

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

STD. No. C-4

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

STANDARDS AND REQUIREMENTS REGARDING CONTROL
OF THE EXPORT OF LITCHIS

The Executive Officer: Agricultural Product Standards has stipulated under section 4(3)(a)(ii) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), these standards regarding the quality of litchis and the requirements regarding the packing, marking and labelling thereof.

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STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE
EXPORT OF LITCHIS AS STIPULATED BY GOVERNMENT NOTICE
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Definitions

1. In these standards and requirements, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act shall have a corresponding meaning, and --

"Arthropoda" means any stage in the life cycle of an invertebrate member of the Animal Kingdom that is bilaterally symmetrical with a segmented body, with jointed limbs that are paired and a chitinous external skeleton;

"blemish" means any external defect on the surface of the litchi which detrimentally affects the appearance of the litchi;

"chemical residue" means residues of agricultural remedies which in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), are permissible for the treatment of pests and diseases and which do not exceed the prescribed maximum residue limit;

"clean" means free from visible spray residues, dirt or foreign matter;

"consignment" means -

- (a) a quantity of litchis of the same cultivar, belonging to the same owner, and delivered at the same time under cover of the same delivery note, consignment note or receipt note, or delivered by the same vehicle; or
- (b) in the case of a quantity of litchis that is divided into different cultivars, classes, pallet loads, trademarks or types of packaging, every quantity of each of the different cultivars, classes, pallet loads, trademarks or types of packaging;

"container" means the immediate container in which litchis are packed directly, the outer container in which prepacked units are packed and shipping containers in which pallet loads are shipped;

"decay" means a state of decomposition, fungal development, internal insect infestation or internal insect damage with signs of tissue collapse or insect excrement, excluding insect puncture marks, which detrimentally affects the quality of the litchis;

"diameter" means the largest diameter measured at right angles to the longitudinal axis of the litchi;

"double litchi" means more than one litchi that is attached to the same stem. Both fruit must have his own pip;

"Food Business Operator (FBO)" means the person or persons responsible for ensuring that the prescribed requirements of these standards are met within the food business as well as the person with overall authority on site or in the specific establishment;

"food safety" means assurance that a food product is acceptable for human consumption according to its intended use;

"foreign matter" means any material not normally present in, on or between the litchis;

"hazard" means a biological, chemical or physical agent in, or condition of, a food product with the potential to cause an adverse health effect;

"injury" means any wound or puncture which has pierced the skin of the litchi and exposes the flesh, with the exception of such wounds or punctures which have become completely callused;

"inspector" means the Executive Officer or an officer under his or her control, or an Assignee or a qualified employee of an Assignee;

"litchi" means the fruit of the cultivars which are grown from the species *Litchi chinensis*;

"maturity" means a stage of development where the taste of the litchis are acceptable;

"sound" means free from insect damage, external or internal physiological or other disorders which may detrimentally affect the quality of the litchi;

"suitable" means to be suitable according to the opinion of the Executive Officer;

"the Act" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"traceability" means the ability to trace and follow a food product or any substance intended to be, or expected to be incorporated into a food product through all stages of production, packing, processing, packaging, handling and distribution;

"well developed" means the litchi has a shape which is typical of the cultivar concerned.

Scope

2. These standards and requirements shall relate to litchis in respect of which an approval for the export thereof is required in terms of section 4 of the Act.

Requirements for approval

3. (1) An approval referred to in section 4 of the Act may be issued in respect of a consignment of litchis if:

- (a) The litchis in that consignment comply with the quality and food safety standards prescribed in items 4 - 8.
- (b) The litchis are packed in containers which comply with the requirements prescribed in item 9.
- (c) The litchis comply with the packing requirements set out in items 10, 11, 12 and 13.
- (d) The litchis comply with the traceability requirements set out in item 14.
- (e) The containers concerned are marked or labeled in accordance with the requirements set out in items 15 and 16.
- (f) The samples for inspection are drawn in accordance with the requirements set out in item 17, 18 and 19.
- (g) The litchis are tested for uniformity in size in accordance with the requirements set out in item 20.
- (h) The litchis comply with the requirements in respect of chemical treatment as prescribed in items 8 and 22.
- (i) The consignment has been presented for inspection in accordance with the Regulations Regarding Control of the Export of Litchis.
- (j) Confirmation has been received that the Requirements regarding Food Hygiene and Food Safety Programmes for Regulated Agricultural Food Products of Plant Origin Intended for Export have been met.

- (k) An inspector has, after an inspection in terms of the said regulations, found that the provisions of these standards and requirements have been complied with in respect of the consignment concerned.
- (2) The Executive Officer may deviate from the stipulated standards and requirements and issue the approval in respect of a quantity of a product that --
- (a) is to be exported as an experiment or under such other special circumstances as may be approved by the Executive Officer; and
 - (b) complies with the requirements for such product in force in the country to which it is to be exported.

QUALITY AND FOOD SAFETY STANDARDS**Class**

4. There shall be one class of litchis namely "Class 1".

Standards for the class

5. (1) A consignment of litchis shall be classified as Class 1 if it --
- (a) is of good quality;
 - (b) is well-developed and characteristic of the cultivar and/or commercial type with regard to colour;
 - (c) is of a cultivar specified in Table 1 of Annexure 1;
 - (d) complies with the quality and food safety standards set out in Table 2 of Annexure 1; and
 - (e) does not exceed the maximum permissible deviations by number set out in Table 3 of Annexure 1.
- (2) No consignment of litchis classified as "Class 1" shall contain --
- (a) plant injurious organisms (dead or alive) of phytosanitary importance as specified by the Directorate: Plant Health;
 - (b) any organisms (dead or alive) which may be a source of danger to the human being; and
 - (c) Athropoda infestation (dead or alive) including the organisms which do not form part of plant injurious organisms, excluding organisms which may be a source of danger to the human being, on more than 3% of the litchis or three free running Athropoda per pallet load or part thereof in the consignment: Provided that it does not exceed a maximum of one Athropoda per container.

Physical hazards

6. No consignment of litchis classified as "Class 1" shall contain:
- (a) any foreign matter in excess of the tolerance as set out in Table 3 of Annexure 1; and

- (b) any organisms which may be a source of danger to the human being in excess of the tolerance as set out in item 5(2).

Biological and chemical hazards

7. No consignment of litchis classified as "Class 1" shall contain biological or chemical contaminants in quantities or at levels that exceed the maximum limits prescribed in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972): Provided that --

- (a) if the limit of the importing country is lower than is permissible in terms of Act 54 of 1972, the prescribed limit of the importing country shall be complied with; and
- (b) the Executive Officer may warrant permission for litchis with a higher limit, to be exported to countries where such higher limit is permissible: Provided that the producer or exporter shall sign an affidavit in which it is declared that litchis with higher limits shall only be exported to a country where these higher limits are permissible.

Chemical treatment

8. (a) Any person intending to export litchis during any particular season shall, before submitting the first consignment during that season for inspection, on request furnish the Executive Officer within 24 hours with a certificate certifying --
- (i) which chemical remedies have been used during the spray program on the litchi trees; and
 - (ii) which chemical remedies have been used on the litchis as a post-harvest treatment.
- (b) Subject to the provisions of subitems (a), the follow-on consignments of only the producer concerned whose litchis exceeded the maximum chemical residue limits, shall be held back from export for not more than four working days in order to establish if the litchis complies with the prescribed residue limits: Provided that if two follow-on consignments of the producer concerned, again comply with the prescribed residue limits, it shall not be held back from export any longer.

CONTAINERS

9. (a) Containers, excluding bulk containers, in which litchis are packed shall:
- (i) be new, clean, dry, undamaged and suitable;
 - (ii) shall not impart a foreign taste or odour or any substance that may be injurious to human health to the litchis;
 - (iii) be free from any visible signs of fungal growth;
 - (iv) be free from Arthropoda infestation (dead or alive); and
 - (v) be strong and rigid enough to ensure that the original shape be retained and not bulge out, dent in, break or tear to the extent that litchis are damaged or are at risk of being damaged, during normal storage, handling or transport.
- (b) Containers (excluding cartons) that are re-used, shall be of a suitable material that can be cleaned and disinfected prior to re-use.

PACKING REQUIREMENTS

General

10. (a) Only litchis of the same quality, cultivar, ripeness and size shall be packed in the same container.
- (b) The net mass of the contents of a 4 kg container shall be at least 4,125 kg during inspection.
- (c) The net mass of the contents of a 2 kg container shall be at least 2,075 kg during inspection.
- (d) If litchis are packed in prepacked units, such units shall be packed in a suitable manner in an outer container: Provided that the prepacked units are new, clean, dry, undamaged and suitable.
- (e) The difference in diameter between the largest and the smallest litchi in the same container shall not be more than the limits prescribed for the specific size reference, as set out in item 7 of Table 2, Annexure 1.
- (f) In the case of sea transport, an inspector shall reject litchis for export if the period between the date of packing and the scheduled time of departure of the vessel concerned, exceeds 14 days.
- (g) Ventilation holes: Not more than 15% of the ventilation holes of the carton containers in a consignment may be blocked by unpunched-out portion.

Packing material

11. If packing material is used inside the containers, such packing material shall be new, unprinted, clean, dry, odourless, not transmit to the litchis any harmful substance or any substance that may be injurious to human health and of a quality such as to avoid causing any external or internal damage to the litchis.

Stacking of containers on pallets

12. If containers containing litchis are palletised --
- (a) the pallet shall be clean, undamaged and suitable and not transmit to the litchis any harmful substance or any substance that may be injurious to human health;
- (b) the pallets shall comply with ISPM 15 requirements, shows no visual signs of infestation and stamp shall be legible, permanent and registered;

- (c) pallets manufactured from wood shall be without bark;
- (d) the pallet shall be free from any visible signs of fungal growth;
- (e) the pallet shall be free from Arthropoda infestation;
- (f) the containers shall be stacked firmly and square with each other and with the pallet;
- (g) only containers of the same dimensions shall be stacked in the same layer on the pallet; and
- (h) the containers shall not be stacked upside-down on the pallet.

Strapping of pallet loads

- 13. (a) A pallet load of containers shall be strapped in a suitable manner.
- (b) If containers without lids are being used, a suitable covering shall be placed on top of the pallet load of containers before the pallet load is strapped.

TRACEABILITY REQUIREMENTS

14. Producers, packhouses and exporters shall:
- (a) establish the traceability of litchis at all stages of production, packing, processing, handling and distribution;
 - (b) be able to identify any person or supplier from whom they have been supplied with litchis, or any substance intended to, or expected to be used in the production or processing of litchis;
 - (c) have in place systems and procedures to identify other businesses to which their litchis have been supplied;
 - (d) ensure that adequate procedures are in place to withdraw litchis from the market where such litchis present a serious risk to the health of consumers;
 - (e) immediately withdraw litchis which were identified as food products that present a serious risk to the health of consumers;
 - (f) immediately inform the Executive Officer of such withdrawal;
 - (g) immediately make available to the Executive Officer, on request, any relevant information or documentation mentioned in (a), (b), (c), (d), (e) or (f); and
 - (h) keep records of the information mentioned in (g), as well as any other relevant information for at least two years.

MARKING REQUIREMENTS

General

15. (1) Each container containing litchis shall be marked clearly, indelibly, legibly and not untidy, upside-down or askew, in block letters and numerals on any visible short or long side of the lid or container, where lids are not used, by printing, stamping or by means of specially designed labels with the following particulars: Provided that all particulars shall be grouped on the same side:

- (a) The expression "Litchis" or "Lychees".
- (b) The appropriate cultivar/variety.
- (c) The expression "Class 1", "Class I", "Category I", "Category 1", "Cat 1", "Cat I".
- (d) The country of origin: Provided that no abbreviations or the expression "South Africa" on its own shall be used (e.g. "Product of South Africa", "Produced in South Africa", or any other similar expression).
- (e) The name and physical or postal address of the producer, exporter or owner of the contents of the container.
- (f) The producer's code (PUC) or packhouse code (PHC) which is registered with the Executive Officer by the producer, or packhouse, as the case may be: Provided that:
 - (aa) if a producer has more than one farm, each farm shall be registered separately; and
 - (bb) such a code shall be preceded by the expression "Producer"/"PUC", "Packhouse"/"PHC", "Pack", "Grower code" or "Farm number".
- (g) The packing date on at least 90% of the containers: Provided that if the packing date is expressed in a code, such code shall be registered and approved by the Executive Officer.

(2) Subject to the provisions of subitem (1), each outer container containing prepacked units shall be marked with the total number of prepacked units: Provided that if the total number of prepacked units is visible from the outside, it does not have to be indicated on the outer container.

(3) If an indication highlighting a special grading, presentation or size is indicated on the same side as the particulars in subitem (1), it shall not be used in coherence with the expression "litchis", the cultivar name or the class indication.

(4) If the country to which the litchis are exported, prescribes requirements with regard to the marking of containers which differ from the aforesaid requirements, the containers containing such litchis may, notwithstanding the provisions of these standards and requirements, be marked in a manner so prescribed and approved by the Executive Officer.

Prohibited particulars

16. No wording, illustration or other means of expression which constitutes a misrepresentation or which, directly or by implication, creates a misleading impression of the contents shall appear on a container containing litchis.

SAMPLING PROCEDURES

Obtaining a sample from the consignment

17. At least two per cent of the containers in a consignment shall be drawn at random for inspection purposes and an inspector shall be satisfied that the containers so drawn are representative of the consignment concerned.

Obtaining an inspection sample

18. (i) An inspection sample shall be drawn from each container obtained in accordance with item 17 and shall, in the case of --
- (a) containers with 25 litchis or less consists of the entire contents of the container; or
 - (b) containers with more than 25 litchis, consists of 25 litchis drawn at random from the container.

Deviating sample

19. If an inspector should notice during the process of drawing the random sample or during the inspection, that some of the containers derived from any part of the pallet load, truck load or consignment, contain litchis which are noticeably inferior to or differ from the contents of containers which represent the remainder of the pallet load, truck load or consignment, the inspection result shall only be based on the containers derived from the deviating portion of the pallet load or consignment, and further samples required for inspection shall be drawn from this deviating portion.

METHODS OF INSPECTION

Determination of uniformity in size

20. The uniformity in size of litchis in the same container is determined by --
- (a) randomly drawing 25 litchis from the sample abstracted in accordance with item 17: Provided that when double litchis are found to be in the sample it must be removed and replaced by single litchi;
 - (b) placing the 25 individual fruit with the stem-end facing upwards on the appropriate opening of a suitable measuring apparatus. The diameter of any litchi that falls through the opening through the action of gravity, shall be deemed to be smaller than required; and
 - (c) if four or more litchis in a sample of 25 litchis drawn, do not comply with the variation in diameter as set out in item 7 of Table 2, the fruit shall be deemed not to be suitable for export.

Determination of net mass of a container of litchis

21. (a) Net weight of all the cartons obtained in item 17 must be taken.
- (b) The average net weight of the containers during inspection should comply to item 10(b) and (c).

Verification of biological and chemical contamination compliance

22. An inspector shall verify compliance to the levels of biological and chemical contamination by sampling and submitting samples for analysis of only certain consignments according to a risk based plan to prescribed laboratories.

Verification of chemical treatment compliance

23. An inspector shall verify compliance to the prescribed maximum residue levels for agrochemicals by sampling and submitting samples for analysis of only certain consignments according to a risk based plan to prescribed laboratories.