less than 10 kg, the check shall cover the entire lot.

If the inspector discovers, after an inspection, that a decision cannot be reached, another physical check shall be undertaken and the overall result reported as an average of the two checks.

2.6. **Control of produce**

In case of packed produce, the primary samples shall be used to check the general appearance of the produce, the presentation, the cleanliness of the packages and the labelling. In all other cases, these checks shall be done on basis of the lot or transport vehicle.

The produce shall be removed entirely from its packaging for the conformity check. The inspector may only dispense with this where the sampling is based on composite samples.

The inspection of uniformity, minimum requirements, quality classes and size shall be carried out on the basis of the bulk sample, or on the basis of the composite sample taking into account the explanatory brochures published by the OECD Scheme for the Application of International Standards for Fruit and Vegetables.

When defects are detected, the inspector shall ascertain the respective percentage of the produce not in conformity with the standard by number or weight.

External defects shall be checked on the basis of the bulk or composite sample. Certain criteria on the degree of development and/or ripeness or on the presence or absence of internal defects may be checked on the basis of reduced samples. The check based on the reduced sample applies in particular to checks which destroy the trade value of the produce.

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The criteria on the degree of development and/or ripeness shall be checked using the instruments and methods laid down to this end in the relevant marketing standard or in accordance with the Guidance on Objective Tests to Determine Quality of Fruit and Vegetables and Dry and Dried Produce.

2.7. **Report of control results**

Documents mentioned in Article 14 shall be issued, where appropriate.

If defects are found leading to non-conformity, the trader or his representative shall be informed in writing about these defects and the percentage found as well as the reasons for non-conformity. If the compliance of produce with the standard is possible by a change in marking, the trader or his representative shall be informed.

If defects are found in a product, the percentage found not to be in conformity with the standard shall be indicated.

2.8. **Decline in value by conformity check**

After the conformity check, the bulk or composite sample is put at the disposal of the operator or his representative.

The inspection body shall not be bound to hand back the elements of the bulk or composite sample destroyed during the conformity check.

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ANNEX Va

INELIGIBLE INVESTMENTS REFERRED TO IN THE SECOND PARAGRAPH OF ARTICLE 37

1. Investments in means of transport to be used for marketing or distribution by the producer group, with the exception of:

   (a) investments in means of internal transport; at the moment of the purchase, the producer group shall duly justify to the concerned Member State that the investments shall only be used for internal transport;

   (b) additional on-the-truck facilities for cold-storage or controlled atmosphere transport.

2. Purchase of land costing more than 10 % of all the eligible expenditure on the operation concerned and not built on except where purchase is necessary to carry out an investment included in the recognition plan;

3. Second hand equipment which has been purchased with Union or national aid within the seven previous years.

4. Hire, unless the competent authority of the Member State accepts hire as an economically justified alternative to purchase.

5. Real estate purchase which has been purchased with Union or national aid within the 10 previous years.

6. Investments in shares.

7. Investments or similar types of actions outside the holdings and/or premises of the producer group or its members.

▼M8

ANNEX Vb

Templates for notification per producer group as referred to in Article 38(4)

Notification in accordance with Article 38 (4) of Commission Regulation (EU) No 543/2011

Member State: [ ] Total number of PG proposed for recognition: [ ]

Currency: [National currency] Date: [ ]

ID (if already attributed)	Name	Number of members	Years of transition period	Years of implementation	Aid to encourage formation and facilitate administrative operation. Article 103a (1)(a) of Regulation (EC) No 1234/2007			Aid to cover part of the investments. Article 103a (1)(b) of Regulation (EC) No 1234/2007				Value of the marketed production (Art 42 Reg 543/2011)	Total Union contribution	Total MS contribution	Total PG
					Total	Union contribution	Member State contribution	Total expenditure	Union contribution	Member State contribution	producer group and members of the producer group contribution				
					(1) = (2) + (3)	(2)	(3)	(4) = (5) + (6) + (7)	(5)	(6)	(7)	(8)	(9) = (2) + (5)	(10) = (3) + (6)	(11) = (1) + (4)
			1/5	201…											
			2/5	201…											
			3/5	201…											
			4/5	201…											
			5/5	201…											
				Total											

One different Excel sheet shall be completed for every Producer Group (PG)

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Notification in accordance with Article 38 (4) of Commission Regulation (EU) No 543/2011

Member State: [ ] Total number of PG proposed for recognition: [ ]

Currency: [National currency] Date: [ ]

Number of PGs proposed for recognition	Years	Aid to encourage formation and facilitate administrative operation. Article 103a (1)(a) of Regulation (EC) No 1234/2007			Aid to cover part of the investments. Article 103a (1)(b) of Regulation (EC) No 1234/2007				Value of the marketed production (Art 42 Reg 543/2011)	Total Union contribution	Total MS contribution	Total PG
		Total	Union contribution	Member State contribution	Total expenditure	Union contribution	Member State contribution	producer group and members of the producer group contribution				
		(1) = (2) + (3)	(2)	(3)	(4) = (5) + (6) + (7)	(5)	(6)	(7)	(8)	(9) = (2) + (5)	(10) = (3) + (6)	(11) = (1) + (4)
	201…											
	201…											
	201…											
	201…											
	201…											
	201…											
	Total											

This Excel sheet refers to all Producer Groups proposed for recognition per Member State'

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ANNEX XIX

CORRELATION TABLE REFERRED TO IN ARTICLE 149

Regulation (EC) No 1580/2007	This Regulation
Article 1	Article 1
Article 2	Article 2
Article 2a	Article 3
Article 3	Article 4
Article 4	Article 5
Article 5	Article 6
Article 6	Article 7
Article 7	Article 8
Article 8	Article 9
Article 9	Article 10
Article 10	Article 11
Article 11	Article 12
Article 12	Article 13
Article 12a	Article 14
Article 13	Article 15
Article 14	—
Article 15	Article 16
Article 16	—
Article 17	—
Article 18	—
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ANNEX XX

REGULATIONS REFERRED TO IN ARTICLE 150(2)

Commission Regulation (EEC) No 1764/86 of 27 May 1986 laying down minimum quality requirements for products processed from tomatoes under the production aid scheme ([1])

Commission Regulation (EEC) No 2320/89 of 28 July 1989 laying down minimum quality requirements for peaches in syrup and/or in natural fruit juice under the production aid scheme ([2])

Article 2 and Parts A and B of Annex I of Commission Regulation (EC) No 464/1999 of 3 March 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards aid arrangements for prunes ([3])

Article 1(1) and (2) and Annexes II and III of Commission Regulation (EC) No 1573/1999 of 19 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the characteristics of dried figs qualifying for aid under the production aid scheme ([4])

Annexes I and II of Commission Regulation (EC) No 1621/1999 of 22 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards aid for the cultivation of grapes to produce certain varieties of dried grapes ([5])

Commission Regulation (EC) No 1666/1999 of 28 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the minimum marketing characteristics for certain varieties of dried grapes ([6])

Commission Regulation (EC) No 1010/2001 of 23 May 2001 concerning the minimum quality requirements for mixed fruit under the production aid scheme ([7])

Article 3 of Commission Regulation (EC) No 217/2002 of 5 February 2002 fixing eligibility criteria for raw materials under the production aid scheme in Regulation (EC) No 2201/96 ([8])

Article 2 of Commission Regulation (EC) No 1535/2003 of 29 August 2003 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables ([9])

Article 16 and Annex I of Commission Regulation (EC) No 2111/2003 of 1 December 2003 laying down detailed rules for the application of Council Regulation (EC) No 2202/96 introducing a Community aid scheme for producers of certain citrus fruits ([10])

Commission Regulation (EC) No 1559/2006 of 18 October 2006 laying down minimum quality requirements for Williams and Rocha pears in syrup and/or in natural fruit juice under the production aid scheme ([11])

([1]) OJ L 153, 7.6.1986, p. 1.
([2]) OJ L 220, 29.7.1989, p. 54.
([3]) OJ L 56, 4.3.1999, p. 8.
([4]) OJ L 187, 20.7.1999, p. 27.
([5]) OJ L 192, 24.7.1999, p. 21.
([6]) OJ L 197, 29.7.1999, p. 32.
([7]) OJ L 140, 24.5.2001, p. 31.
([8]) OJ L 35, 6.2.2002, p. 11.
([9]) OJ L 218, 30.8.2003, p. 14.
([10]) OJ L 317, 2.12.2003, p. 5.
([11]) OJ L 288, 19.10.2006, p. 22.