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►B ►M5 **COMMISSION REGULATION (EEC) No 899/87**
of 30 March 1987
laying down quality standards for cherries ◄

(OJ L 88, 31.3.1987, p. 17)

Amended by:

		Official Journal		
		No	page	date
►M1	Commission Regulation (EEC) No 3594/89 of 30 November 1989	L 350	61	1.12.1989
►M2	Commission Regulation (EEC) No 1435/91 of 30 May 1991	L 137	20	31.5.1991
►M3	Commission Regulation (EEC) No 658/92 of 16 March 1992	L 70	15	17.3.1992
►M4	Commission Regulation (EC) No 888/97 of 16 May 1997	L 126	11	17.5.1997
►M5	Commission Regulation (EC) No 843/2002 of 21 May 2002	L 134	24	22.5.2002
►M6	Commission Regulation (EC) No 46/2003 of 10 January 2003	L 7	61	11.1.2003

Corrected by:

►C1	Corrigendum, OJ L 130, 20.5.1987, p. 18 (899/87)	

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COMMISSION REGULATION (EEC) No 899/87
of 30 March 1987
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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 cherries and strawberries are laid down in Annexes I/8 and I/9 of Commission Regulation No 58 ([3]); whereas those standards were amended by Regulations (EEC) No 51/65 ([4]) and (EEC) No 844/76 ([5]);

Whereas a change has occured in the production and marketing of these products particularly as regards the requirements of consumer and wholesale markets; whereas the common quality standards for cherries and strawberries should therefore be changed to take those new requirements into account;

Whereas such changes entail alteration of the definition of the supplementary quality class as laid down by Council Regulation (EEC) No 1194/69 ([6]); whereas account should be taken, in defining that class, of the economic importance to producers of the products concerned and of the need to meet consumer 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 due to 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 marketing stages following dispatch; whereas, since the products in the 'Extra' class have to be particularly carefully sorted and packaged, only lack of freshness or turegescence is to be taken into into account only in their case;

Whereas in the interest of clarity and certainty as to legal requirements for ease of use the standards thus changed should be consilidated (SIC! consolidated) 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

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The marketing standards for cherries, falling within CN code 0809 20 95, shall be as set out in the Annex.

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

([1]) OJ No L 118, 20. 5. 1972, p. 1.
([2]) OJ No L 119, 8. 5. 1986, p. 46.
([3]) OJ No 56, 7. 7. 1962, p. 1606/62.
([4]) OJ No 55, 3. 4. 1965, p. 793/65.
([5]) OJ No L 96, 10. 4. 1976, p. 28.
([6]) OJ No L 157, 28. 6. 1969, p. 1.

▼B

However, at the stages following dispatch the products may show, in relation to ►C1 the standards ◄ prescribed,

— a slight lack of freshness and turgescence,

— for the products graded in ►C1 the classes ◄ other than the 'Extra' class, slight alternation due to their development and their tendency to perish.

Article 2

Regulation No 58 is hereby amended as follows:

— in Article 1, 'cherries' and 'strawberries' shall be deleted,

— Annexes I/8 and I/9, specifying the quality standards for cherries and strawberries respectively, shall be deleted.

Article 3

Council Regulation (EEC) No 1194/69 is hereby amended as follows:

— in Article I, 'cherries' and 'strawberries' shall be deleted,

— Annexes IV and V concerning cherries and strawberries respectively shall be deleted.

Article 4

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.

▼M5

ANNEX

▼C1

QUALITY STANDARD FOR CHERRIES

I. DEFINITION OF PRODUCE

This standard applies to cherries, of varieties (cultivars) derived from *Prunus Avium* L., *Prunus Cerasus* L., or hybrids thereof, to the supplied fresh to the consumer, cherries for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. **Minimum requirements**

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

— intact,
— fresh in appearance,
— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
— firm (according to the variety),
— clean, practically free of any visible foreign matter,
— practically free from pests,
— free from abnormal external moisture,
— free of any foreign smell and/or taste,
— with the stem attached ([1]).

The cherries must be sufficiently developed and display satisfactory ripeness. The development and the condition 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**

Cherries are classified into four classes, defined below:

(i) *'Extra' Class*

Cherries in this class must be of superior quality. They must be well developed and have all the characteristics and the colouring typical of the variety. They must be free from defects apart from a very slight superficial deterioration of the skin, on condition that this does not affect the quality and general appearance of the produce or its presentation in the package.

(ii) *Class I*

Cherries in this class must be of good quality. They must present the characteristics of the variety. They may, however, have the following defects, provided these do not impair the external appearance of the fruit or its conservation:

— a slight defect in shape,
— a slight defect in colouring.

They must be free of burns, cracks, bruises or defects caused by hail.

(iii) *Class II*

This class includes cherries which do not qualify for inclusion in the higher classes, but which satisfy the minimum requirements defined above. However, the cherries may have:

— defects in shape and colouring, on condition that they retain the characteristics of variety,

([1]) Missing stems are allowed in the case of:
— sweet varieties which naturally lose the stem at harvest, on condition that the skin is not damaged;
— sour varieties, on condition that there is no severe leakage of juice.

▼C1

— small, healed surface scars, not likely to impair significantly the appearance or conservation of the fruit.

▼M4

▼C1

III. PROVISIONS CONCERNING SIZING

Sizing is determined by the maximum diameter of the equatorial section. Cherries must have the following minimum sizes:

— 'Extra'Class: 20 mm,

— Classes I and II: 17 mm.

▼M4

▼C1

IV. PROVISIONS CONCERNING TOLERANCE

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 cherries not satisfying the requirements of the class but meeting those of Class I, or exceptionally, coming within the tolerances for that class, with the exception of over-ripe fruit. Within this tolerance, not more than 2 % in total may consist of split and/or worm-eaten fruit.

(ii) *Class I*

10 % by number or weight of cherries not satisfying the requirements of the class but meeting those of Class II or, exceptionally, coming within the tolerances for that class. Within this tolerance, not more than 4 % in total may consist of split and/or worm-eaten fruit.

(iii) *Class II*

10 % by number or weight of cherries satisfying neither the requirements for the class nor the minimum requirements, excluding fruit affected by rotting or any other deterioration rendering it unfit for consumption. Within this tolerance, not more than 4 % in total may consist of overripe and/or split and/or worm-eaten fruit. Not more than 2 % in total may consist of over-ripe fruit.

▼M4

▼C1

B. **Size tolerances**

(i) *'Extra' Class and Classes I and II*

10 % by number or weight of cherries not conforming to the minimum sizes specified, provided, however, that the diameter is not less than:

— 17 mm in the 'Extra' Class,

— 15 mm in Classes I and II.

▼M4

▼C1

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and consist exclusively of cherries of the same origin, variety and quality. The fruit must be of uniform size.

▼C1

In addition, cherries in the 'Extra' Class must be of uniform colouring and ripeness.

►M4 ——————— ◄

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

▼M6

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

▼C1

B. **Packaging**

The cherries 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 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**

▼M4

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.

▼C1

B. **Nature of produce**

— 'Cherries', where the contents are not visible from the outside,

— Name of the variety (optional) ([2]).

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)***

▼M5

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

([2]) Compulsory for sweet varieties whose stem normally becomes detached at harvesting and for sour varieties presented without the stem. However, for the latter, the package may bear the word 'sour cherries'.