1968. No. 143 **[C]**

HORTICULTURE

Marketing of Cauliflowers

REGULATIONS, DATED 24TH JUNE 1968, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTIONS 1, 2, 7, 17, 18, 20, 26 AND 33 OF THE HORTICULTURE ACT (NORTHERN IRELAND) 1966.

The Ministry of Agriculture in exercise of the powers conferred on it by Sections 1, 2, 7, 17, 18, 20, 26 and 33 of the Horticulture Act (Northern Ireland) 1966(**a**) and of every other power enabling it in that behalf, after consultation with such organisations as appear to be representative of interests affected by these Regulations hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Cauliflower (Grading) Regulations (Northern Ireland) 1968 and shall come into operation on the 8th July 1968.

Interpretation

2. In these Regulations, unless the context otherwise requires—

"the Act" means the Horticulture Act (Northern Ireland) 1966;

"blown", in relation to a cauliflower, means having reached that stage of maturity at which the bud clusters have begun to separate;

"cauliflower" means a cauliflower (*Brassica oleracea* L., variety *botrytis* L. but excluding any purple headed cauliflower) whether freshly gathered or stored or taken from store, but does not include a dried, frozen, bottled, canned or preserved cauliflower or cauliflower intended for manufacture;

"curd", in relation to a cauliflower, means an immature inflorescence forming an edible head;

"diameter", in relation to the curd of a cauliflower, means the longest diameter of the transverse section taken at right angles to the vertical axis;

"label" includes any device for conveying information by written characters or other symbols and any characters or symbols stamped or otherwise placed directly on to a package, or as the case may be, the cauliflower, and references to the affixing of a label shall be construed accordingly;

"licence" means a valid licence issued under the Fresh Horticultural Produce (Licensing) Regulations (Northern Ireland) 1968(**b**);

"of the same type", in relation to cauliflowers, means having curds which are similar in surface texture, conformation and shape;

"package" includes any wrapper, bag, basket, pail, punnet, tray, case, carton, parcel, cask, box, crate or other receptacle;

"woolliness", in relation to the curd of a cauliflower, means the state of having a velvety surface, due to the precocious development of immature buds.

Application

3. These Regulations shall apply to home-grown and imported cauliflowers.

(**a**) 1966. c. 15 (N.I.). (**b**) S.R. & O. (N.I.) 1968, No. 36.

Grading and labelling of cauliflowers for sale within Northern Ireland

4. For the purposes of Section 1 of the Act grades of quality for cauliflowers shall be those designated and defined in the First Schedule and for each of the grades so designated the form of a label for indicating that cauliflowers in connection with which the label is used fall within that grade shall be as set out in Part I of the Second Schedule.

Packaging of Cauliflowers

5. Cauliflowers consigned, sold, offered or exposed for sale in circumstances other than the circumstances mentioned in Section 7(3) of the Act shall be packaged in accordance with the provisions of the Third Schedule.

Retail sales exempt from grading requirements

6. For the purposes of Paragraph (*a*) of Section 2(2) of the Act, the quantity of cauliflowers which may be sold by retail without complying with the provisions of Regulation 4 shall be twelve.

Labels of countries outside Northern Ireland

7. A label recognised under the law of any country outside Northern Ireland as indicating that cauliflowers in connection with which it is used are of a quality not inferior to that required by these Regulations for a grade of quality designated in the First Schedule shall be treated for the purposes of Part I of the Act as if it were in the form prescribed for that grade in these Regulations.

Small consignments

8. Section 18(1)(*a*) of the Act shall not apply to any consignment of cauliflowers sent out of Northern Ireland if the total weight of cauliflowers in such consignment together with the weight of the package in which they are contained does not exceed ten kilogrammes (twenty-two pounds).

Consignment out of Northern Ireland of cauliflowers for manufacture

9. No cauliflowers for manufacture shall be consigned out of Northern Ireland except under and in accordance with the conditions laid down in a licence.

Manner of cancellation of labels by authorised officer

10. Where, under Section 26 of the Act, an authorised officer finds any cauliflower—

(*a*) which has affixed to it a label in the form prescribed for any grade designated and defined in the First Schedule, or is in a package to which such a label is affixed, but

(*b*) which he has reasonable cause to believe to be of a quality inferior to the quality required for that grade,

he may cancel that label by affixing to the cauliflower or to the package a label in that form prescribed in paragraph 7 of Part I of the Second Schedule which is appropriate to indicate what appears to him to be the correct grade or, where it appears to him that the quality of the cauliflower is inferior to that required for the grade designated Class 3 in the First Schedule, to indicate that fact.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 24th day of June 1968.

(L.S.) *A. McKelvie,*
Assistant Secretary.

FIRST SCHEDULE

Definition of Grades of Quality

Characteristic	Extra Class	Class 1	Class 2	Class 3
	Requirement	Requirement	Requirement	Requirement
Type	All cauliflowers in a package shall be of the same type.	All cauliflowers in a package shall be of the same type.	——	——
Development and maturity	The curd of each cauliflower shall be firm and compact. It shall be well formed and of very close texture.	The curd of each cauliflower shall be reasonably firm and compact and shall be reasonably well formed and of close texture. Not more than slight woolliness may be present.	The curd of each cauliflower may be slightly blown and slightly loose in texture. Woolliness may be present.	The curd of each cauliflower may be slightly blown and loose in texture. Woolliness may be present.
Colour	The curd of each cauliflower shall be white or creamy white.	The curd of each cauliflower shall be white, creamy white or cream.	The curd of each cauliflower shall be white, creamy white, cream or creamy yellow.	No curd of any cauliflower shall be seriously discoloured.
Shape	The curd of each cauliflower shall be well shaped with good depth.	Not more than slight defects in the shape of the curd of each cauliflower may be present.	No curd of any cauliflower shall be seriously misshapen.	——
Cleanliness	Each cauliflower shall be clean and free from contamination.	A trace of soiling may be present if it does not detract from the general appearance of any cauliflower or of the contents of a package. Each cauliflower shall be free from contamination.	Slight soiling may be present if it does not significantly detract from the general appearance of any cauliflower or the contents of a package. Each cauliflower shall be free from contamination.	Each cauliflower shall be reasonably clean and free from contamination.

Characteristic	Extra Class	Class 1	Class 2	Class 3
	Requirement	Requirement	Requirement	Requirement
Progressive defects	Each cauliflower shall be free from any blemish or injury which might affect fitness for human consumption. Not more than a minute trace of any blemish or injury which might affect keeping quality shall be present.	Each cauliflower shall be free from all but the slightest trace of any blemish or injury which might affect fitness for human consumption. Not more than very slight insignificant blemishes or injuries which might affect keeping quality shall be present.	Each cauliflower shall be free from extensive blemish or injury which might affect fitness for human consumption.	Each cauliflower shall be free from extensive blemish or injury which might seriously affect fitness for human consumption.
Non-progressive damage and blemish	Small insignificant blemishes and traces of damage not affecting keeping quality may be present if they do not detract from the general appearance of any cauliflower or of the contents of a package. The curd of each cauliflower shall be free from any sign of wilting and the leaves shall be healthy and reasonably fresh.	Slight blemishes and damage not affecting keeping quality may be present if they do not significantly detract from the general appearance of any cauliflower or of the contents of a package. The curd of each cauliflower shall be free from any sign of wilting and the leaves shall be reasonably fresh.	The curds of each cauliflower shall be free from defects which might seriously affect appearance or fitness for human consumption, save that any of the following defects may be present:— (*a*) some trace of damage due to pest or disease or both. (*b*) some superficial frost damage; (*c*) some mechanical damage; (*d*) no more than 5 interposing pale green leaves. The leaves of each cauliflower shall be reasonably fresh.	Each cauliflower shall be free from any defects which might render the cauliflower unfit for human consumption.

Characteristic	Extra Class	Class 1	Class 2	Class 3
	Requirement	Requirement	Requirement	Requirement
Size	The diameter of the curd of each cauliflower shall be not less than 10 centimetres (4 inches). The difference in diameter between the curd with the shortest diameter and the curd with the longest diameter in a package shall be not more than 4 centimetres (1·6 inches).	The diameter of the curd of each cauliflower shall be not less than 7·5 centimetres (3 inches). The difference in diameter between the curd with the shortest diameter and the curd with the longest diameter in a package shall be not more than 5 centimetres (2 inches).	The diameter of the curd of each cauliflower shall be not less than 7·5 centimetres (3 inches. The difference in diameter between the curd with the shortest diameter and the curd with the longest diameter in a package shall be not more than 5 centimetres (2 inches).	The diameter of the curd of each cauliflower shall be not less than 5 centimetres (2 inches).
Presentation	All cauliflowers in a package shall be presented in a uniform manner. They shall be presented either— (*a*) with not more than a sufficient number of leaves to protect the curd, the leaves being either untrimmed or all trimmed in a similar manner and the stalk having been cut off at a point slightly below the leaves; or (*b*) with all the leaves removed, save for not more than five untrimmed small and tender pale green leaves close to the head, the inedible part of the stalk having been cut off. In every case, the basal cut shall have been made straight across the butt.	The requirement as to presentation for cauliflowers falling within this Class shall be that which applies to cauliflowers falling within Extra Class	The requirement as to presentation for cauliflowers falling within this Class shall be that which applies to cauliflowers falling within Extra Class.	

SECOND SCHEDULE

PART I

Forms of Labels

1.—(1) Any label of the kind referred to in Regulation 4 shall bear the word "Cauliflowers" unless the cauliflowers in connection with which the label is used are clearly visible, and shall also convey the following true information relating to those cauliflowers:—

(*a*) the grade of quality expressed by the word or numeral "Extra", "1", "2" or "3", as the case may be.

(*b*) in the case of cauliflowers other than those falling within Class 3, a length, expressed in centimetres or inches, which is not greater than the diameter of the curd with the shortest diameter and which does not fall short of the diameter of the curd with the longest diameter by more than 4 centimetres (1·6 inches), as respects cauliflowers falling within Extra Class, or by more than 5 centimetres (2 inches), as respects cauliflowers which fall within Class 1 or Class 2.

(2) Any such label used in connection with cauliflowers which fall within Class 3 may convey in relation to those cauliflowers the information required to be conveyed by virtue of sub-paragraph (1)(*b*) in relation to cauliflowers which fall within Class 2.

(3) Any reference to a label in paragraphs 2 to 6 of this part of this Schedule and in paragraph 1 of Part II of this Schedule is a reference to a label of a kind referred to in Regulation 4.

2. The label shall cover an area measuring not less than 40 square centimetres (6·2 square inches) and not more than 80 square centimetres (12·4 square inches) and shall be clearly distinguishable from its surroundings, either by being bounded by lines or being of a markedly contrasting colour or material or in some other respect.

3. The information referred to in paragraph 1(1)(*a*) shall appear in a space measuring not less than 2·5 centimetres (1 inch) in height and 3·5 centimetres (1·4 inches) in width. To the right of, and contiguous with, that space there shall be a second space similar in height to the first and not less than 4·0 centimetres (1·6 inches) in width which shall be left blank unless it is necessary to amend or further amend the information as to the grade conveyed in the first mentioned space. In such an event, there shall be inserted in that second space information as to the grade within which the cauliflowers fall for the time being.

4. Information conveyed in accordance with paragraph 1(1)(*b*) or 1(2) shall appear in a third space either to the left of, contiguous with and similar in height to the first aforesaid space and not less than 2·5 centimetres (1 inch) in width, or to the right of, contiguous with and similar in height to the second aforesaid space and not less than 2·5 centimetres (1 inch) in width. Each of the spaces referred to in this and the last preceding paragraph shall be rectangular in shape and bounded by lines and shall contain no information other than that specified in these paragraphs in relation to each.

5. Every letter, word or numeral appearing on a label shall be—

(*a*) clearly legible;

(*b*) of a dark colour upon a light coloured ground or of a light colour upon a dark coloured ground;

(*c*) not less than 7 millimetres (0·28 of an inch) in height in the case of any word or numeral indicating the grade and not less than 3 millimetres (0·12 of an inch) in height in any other case.

6.—(1) In addition to the words or numerals which are necessary to convey the information specified in paragraph 1, the following words, but no others, may

appear on the label as may be appropriate—"class", "minimum", "maximum" and "range".

(2) The following abbreviations, but no others, may be used on a label in place of the respective words specified in relation thereto:—

Word	*Abbreviation*
Maximum	Max
Minimum	Min
Centimetres	cm.
Inch or inches	in.

7.—(1) The label which may be affixed by an authorised officer in accordance with Regulation 10 to indicate what appears to him to be the correct grade of the cauliflowers in connection with which that label is used shall be in the following form:—

(W) (X)

REGRADED CLASS (Y)

The label shall be completed as follows:—

(*a*) by depicting at (W) a crown;

(*b*) by inserting at (X) the letters "M.A.N.I.";

(*c*) by inserting at (Y) the numeral "1", "2" or "3" as appropriate.

(2) The label which may be affixed by an authorised officer in accordance with Regulation 10 to indicate that the quality of the cauliflowers in connection with which that label is used appears to him to be inferior to that required for the grade designated Class 3 in the First Schedule shall be in the following form:—

(W) (X)

OUTGRADED

under Section 26 of the Horticulture Act (N.I.) 1966

The label shall be completed by depicting at (W) a crown and by inserting at (X) the letters "M.A.N.I.".

PART II

Additional Labelling Requirements for Cauliflowers consigned out of Northern Ireland

1.—(1) All cauliflowers, other than for manufacture, for consignment out of Northern Ireland shall, in addition to the particulars specified or referred to in Part I of this Schedule, have printed on each package or on a label affixed to each package, with letters and figures 1·3 centimetres (0·5 of an inch) high the following information:—

(*a*) the number of the licence held by the consignor;

(*b*) the number of cauliflowers in the package.

(2) The additional information must not be placed inside the area described in paragraph 3 of Part I of this Schedule.

THIRD SCHEDULE

Packages and Packing Material for Cauliflowers, other than for Manufacture

(1) Packages used for the conveyance of cauliflowers shall be so constructed and of such a nature as to be capable of conveying the cauliflowers from the consignor to the consignee without damage to the cauliflowers.

(2) All packages and packing material shall be clean and free from odours likely to affect the flavour of the cauliflowers.

(3) Each cauliflower shall be so packed as to prevent movement or damage to the said cauliflower and may be separated from other cauliflowers in the same package by soft packing material.

(4) Cauliflowers in any package shall be so packed that any which are exposed to view or which would be exposed to view if the package were opened in the ordinary manner, fairly represent in size, maturity, colour and condition the entire contents of the package.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations prescribe—

(1) the grades of quality for fresh cauliflowers;

(2) the forms of labels to be used with the various grades;

(3) the standard of packaging;

(4) the maximum number of cauliflowers which may be sold by retail and the maximum weight of cauliflowers, including any packaging, which may be consigned out of Northern Ireland without complying with the grading, labelling, packaging and licensing requirements.