

COMMISSION REGULATION (EC) No 1619/2001
of 6 August 2001
laying down the marketing standard for apples and pears and amending Regulation (EEC) No 920/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 911/2001 ⁽²⁾, and in particular Article 2(2),

Whereas:

(1) Apples and pears are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted. Commission Regulation (EEC) No 920/89 of 10 April 1989 laying down quality standards for carrots, citrus fruit and dessert apples and pears and amending Commission Regulation No 58 ⁽³⁾, as last amended by Regulation (EC) No 730/1999 ⁽⁴⁾, has been amended and can no longer ensure legal clarity.

(2) In the interest of clarity, the rules on apples and pears should be separated from those on other products under Regulation (EEC) No 920/89. The rules in question should therefore be recast and Annex III to Regulation (EEC) No 920/89 should be repealed. To that end, and in the interest of preserving transparency on the world market, account should be taken of the standard for apples and pears recommended by the Working Party on Standardisation of Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UN/ECE).

(3) Application of these standards should remove products of unsatisfactory quality from the market, bring production into line with consumer requirements and facilitate trade based on fair competition, thereby helping to improve profitability.

(4) The standards are applicable at all marketing stages. Long-distance transport, storage over a certain period and the various processes the products undergo may cause some degree of deterioration owing to the biological development of the products or their perishable nature. Account should be taken of such deterioration

when applying the standard at the marketing stages following dispatch. As products in the 'Extra' class have to be particularly carefully sorted and packaged, only lack of freshness and turgidity is to be taken into account in their case.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The marketing standard for the following products shall be as set out in the Annex:

- apples, falling within CN code ex 0808 10,
- pears, falling within CN code ex 0808 20.

The standard shall apply at all marketing stages under the conditions laid down in Regulation (EC) No 2200/96.

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, slight deteriorations due to their development and their tendency to perish.

Article 2

Regulation (EEC) No 920/89 is amended as follows:

1. In Article 1(1), the third indent is deleted.
2. Annex III is deleted.

Article 3

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

It shall apply from the first day of the second month following its entry into force.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 129, 11.5.2001, p. 3.

⁽³⁾ OJ L 97, 11.4.1989, p. 19.

⁽⁴⁾ OJ L 93, 8.4.1999, p. 14.

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

Done at Brussels, 6 August 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

STANDARD FOR APPLES AND PEARS

I. DEFINITION OF PRODUCE

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

II. PROVISIONS CONCERNING QUALITY

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

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, apples and 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,
- practically free from damage caused by pests,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

In addition, they must have been carefully picked.

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

- to continue their maturing process and to reach the degree of maturity required in relation to the varietal characteristics ⁽¹⁾,
- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification

Apples and pears are classified in three classes defined below.

(i) 'Extra' Class

Apples and pears in this class must be of superior quality. In shape, size and colouring, they must be characteristic of the variety ⁽²⁾ and the stalk must be intact.

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.

Pears must not be gritty.

(ii) Class I

Apples and pears in this class must be of good quality. In shape, size and colouring, they must be characteristic of the variety ⁽²⁾.

The flesh must be perfectly sound.

⁽¹⁾ Due to varietal characteristics of the Fuji variety concerning maturity at harvest, radial watercore is permitted provided it is contained within the vascular bundles of each fruit.

⁽²⁾ The criteria for colouring and russetting of apples are given in the appendix of this standard, as well as a non-exhaustive list of the varieties concerned by each criteria.

The following slight defects, however, may be allowed on individual fruit 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 skin defects which must not extend over more than:
 - 2 cm in length for defects of elongated shape,
 - 1 cm² of total surface area for other defects, with the exception of scab (*Venturia inaequalis*), which must not extend over more than 0,25 cm² cumulative in area,
 - slight bruising not exceeding 1 cm² of total surface area and not discoloured.

For apples, the stalk may be missing, provided the break is clean and the adjacent skin is not damaged. For pears, the stalk may be slightly damaged.

Pears must not be gritty.

(iii) Class II

This class includes apples and pears which do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above ⁽¹⁾.

The flesh must be free from major defects.

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

- defects in shape,
- defects in development,
- defects in colouring,
- skin defects which must not extend over more than:
 - 4 cm in length for defects of elongated shape,
 - 2,5 cm² of total surface area for other defects, including slightly discoloured bruising, with the exception of scab (*Venturia inaequalis*), which must not extend over more than 1 cm² cumulative in area.

III. PROVISIONS CONCERNING SIZING

Size is determined by maximum diameter of the equatorial section or by weight. However, when sizing by weight, the minimum weight must ensure all fruit, as appropriate, meet the minimum diameter sizes listed below.

A minimum size by diameter is required for all classes as follows:

	(mm)		
	Extra	Class I	Class II
Apples			
Large fruited varieties ⁽¹⁾	70	65	65
Other varieties	60	55	55
Pears			
Large fruited varieties ⁽¹⁾	60	55	55
Other varieties	55	50	45

⁽¹⁾ The non-exhaustive list of large fruited varieties is given in the appendix of this standard.

Exceptionally, and for summer pears included in the appendix of this standard, no minimum size will be laid down for consignments dispatched between 10 June and 31 July (inclusive) of any year.

⁽¹⁾ The criteria for colouring and russetting of apples are given in the appendix of this standard, as well as a non-exhaustive list of the varieties concerned by each criteria.

To ensure there is uniformity of size within a package, the difference in diameter between fruit in the same package shall be limited to:

- 5 mm for extra Class fruit and for Class I and II fruit packed in rows and layers ⁽¹⁾,
- 10 mm for Class I fruit packed in bulk in the package or in pre-packages ⁽²⁾.

There is no sizing uniformity limit for Class II fruit packed in bulk in the package or in pre-packages.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) 'Extra' Class

5% by number or weight of apples or pears not satisfying the requirements of the class, but meeting those of Class I or, exceptionally, coming within the tolerances of that class.

(ii) Class I

10 % cent by number or weight of apples or pears not satisfying the requirements of the class, but meeting those of Class II, or exceptionally, coming within the tolerances of that class. However, pears without stalk are not included in this tolerance.

(iii) Class II

10 % by number or weight of apples or pears satisfying neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

Within this tolerance, a maximum of 2 % by number or weight of fruit is allowed which shows the following defects:

- serious attacks of cork (bitter pit) or water-core,
- slight damage or unhealed cracks,
- very slight traces of rot,
- presence of internal feeding pests and/or damage to the flesh caused by pests.

B. Size tolerances

For all classes:

- (a) for fruit which is subject to the rules of uniformity, 10 % by number or weight of fruit not corresponding to the size immediately above or below that marked on the package, with, for fruit classified in the smallest grade allowed a maximum variation of 5 mm below the minimum;
- (b) for fruit which is not subject to the rules of uniformity, 10 % by number or weight of fruit below the minimum size laid down, with a maximum variation of 5 mm below the minimum size.

⁽¹⁾ However, for apples of the varieties Bramley's Seedling (Bramley, Triomphe de Kiel) and Horneburger, the difference in diameter may amount to 10 mm.

⁽²⁾ However, for apples of the varieties Bramley's Seedling (Bramley, Triomphe de Kiel) and Horneburger, the difference in diameter may amount to 20 mm.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only apples or 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.

Uniformity of variety is not required for apples in small consumer packages of a net weight not exceeding 3 kg. If different varieties of apples are sold in the same package, uniformity of origin is not required.

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

B. Packaging

The apples and pears must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, 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.

C. Presentation

For 'Extra' Class fruit must be packed in layers.

VI. PROVISIONS CONCERNING MARKING

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

A. Identification

Packer and/or dispatcher: Name and address or officially issued or accepted code mark. However, in the case where a code mark is used, the reference 'packer and/or dispatcher (or equivalent abbreviations)' has to be indicated in close connection with the code mark.

B. Nature of produce

— 'Apples' or 'Pears', if the contents are not visible from the outside.

— Name of the variety or varieties where appropriate.

C. Origin of produce

Country of origin and, optionally, district where grown, or national, regional or local place name. In the case, mentioned under the third subparagraph of V(A), of apples of different varieties and different origins packed together in the same consumer package, the country of origin of each of the varieties concerned shall be mentioned.

D. Commercial specifications

— Class.

— Size or, for fruit packed in 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;

(b) for produce not subject to the uniformity rules, the diameter of the smallest fruit in the package followed by 'and over' or '+' or, where applicable, followed by the diameter of the largest fruit.

E. Official control mark (optional)

APPENDIX

1. COLOURING CRITERIA FOR APPLES

Apple varieties are classified in four groups according to colouring:

Group A — red varieties

'Extra' class: at least three quarters of the surface of the fruit red coloured

Class I: at least half of the surface of the fruit red coloured

Class II: at least a quarter of the surface of the fruit red coloured.

Group B — varieties of mixed red colouring

'Extra' class: at least half of the surface of the fruit red coloured

Class I: at least one third of the surface of the fruit red coloured

Class II: at least one tenth of the surface of the fruit red coloured.

Group C — striped varieties, slightly coloured

'Extra' class: at least one third of the surface of the fruit streaked with characteristic red colouring

Class I: at least one tenth of the surface of the fruit streaked with characteristic red colouring.

Group D — other varieties

2. CRITERIA CONCERNING RUSSETING ON APPLES

Apple varieties are classified in two groups according to russetting:

Group R — apple varieties for which russetting is a characteristic of the skin and is not a defect if it corresponds to the typical appearance of the variety.

For varieties other than those listed in Group R, russetting is allowed within the following limits:

	'Extra' class	Class I	Class II	Tolerance for Class II
i) Brown patches	Not outside the stem cavity	May go slightly beyond the stem or pistil cavities	May go beyond the stem or pistil cavities	Fruit not seriously detracting from the appearance and condition of the package
	Not rough	Not rough	Slightly rough	
ii) Russetting		Maximum surface area of the fruit permitted		
Thin net-like russetting (not contrasting strongly with the general colouring of the fruit)	Slight and isolated traces of russetting not altering the general appearance of the fruit and of the package	One fifth	One half	Fruit not seriously detracting from the appearance and condition of the package
Heavy	None	One twentieth	One third	Fruit not seriously detracting from the appearance and condition of the package

	'Extra' class	Class I	Class II	Tolerance for Class II
Cumulative defects (with the exception of the brown patches which are excluded from these cumulative defects). In no case may thin russetting and heavy russetting and heavy russetting taken together exceed a maximum of:	—	One fifth	One half	Fruit not seriously detracting from the appearance and condition of the package

3. SIZING CRITERIA FOR APPLES AND PEARS

Apple and pear varieties are classified in three groups according to their size characteristics:

Group L — large fruited apple or pear varieties mentioned in the second subparagraph of title III of the present standard.

Group SP — varieties of summer pears mentioned in the third subparagraph of title III of the present standard.

Other varieties.

4. NON-EXHAUSTIVE LIST OF APPLE VARIETIES CLASSIFIED ACCORDING TO THEIR COLOURING, RUSSETING AND SIZING CRITERIA

Varieties	Synonyms and/ or mutations	Colouring group	Russetting	Size group
Abbondanza		C		
Akane	Prime Rouge, Prime Red, Tohoku 3, Tokyo Rose	B		
Alice		B		
Alkmene	Early Windsor	C		
Altländer				L
Apollo		C		L
Arlet		C		L
Aroma		C		
Aroma Amorosa		B		
Ashmead's Kernel			R	
Belfort	Pella	B		
Bellavista	Vista Bella	B		
Belle de Boskoop and mutations	Schöner von Boskoop, Schone van Boskoop, Goudrenet		R	L
Belle fleur double				L
Berlepsch		C		
Berlepsch rouge	Red Berlepsch, Roter Berlepsch	B		
Bismarck				L
Black Ben Davis		A		L
Black Stayman		A		L
Blenheim				L
Boskoop rouge	Red Boskoop, Roter Boskoop, Schmitz-Hübsch, Rode Boskoop	B	R	L

Varieties	Synonyms and/ or mutations	Colouring group	Russetting	Size group
Braeburn	Bramley, Triomphe de Kiel	C	R	L
Bramley's Seedling				L
Brettacher				L
Calville (group of ...)				L
Cardinal		B		
Carmio		A		
Carola		C		L
Casanova de Alcobaça		C		
Charden				L
Charles Ross				L
Chata Encarnada		C		
Commercio		C		
Cortland		B		L
Cox Pomona				L
Cox's Orange Pippin and mutations	Cox Orange	C Cherry Cox: B		
Crimson Bramley	Riscadinha Ordinary Delicious			L
Cunha		C		
Delicious ordinaire		B		
Delicious Pilafa		B		L
Democrat		A		L
Discovery		B		
Dunn's Seedling			R	
Egremont Russet			R	
Elan				L
Ellison's Orange (Ellison)		C		L
Elstar		C		
Finkenwerder				L
Fortuna Delicious		A		L
Fortune	Graham Royal Jubile		R	
Fuji		C		L
Gala		C		
Garcia				L
Gelber Edel				L
Glorie van Holland				L
Gloster 69		B		L
Golden Delicious and mutations				L
Golden Russet			R	
Graham				L
Granny Smith				L
Gravenstein rouge	Red Gravenstein, Gravenstein rossa, Roter Gravensteiner	B		L

Varieties	Synonyms and/ or mutations	Colouring group	Russetting	Size group
Gravensteiner	Gravenstein			L
Greensleeves				L
Grossherzog Friedrich von Baden				L
Herma				L
Honeygold				L
Horneburger				L
Howgate Wonder				L
Idared	Emperor Alexander	B	R	L
Imperatore		C		L
Ingrid Marie		B		
Jacob Fischer				L
Jacques Lebel				L
Jamba		C		L
James Grieve and mutations				L
James Grieve rouge		B		L
Jerseymac		B		
Jester				L
Jonagold ⁽¹⁾ and mutations	Katja	C	R	L
Jonagored		A		L
Jonathan		B		
Jupiter				L
Karmijn de Sonnaville		C		L
Katy		B		
Kent				R
Kidd's Orange Red		C		R
Kim		B		
King David		A		
Königin	The Queen		R	L
Lane's Prince Albert	Lanes Prinz Albert			L
Laxton's Superb	Laxtons Superb	C		
Lemoen Apfel	Lemoenappel			L
Lobo		B		
Lord Lambourne		C		
Maigold		C		L
Mantet rouge	Red Mantet, Roter Mantet	C		
McIntosh Red		B		
Melodie		C		
Melrose		C		L
Mingan	Peromingan, Mingana		R	L
Morgenduft	Rome Beauty	B		L
Musch				L
Mutsu	Crispin			L

Varieties	Synonyms and/ or mutations	Colouring group	Russetting	Size group
Normanda	Notaris, Notarisappel	C		L
Notarapfel				L
Nueva Europa		C		
Nueva Orleans		B		L
Odin		B		
Oldenburg		C		
Ontario		B		L
Oregon		A		L
Ortell		B		
Ozarkgold				L
Pater v. d. Elsen				L
Paula Red		B		
Pero de Cirio				L
Piglos		B		L
Pimona		C		
Pinova		C		L
Piros		C		L
Pomme raisin		C		
Rambour d'hiver	Winterrambour, Teuringer, Menznauer Jäger			L
Rambour franc		B		
Red Chief		A		L
Red Delicious and mutations		A		L
Red Dougherty		A		
Red Rome		A		
Red York		A		
Reglindis		C		L
Reine des Reinettes	Goldparmäne, King of the pippins	C		
Reineta Encarnada		B		
Reineta Roja del Canada		B		L
Reinette blanche du Canada			R	L
Reinette de France				L
Reinette de Landsberg				L
Reinette d'Orléans				L
Reinette étoilée		A		
Reinette grise				L
Reinette grise du Canada				L
Richared		A		L

Varieties	Synonyms and/ or mutations	Colouring group	Russetting	Size group
Roja de Benejama	Verruga, Roja del Valle, Clavelina	A		
Rose de Berne	Berner Rosenapfel	A		
Rose de Caldaro	Kalterer, Rose di Caldaro	C		
Royal Gala	Tenroy	A		
Royal Red		A		L
Saure Gamerae	Gamerae Zure			L
Septer				L
Shampion		C		L
Signe Tillisch				L
Spartan		A		
St Edmunds Pippin			R	
Stalapfel		B		
Stark Delicious		A		
Starking		A		L
Starkrimson		A		L
Stark's Earliest		C		
Stayman Winesap	Stayman	B		L
Staymared	Staymanred, Red Stayman	A		L
Sturmer Pippin			R	
Summerred		B		
Sunset			R	
Suntan			R	
Top Red		A		L
Toreno			R	
Transparente de Croncels	Croncels			L
Triomphe de Luxembourg				L
Tydemans Early Worcester	Tydemans Early	B		L
Wagener		B		
Wealthy		B		
Well Spur		A		L
Winesap	Winter Winesap	A		
Winston		C		
Winter Banana	Winterbanane, Winterbanane-napfel			L
Worcester Pearmain		B		
Yellow Newton	Albemarle Pippin		R	
York		B		
Zabergäu				L
Zigeunerin				L

(¹) However, for the variety Jonagold, at least one tenth surface of the fruit in class II must be streaked with red colouring.

5. NON-EXHAUSTIVE LIST OF PEAR VARIETIES CLASSIFIED ACCORDING THEIR SIZING CRITERIA

Varieties	Synonyms and/or mutations	Size group
Abbé Fétel	Abbate Fetel, Abate Fetel	L
Abugo o Siete en Boca		SP
Alexandrine Douillard		L
André Desportes		SP
Azucar Verde		SP
Bergamotten		SP
Beurré Alexandre Lucas	Lucas, Alexander Lucas	L
Beurré Clairgeau	Clairgeau, Clairgeaus Butterbirne	L
Beurré d'Arenberg	Hardenpont	L
Beurré Diel	Diels Butterbirne	L
Beurré Giffard	Giffards Butterbirne	SP
Beurré Gris		SP
Beurré Lebrun		L
Beurré précoce Morettini	Buttira precoce Morettini	SP
Blanca de Aranjuez	Agua de Aranjuez, Espadona, Blanquilla	SP
Buntrocks		SP
Carapinha		SP
Carusella		SP
Castell	Castell de Verano	SP
Catillac	Pondspear, Ronde Gratio, Grand Monarque, Charteuse	L
Claude Blanchet		SP
Colorée de Juillet	Bunte Juli	SP
Condoula		SP
Coscia	Ercolini	SP
Curé	Curato, Pastoren, Del Cura de Ouro, Espadon de Invierno, Bella de Berry, Lombarda de Rioja, Batall de Campana	L
D. Joaquina	Doyenné de Juillet	SP
Devoe		L
Don Guido		L
Doyenné d'hiver	Winterdechant, Decana d'Inverno	L
Doyenné du Comice	Comice, Vereinsdechant, Decana del Comizio	L
Duchesse d'Angoulême	Duchessa d'Angoulême	L
Empereur Alexandre	Beurré Bosc, Bosc, Beurré d'Apremont, Kaiser Alexander, Imperatore Alessandro, Kaiserkrone, Alexanderbirne	L
Flor de Invierno		L

Varieties	Synonyms and/or mutations	Size group
Général Leclerc		L
Gentile		SP
Gentile Bianca di Firenze		SP
Gentilona		SP
Giardina		SP
Gramshirtle		SP
Grand Champion		L
Hartleffs		SP
Jeanne d'Arc		L
Leonardeta	Mosqueruela, Margallon, Colorada de Acanadre, Leonarda de Magallon	SP
Marguerite Marillat	Margarete Marillat	L
Moscatella		SP
Oomskinderen		SP
Packham's Triumph	Williams d'Automne	L
Passe Crassane	Passa Crassana, Edelcrassane	L
Perita de San Juan		SP
Pérola		SP
Précoce de Altedo	Precoce di Altedo	SP
Précoce de Trévoux	Trévoux, Precoce di Trévoux, Frühe von Trévoux	SP
Président Drouard	Präsident Drouard	L
Santa Maria	Santa Maria Morettini	SP
Souvenir du Congrès	Kongress, Congress	L
Spadoncina	Agua de Verano, Agua de Agosto	SP
Triomphe de Vienne	Trionfo di Vienna, Triumph von Vienne	L
Wilder		SP
Williams Duchesse	Pitmaston	L
Witthöftsbirne		SP