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COMMISSION REGULATION (EEC) No 1292/81
of 12 May 1981
laying down quality standards for leeks, aubergines and courgettes

(OJ L 129, 15.5.1981, p. 38)

Amended by:

		Official Journal		
		No	page	date
►M1	Commission Regulation (EEC) No 1076/89 of 26 April 1989	L 114	14	27.4.1989
►M2	Commission Regulation (EC) No 888/97 of 16 May 1997	L 126	11	17.5.1997
►M3	Commission Regulation (EC) No 1135/2001 of 8 June 2001	L 154	9	9.6.2001

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COMMISSION REGULATION (EEC) No 1292/81
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laying down quality standards for leeks, aubergines and courgettes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables [1], as last amended by Regulation (EEC) No 1116/81 [2], and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1208/79 [3] and Regulation (EEC) No 1315/80 [4] added respectively leeks, and aubergines and courgettes to Annex I to Regulation (EEC) No 1035/72 listing the products for delivery fresh to the consumer which are covered by quality standards;

Whereas it is therefore necessary to lay down such quantity standards for those products;

Whereas the standards are to apply at all stages of marketing; whereas transportation over a long distance, storage for a certain length of time or the various handling operations to which the products are subject may bring about deterioration because of the biological development of the products or their tendency to perish; whereas, therefore, account should be taken of such deterioration when applying the standards at the stages of marketing following dispatch;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quality standards for ►M1 ———— ◄ aubergines and courgettes (subheading ex 07.01T of the Common Customs Tariff are set out respectively in Annexes I, II and III to this Regulation.

2. Those standards shall apply at all stages of marketing, under the conditions laid down in Regulation (EEC) No 1035/72.

However, at the stages following dispatch, the product may show, in relation to the standards prescribed,

— a slight of freshness and turgescence, and/or

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

Article 2

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

It shall apply with effect from:

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— 1 July 1981 for aubergines and courgettes.

(1) OJ No L 118, 20. 5. 1972, p. 1.
(2) OJ No L 118, 30. 4. 1981, p. 1.
(3) OJ No L 153, 21. 6. 1979, p. 1.
(4) OJ No L 134, 31. 5. 1980, p. 20.

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ANNEX II

QUALITY STANDARD FOR AUBERGINES

I. DEFINITION OF PRODUCE

This standard applies to aubergines, fruit of the varieties (cultivars) grown from Solanum melongena L. var. esculentum, insanum and ovigerum, to be supplied fresh to the consumer, aubergines for industrial processing being excluded.

According to their shape, a distinction is made between:

— elongated aubergines,

— globus aubergines.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements of aubergines after preparation and packaging.

A. **Minimum requirements**

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

— whole,

— fresh in appearance,

— firm,

— 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,

— provided with calyx and peduncle which may be slightly damaged,

— sufficiently developed, without their flesh being fibrous or woody and without over development of seeds (subject to the special provisions for Class III),

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

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

— to withstand transport and handling, and

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

B. **Classification**

Aubergines are classified into three classes defined below:

(i) *Class I*

Aubergines in this class must be of good quality and must possess the characteristics of the variety. They must also be practically free from sunburn. They may, however, show the following slight defects provided that these do not impair the general appearance, quality, conservation or presentation of the produce:

— slight defect of shape,

— slight discolouration at the base,

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— slight bruising and/or slight healed cracks provided that they do not cover more than 3 cm^2.

(ii) *Class II*

This class comprises aubergines which do not qualify for inclusion in Class I, but satisfy the minimum requirements specified above. Provided they retain their essential characteristics of quality and presentation, they may show the following defects:

— defects of shape,

— defects of colouring,

— slight sun-scorched provided it does not cover more than 4 cm^2,

— slight dry superficial defects provided that they do not cover more than 4 cm^2.

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III. PROVISIONS CONCERNING SIZING

The sizing of aubergines is determined:

— either by the maximum diameter of the equatorial section on the longitudinal axis,

— or by weight.

A. F**or sizing by diameter**, the minimum diameter is fixed at 40 mm for elongated aubergines and 70 mm for globus aubergines.

The difference between the smallest and largest aubergines in the same package must not exceed:

— 20 mm for elongated aubergines,

— 25 mm for globus aubergines.

B. **For sizing by weight**, the minimum weight is fixed at 100 grams. The following scale must be complied with:

— 100 to 300 grams with a maximum difference of 75 grams between the smallest and largest aubergines in the same package,

— 300 to 500 grams with a maximum difference of 100 grams between the smallest and largest aubergines in the same package,

— above 500 grams with a maximum difference of 250 grams between the smallest and largest aubergines in the same package.

Compliance with the sizing scale is compulsory for Class I. In addition, elongated aubergines must have a minimum length, excluding peduncle, of 80 mm.

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The size requirements shall not apply to miniature produce [1].

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IV. PROVISIONS CONCERNING TOLERANCES

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

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[1] Miniature produce means a variety or cultivar of aubergine, obtained by plant breeding and/or special cultivation techniques, excluding aubergines of non-miniature varieties which have not fully developed or are of inadequate size. All other requirements of the standards must be met.

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A. **Quality tolerances**

(i) *Class I*

10 % by number or weight of aubergines not satisfying the requirements for the class, but meeting those for Class II or, exceptionally, coming within the tolerances for that class.

(ii) *Class II*

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

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B. **Size tolerances**

(i) *Class I*

10 % by number or weight of aubergines conforming to the size immediately below or above that specified on the package.

(ii) *Class II* ►M2 ——————— ◄

10 % by number or weight of aubergines not conforming to the minimum size. In any case, the tolerance is not applicable to aubergines the diameter of which is more than 5 mm below the minimum diameter or, in the case of sizing weight, to aubergines weighing less than 90 grams.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package should be uniform and contain only aubergines of the same origin, commercial type, quality and size (where sizing is compulsory) and appreciably the same degree of development and colouring.

►M2 ——————— ◄.

Elongated aubergines packed in the same package must be sufficiently uniform as regards length.

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Miniature aubergines must be reasonably uniform in size. They may be mixed with other miniature products of a different type and origin.

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

B. **Packaging**

The aubergines must be packed in such a way as to ensure proper protection of the produce.

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, and particularly of paper or stamps, bearing trade specifications is allowed, provided that the printing or labelling has been done with a non-toxic ink or glue. The packages must be free from all foreign matter.

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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**

▼M2

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.

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B. **Nature of produce**

— 'aubergines', if the contents are not visible from the outside,

— name of variety (optional).

C. **Origin of produce**

— country of origin and, optionally, district where grown or national, regional or local place name.

D. **Commercial specifications**

— class,

— size (where applicable) expressed:

  — either by maximum and minimum diameters, when sizing is by diameter,

  — or by maximum and minimum weights, when sizing is by weight.

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— 'mini aubergines', 'baby aubergines' or other appropriate term for miniature produce, where appropriate. Where several types of miniature produce are mixed in the same package, all products and their respective origins must be mentioned.

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

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ANNEX III

QUALITY STANDARD FOR COURGETTES

I. DEFINITION OF PRODUCE

This standard applies to courgettes, harvested young and tender, before their seeds have become firm, of varieties (cultivars) grown from Cucurbita pepo L. ([1]), to be supplied fresh to the consumer, courgettes for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. **Minimum requirements:**

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

— intact, including a stalk which may be slightly damaged,

— of fresh appearance,

— firm,

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

— free from damage caused by insects or other parasites,

— free of cavities,

— free of splits,

— clean, practically free of any visible foreign matter,

— sufficiently developed without over-development of seeds ►M2 ——— ◄

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

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

— to withstand transport and handling, and

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

B. **Classification**

Courgettes are classified into three classes defined below:

(i) *Class I*

Courgettes in this class must be of good quality and must possess the characteristics of the variety. They may, however, show the following defects provided that these do not impair the appearance, quality, conservation and presentation of the produce:

— slight defects of shape,

— slight defects of colouring,

— slight healed cracks of the skin.

The courgettes must include a stalk of a maximum length of 3 cm.

(ii) *Class II*

This class comprises courgettes which do not qualify for inclusion in Class I but satisfy the minimum requirements specified above.

([1]) Courgettes having markedly developed seeds, called ‘marrows’ in the United Kingdom and in Ireland, are not covered by this standard.

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Provided that they retain their essential characteristics of quality and presentation, they may show the following defects:

— defects of shape,

— defects of colouring,

— slight sun-scorched,

— healed cracks of the skin, provided that these do not impair conservation.

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III. PROVISIONS CONCERNING SIZING

The sizing of courgettes is determined:

— either by length,

— or by weight.

(a) For sizing by length, this is measured between the junction of the stalk and the end of the fruit, according to the following scale:

— 7 cm to 14 cm inclusive,

— 14 cm (exclusive) to 21 cm (inclusive),

— 21 cm (exclusive) to 30 cm.

(b) For sizing by weight, the following scale must be respected:

— 50 g to 100 g (inclusive),

— 100 g (exclusive) to 225 g (inclusive),

— 225 g (exclusive) to 450 g.

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The size requirements shall not apply to miniature produce [1].

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IV. PROVISIONS CONCERNING TOLERANCES

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

A. **Quality tolerances**

(i) *Class I*

10 % by number or weight of courgettes not satisfying the requirements of the class but meeting the requirements for Class II, or, exceptionally, coming within the tolerances for that class.

(ii) *Class II*

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

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[1] Miniature produce means a variety or cultivar of aubergine, obtained by plant breeding and/or special cultivation techniques, excluding aubergines of non-miniature varieties which have not fully developed or are of inadequate size. All other requirements of the standards must be met.

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B. **Size tolerances**

(i) *Classes I and II*

10 % by number or weight of courgettes conforming to the size immediately below or above that specified on the package. However, this tolerance is applicable only to produce which differs by not more than 10 % from the size or weight limits specified.

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V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and contain only courgettes of the same origin, quality and size (where sizing is compulsory) and appreciably the same degree of development and colouring.

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Miniature courgettes must be reasonably uniform in size. They may be mixed with other miniature products of a different type and origin.

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

B. **Packaging**

The courgettes must be packed in such a way as to ensure proper protection of the produce.

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 and particularly of paper or stamps bearing trade specifications is allowed provided that the printing or labelling has been done with a non-toxic ink or glue.

The package must be free of all foreign matter.

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**

▼M2

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.

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B. **Nature of produce**

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

C. **Origin of produce**

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

D. **Commercial specifications**

— class,

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— size (where applicable) expressed:

  — either by maximum and minimum measurements, where sizing is by length

  — or by maximum and minimum weights, when sizing is by weight.

▼M3

— 'mini courgettes', 'baby courgettes' or other appropriate term for miniature produce, where appropriate. Where several types of miniature produce are mixed in the same package, all products and their respective origins must be mentioned.

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