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COMMISSION REGULATION (EEC) No 1591/87

of 5 June 1987

laying down quality standards for cabbages, Brussels sprouts, ►M3 ribbed celery and spinach ◄

(OJ L 146, 6.6.1987, p. 36)

Amended by:

		Official Journal		
		No	page	date
►M1	Commission Regulation (EEC) No 658/92 of 16 March 1992	L 70	15	17.3.1992
►M2	Commission Regulation (EC) No 888/97 of 16 May 1997	L 126	11	17.5.1997
►M3	Commission Regulation (EC) No 1168/1999 of 3 March 1999	L 141	5	4.6.1999
►M4	Commission Regulation (EC) No 1135/2001 of 8 June 2001	L 154	9	9.6.2001
►M5	Commission Regulation (EC) No 46/2003 of 10 January 2003	L 7	61	11.1.2003
►M6	amended by Commission Regulation (EC) No 6/2005 of 4 January 2005	L 2	3	5.1.2005
►M7	Commission Regulation (EC) No 907/2004 of 29 April 2004	L 163	50	30.4.2004
►M8	Commission Regulation (EC) No 386/2005 of 8 March 2005	L 62	3	9.3.2005

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COMMISSION REGULATION (EEC) No 1591/87

of 5 June 1987

laying down quality standards for cabbages, Brussels sprouts, ►M3 ribbed celery and spinach ◄

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 1351/86 ([2]), and in particular Article 2 (3) thereof,

Whereas the quality standards for cabbages, Brussels sprouts and ribbed celery are laid down in Council Regulation No 41/66/EEC ([3]) and whereas a further Class 'III' for Brussels sprouts is defined in Regulation (EEC) No 75/74 ([4]);

Whereas the quality standards for spinach are laid down in Annex I/1 to Commission Regulation No 58 ([5]), as last amended by Regulation (EEC) No 899/87 ([6]);

Whereas the quality standards for plums are laid down in Annex II/8 to Council Regulation No 23 ([7]), as last amended by Regulation (EEC) No 1129/86 ([8]);

Whereas changes have taken place in the production and marketing of these products, in particular as regards retail and wholesale market requirements; whereas the common quality standards should therefore be changed to take account of the new requirements;

Whereas the standards are applicable at all stages of marketing; whereas transportation over a long distance, storage for a certain length of time or the various handling operations may bring about deterioration of these perishable products; whereas, therefore, account should be taken of such deterioration when applying the standards at the marketing stages following dispatch; whereas, since products in the 'Extra' class have to be particularly carefully sorted and packaged, only lack of freshness or turgescence is to be taken into account in their case;

Whereas in the interest of clarity and certainty as to legal requirements and for ease of use the standards thus changed should, on the occasion of a further amendment, be redrafted in a single text;

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

▼M8

The quality standards for the following products are set out in Annexes I, II, III and IV:

— cabbages, falling within CN code 0704 90,

— Brussels sprouts, falling within CN code 0704 20 00,

([1]) OJ No L 118, 20. 5. 1972, p. 1.
([2]) OJ No L 119, 8. 5. 1986, p. 46.
([3]) OJ No 69, 19. 4. 1966, p. 1013/66.
([4]) OJ No L 9, 11. 1. 1974, p. 35.
([5]) OJ No 56, 7. 7. 1962, p. 1607/62.
([6]) OJ No L 88, 31. 3. 1987, p. 17.
([7]) OJ No 30, 20. 4. 1962, p. 965/62.
([8]) OJ No L 103, 29. 4. 1986, p. 22.

▼M8

— ribbed celery, falling within CN code 0709 40 00,

— spinach, falling within CN code 0709 70 00.

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

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

— a slight lack of freshness and turgescence,

— for the products graded in the class other than the 'Extra' class, slight alterations due to their development and their perishable nature.

Article 2

Regulation No 41/66/EEC and Regulation (EEC) No 75/74 are hereby repealed.

Article 3

Regulation No 58 is hereby amended as follows:

— in Article 1 '07.01 C' and 'Spinach' are deleted;

— Annex I/1 is deleted.

Article 4

Regulation No 23 is hereby amended as follows:

— in Article 2 (3) the words 'and to plums' are deleted;

— Annex II/8 is deleted.

Article 5

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

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

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ANNEX I

QUALITY STANDARD FOR HEADED CABBAGES

I. DEFINITION OF PRODUCE

This standard applies to headed cabbages grown from varieties (cultivars) of *Brassica oleracea L. var. capitata L.* (including red cabbages and pointed cabbages) and from *Brassica oleracea L. var. bullata DC.* and *var. sabauda L.* (savoy cabbages), supplied fresh to the consumer, cabbages for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. **Minimum requirements:**

In all classes, subject to the special provisions for each class and the tolerances allowed, the headed cabbages should be:

— intact,

— fresh in appearance,

— not burst, showing no signs of flower development,

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

— free of bruises and injury,

— free from insects and/or other parasites,

— free of damage due to frost,

— clean, practically free of any visible foreign matter,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

The stem should be cut slightly below the lowest point of leaf growth; the leaves should remain firmly attached, and the cut should be clean.

The condition of the headed cabbages 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:**

Headed cabbages are classified into two classes defined below:

(i) *Class I*:

Headed cabbages graded into this class should be of good quality and possess all the characteristics typical of the variety. They should be compact, having regard to the species.

Headed cabbages, according to the variety, must have firmly attached leaves. Store headed cabbages may have some of their outer leaves removed. Green Savoy headed cabbages and early headed cabbages, taking into account their variety, must be properly trimmed, but in doing so a number of leaves may be left for protection.

Green headed cabbages may be slightly frosted.

The following are admitted:

— small cracks in the outer leaves,

— slight bruising and light trimming of the outer leaves, provided that it does not affect the good condition of the produce.

▼B

(ii) *Class II:*

This class includes headed cabbages which do not qualify for inclusion in Class I, but meet the minimum requirements specified above. They may differ from headed cabbages in Class I in the following ways:

— they may have cracks in the outer leaves,

— more of their outer leaves may be removed,

— they may have larger bruises and the outer leaves may be more extensively trimmed,

— they may be less compact.

III. PROVISIONS CONCERNING SIZING

Sizing is determined by the net weight. This must not be less than 350 grams per unit.

Sizing is compulsory for headed cabbages presented in packages. In that case, the weight of the heaviest head in any one package must not be more than double the weight of the lightest head. When the weight of the heaviest head is equal to or less than 2 kilograms the difference between the heaviest and the lightest head may be up to 1 kilogram.

▼M4

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

▼B

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size are allowed in each package or in each lot in the case of headed cabbages transported in bulk for produce not satisfying the requirements for the class indicated.

A. **Quality tolerances:**

(i) *Class I:*

10 % by number or weight of headed cabbages not satisfying the requirements for 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 headed cabbages not satisfying the requirements of the class, or the minimum requirements, but excluding headed cabbages visibly affected by rotting or any other deterioration rendering them unfit for consumption.

B. **Size tolerances:**

For all classes: 10 % by number or weight of headed cabbages not meeting the specified requirements as regards:

— uniformity,

— minimum size.

However, No head may weigh less than 300 grams.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package or lot, if transported in bulk, must contain only headed cabbages of the same origin, variety and quality.

The headed cabbages classed in Class I must be uniform in shape and colour.

▼M4

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

[a] 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.

▼B

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

▼M5

Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages ►M6 of a net weight of three kilograms or less ◄, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 ([1]).

▼B

B. **Packaging**

The headed cabbages must be packed in such a way as to ensure that they are suitably protected. The may be delivered packed or in bulk.

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 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.

Packages, or lots if the produce is transported in bulk, must be free of all foreign matter.

▼M7

Stickers individually affixed on product shall be such as, when removed, neither to leave visible traces of glue, nor to lead to skin defects.

▼B

VI. PROVISIONS CONCERNING MARKING

1. For headed cabbages presented in packages, each package must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside:

▼M7

A. **Identification**

The name and the address of the packer and/or the dispatcher

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),

— for pre-packages only, by the name and the address of a seller established within the Community 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

B. **Nature of produce**

— ‘White headed cabbages’, etc., 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,

— Weight or number of units,

▼M4

— ‘Mini cabbages’, ‘baby cabbages’ 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.

([1]) OJ L 7, 11.1.2003, p. 65.

▼B

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

▼M7

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.

▼B

2. For headed cabbages transported in bulk (loaded directly into a vehicle or vehicle compartment), the above particulars must appear on a document accompanying the goods or on a notice placed in a visible position inside the vehicle.

▼B

ANNEX II

QUALITY STANDARD FOR BRUSSELS SPROUTS

I. DEFINITION OF PRODUCE

This standard applies to Brussels sprouts, being the axillary buds growing along the vertical stem of varieties (cultivars) of *Brassica oleracea L. var. bullata subazr. gemmifera DC.,* supplied fresh to the consumer, Brussels sprouts for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. **Minimum requirements**

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

— intact,

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

— fresh in appearance,

— clean, practically free of any visible foreign matter,

— not frozen,

— free of insects and/or other parasites,

— free of abnormal external moisture,

— free of foreign smell and/or taste.

The stalk of trimmed Brussels sprouts must be cut just beneath the outer leaves; the stalk of untrimmed Brussels sprouts must be fractured at the base; the cut or fracture must be clean, without other parts of the plant adhering.

The conditions of the Brussels sprouts must be such as to allow them:

— to withstand transport and handling, and

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

B. **Classification**

Brussels sprouts are classified into three classes defined below:

(i) *Class I*

Brussels sprouts in this class must be of good quality. They must be:

— firm,

— closed,

— free of damage by frost.

Trimmed Brussels sprouts must be well coloured. For untrimmed Brussels sprouts, slightly discoloured basal leaves are allowed. Slight damage to the outer leaves, caused by picking, grading or packing is also allowed, provided that it does not affect the good condition of the produce.

(ii) *Class II*

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

However, produce in this class may be:

— less firm,

— less closed but not opened,

— moreover they may show slight damage due to frost.

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III. PROVISIONS CONCERNING SIZE

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

The minimum diameter is:

— 10 mm for trimmed Brussels sprouts graded in Classes I and II ►M2 ———————— ◄,

— 15 mm for untrimmed Brussels sprouts graded in Classes I and II.

For Brussels sprouts in Class I, the difference between the largest and the smallest sprout in any one package must not exceed 20 mm.

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. **Quantity tolerances**

(i) *Class I*

10 % by weight of Brussels sprout 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 weight of Brussels sprouts satisfying neither the requirements for the class nor the minimum requirements, but excluding produce attacked by rot or any other deterioration rendering it unfit for consumption.

▼M2

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B. **Size tolerances**

For all classes: 10 % by weight of Brussels sprouts not conforming to the size of requirements.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and comprise only Brussels sprouts of the same origin, variety, quality and size (where required).

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

▼M5

Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages ►M6 of a net weight of three kilograms or less ◄, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 ([1]).

▼B

B. **Packaging**

The Brussels sprouts must be packed in such a way as to protect them 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 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 of any foreign matter.

([1]) OJ L 7, 11.1.2003, p. 65.

▼M7

Stickers individually affixed on product shall be such as, when removed, neither to leave visible traces of glue, nor to lead to skin defects.

▼B

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:

▼M7

A. **Identification**

The name and the address of the packer and/or the dispatcher

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),

— for pre-packages only, by the name and the address of a seller established within the Community 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.

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B. **Nature of produce**

'Trimmed Brussels sprouts' or 'untrimmed Brussels sprouts', 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; when sized, size expressed in minimum and maximum diameter.

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

▼M7

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.

▼B

ANNEX III

QUALITY STANDARD FOR RIBBED CELERY

I. DEFINITION OF PRODUCE

This standard applies to ribbed celery of varieties (cultivars) grown from *Apium graveolens L. var. dulce Mill.,* to be supplied fresh to the consumer, ribbed celery for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. **Minimum requirements**

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

— whole, trimming of the upper part being permitted,

— fresh in appearance,

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

— free from damage caused by frost,

— free from cavities, suckers and flowers stems,

— clean, practically free of any visible foreign matter,

— practically free from damage caused by pests,

— practically free from pests,

— free of excessive external moisture, that is to say, adequately dried, if washed,

— free of any foreign smell and/or taste.

The main root must be well cleaned and must not exceed 5 cm in length.

Ribbed celery must be normally developed, having regard to the production period. Its condition must be such as to allow it:

— to withstand transport and handling, and

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

B. **Classification**

Ribbed celery is classified into two classes, defined below:

(i) *Class I*

Ribbed celery in this class must be of good quality, regular in shape and free of traces of disease on either the leaves or the leaf stalks.

The leaf stalks must not be broken, stringy, crushed or split.

In the case of blanched ribbed celery, the leaf stalks must be white to yellowish-white or greenish-white in colour for at least half their length.

(ii) *Class II*

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

Ribbed celery in this class may show slight traces of rust. It may also show a slight deformation or slight bruises and have not more than two leaf stalks that are broken, crushed or split.

In the case of blanched ribbed celery, the leaf stalks must be white to yellowish-white or greenish-white in colour for at least one-third of their length.

III. PROVISIONS CONCERNING SIZING

Sizing is determined in relation to net weight. The minimum weight of ribbed celery is 150 grams.

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Ribbed celery is graded into three groups:

(i) large: over 800 grams

(ii) medium: 500 to 800 grams

(iii) small: 150 to 500 grams

The difference in size in the same package may not exceed 200, 150 and 100 grams respectively.

This grading and uniformity requirement is compulsory for Class I only.

IV. PROVISIONS CONCERNING TOLERANCE

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 of ribbed celery 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 of ribbed celery satisfying neither the requirements for the class nor the minimum requirements, excluding produce attacked by rot or any other deterioration rendering it unfit for consumption.

B. **Size tolerances**

For all classes: 10 % by number of ribbed celery not conforming to the size requirements.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and comprise only ribbed celery of the same origin, quality and colour, and size (where required).

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

▼M5

Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages ►M6 of a net weight of three kilograms or less ◄, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 ([1]).

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B. **Presentation**

The ribbed celery may be presented:

— either bundled in the package,

— or stacked in the package.

When presented in bundles, all bundles in the same package must contain the same number of pieces.

C. **Packaging**

The ribbed celery must be packed in such a way as to protect it 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 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 of any foreign matter.

([1]) OJ L 7, 11.1.2003, p. 65.

▼M7

Stickers individually affixed on product shall be such as, when removed, neither to leave visible traces of glue, nor to lead to skin defects.

▼B

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:

▼M7

A. **Identification**

The name and the address of the packer and/or the dispatcher

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),

— for pre-packages only, by the name and the address of a seller established within the Community 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.

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B. **Nature of produce**

'Ribbed celery' followed by the indication 'blanched celery' or an indication of the colour-type, 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;

When sized, size expressed by 'large', 'medium' or 'small';

Number of pieces or, where appropriate, number of bundles.

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

▼M7

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.

▼B

ANNEX IV

QUALITY STANDARD FOR SPINACH

I. DEFINITION OF PRODUCE

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

II. PROVISIONS CONCERNING QUALITY

The purpose of this standard is to define the quality requirements for spinach in leaf or in heads after preparation and packaging.

A. **Minimum requirements**

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

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

— fresh in appearance,

— clean, practically free of visible foreign matter,

— practically free from pests,

— free of floral stems,

— free of any foreign smell and/or taste.

Washed spinach must be adequately drained.

In the case of spinach heads, the portion comprising the root must be cut close to the base of the outer leaves.

The spinach must be sufficiently developed and in such condition as to enable it:

— to withstand transport and handling, and

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

B. **Classification**

Spinach is classified into two classes, defined below:

(i) *Class I*

Spinach in this class may be in leaf or in heads and must be of good quality.

The leaves must be:

— normal in colour and appearance for the variety and time of harvest,

— free from damage caused by frost, animal parasites or diseases impairing appearance or edibility.

In the case of leaf spinach, the leaf stem must not exceed 10 cm in length.

(ii) *Class II*

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

III. PROVISIONS CONCERNING SIZING

Sizing is not compulsory for spinach.

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IV. PROVISIONS CONCERNING TOLERANCE

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

(i) *Class I*

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

(ii) *Class II*

10 % by weight of spinach not satisfying the requirements for the class nor the minimum requirements, excluding spinach in leaf or in heads affected by rotting or any other deterioration rendering it unfit for consumption. In addition, in the case of spinach heads, a tolerance of 10 % by weight of heads, having roots attached which do not exceed 1 cm in length from the base of the outer leaves, shall be allowed.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

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

Leaf spinach and spinach heads must not be mixed in the same package.

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

▼M5

Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages ►M6 of a net weight of three kilograms or less ◄, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 ([1]).

▼B

B. **Packaging**

The spinach must be packed in such a way as to ensure that it is suitably protected.

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 of all foreign matter.

▼M7

Stickers individually affixed on product shall be such as, when removed, neither to leave visible traces of glue, nor to lead to skin defects.

▼B

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:

▼M7

A. **Identification**

The name and the address of the packer and/or the dispatcher

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),

— for pre-packages only, by the name and the address of a seller established within the Community indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the

([1]) OJ L 7, 11.1.2003, p. 65.

▼M7

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.

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B. **Nature of produce**

'Leaf spinach' or 'spinach heads', 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.

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

▼M7

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.

▼M3