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COMMISSION REGULATION (EC) No 1168/1999
of 3 June 1999
laying down marketing standards for plums

(OJ L 141, 4.6.1999, p. 5)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 848/2000 of 27 April 2000	L 103	9	28.4.2000
►**M2**	Commission Regulation (EC) No 46/2003 of 10 January 2003	L 7	61	11.1.2003
►**M3**	Commission Regulation (EC) No 537/2004 of 23 March 2004	L 86	9	24.3.2004
►**M4**	Commission Regulation (EC) No 907/2004 of 29 April 2004	L 163	50	30.4.2004

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ([1]), as last amended by Commission Regulation (EC) No 857/1999 ([2]), and in particular Article 2(2) thereof,

(1) Whereas plums are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted; whereas Commission Regulation (EEC) No 1591/87 of 5 June 1987 laying down marketing standards for cabbages, Brussels sprouts, ribbed celery, spinach and plums ([3]), as last amended by Regulation (EC) No 888/97 ([4]), has been amended frequently and can no longer ensure legal clarity;

(2) Whereas, in the interests of clarity, the rules on plums should be separated from those on other products under Regulation (EEC) No 1591/87; whereas the rules in question should therefore be recast and Annex V to Regulation (EEC) No 1591/87 on plums deleted; whereas, to that end and in the interests of preserving transparency on the world market, account should be taken of the standard for plums recommended by the Working Party on Standardisation of Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UN/ECE);

(3) Whereas the result of applying these standards should be to remove products of unsatisfactory quality from the market, to bring production into line with consumer requirements, to facilitate trade relationships based on fair competition, and thereby to help make production more profitable;

(4) Whereas the standards are applicable at all stages of marketing; whereas carriage over a great distance, storage for a certain length of time and the various handling operations which the products undergo may bring about deterioration due to the biological development of the products or their perishability; whereas account should be taken of such deterioration when the standards are applied at marketing stages following dispatch; whereas, as products in the 'Extra' class have to be particularly carefully sorted and packaged, only lack of freshness and turgidity is to be taken into account in their case;

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

HAS ADOPTED THIS REGULATION:

Article 1

The marketing standard for plums falling within CN code 0809 40 05 shall be as set out in the Annex.

This standard shall apply at all marketing stages, under the conditions laid down in Regulation (EC) No 2200/96.

([1]) OJ L 297, 21.11.1996, p. 1.
([2]) OJ L 108, 27.4.1999, p. 7.
([3]) OJ L 146, 6.6.1987, p. 36.
([4]) OJ L 126, 17.5.1997, p. 11.

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However, at stages following dispatch, the products may show in relation to the provisions of the standard:

— a slight lack of freshness and turgidity,

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

Article 2

Regulation (EEC) No 1591/87 is amended as follows:

1. In the title, the words 'ribbed celery, spinach and plums' are replaced by 'ribbed celery and spinach'.
2. The fifth indent in the first subparagraph of Article 1 is deleted.
3. Annex V is deleted.

Article 3

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

It shall apply from 1 July 1999.

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

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ANNEX

STANDARD FOR PLUMS

I. DEFINITION OF PRODUCE

This standard applies to plums of varieties (cultivars) grown from:

— *Prunus domestica* L. ssp. *domestica*,

— *Prunus domestica* L. ssp. *insititia* (L.) Schneid.,

— *Prunus domestica* L. ssp. *italica* (Borkh.) Gams,

— *Prunus domestica* L. ssp. *syriaca* (Borkh.) Janchen, and

— *Prunus salicina* Lindl.

to be supplied fresh to the consumer, plums for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. **Minimum requirements**

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

— intact,

— 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,

— practically free from pests,

— practically free from damage caused by pests,

— free of abnormal external moisture,

— free of any foreign smell and/or taste.

The plums must have been carefully picked. They must be sufficiently developed and display satisfactory ripeness.

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

— withstand transport and handling, and

— arrive in satisfactory condition at the place of destination.

B. **Classification**

Plums are classified into the three classes defined below:

(i) 'Extra' class

Plums in this class must be of superior quality. In shape, development and colouring they must be characteristic of the variety. They must be:

— practically covered by their bloom, according to variety,

— of firm flesh.

They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) Class I

Plums in this class must be of good quality. They must be characteristic of the variety.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— a slight defect in shape,

— a slight defect in development,

— slight defects in colouring,

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— skin defects of elongated shape must not exceed in length one third of the maximum diameter of the fruit. In particular, healed cracks may be allowed for 'Golden gage' varieties ([1]),

— other skin defects of which the total area affected must not exceed one sixteenth of the whole surface.

(iii) Class II

This class includes plums which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The following defects may be allowed, provided the plums retain their essential characteristics as regards the quality, the keeping quality and presentation:

— defects in shape,

— defects in development,

— defects in colouring,

— skin defects of which the total area affected must not exceed one quarter of the whole surface.

III. PROVISIONS CONCERNING SIZING

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

Minimum sizes are fixed as follows:

	'Extra' and I	II
Large-fruited varieties ([1])	35 mm	30 mm
Other varieties	28 mm	25 mm
Mirabelles and Damsons	20 mm	17 mm

([1]) See list annexed to this standard.

For the 'Extra' class, the maximum difference in diameter between fruit in any one package is fixed at 10 mm.

IV. PROVISIONS CONCERNING TOLERANCES

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

A. **Quality tolerances**

(i) 'Extra' class:

5 % by number or weight of plums not satisfying the requirements of the class but meeting those of Class I or, excetionally, coming within the tolerances for that class.

(ii) Class I

10 % by number or weight of plums 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 2 % in total may consist of split and/or worm-eaten fruit.

(iii) Class II

10 % by number or weight of plums satisfying neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting, market bruising or any other deterioration rendering it unfit for consumption. Within this tolerance, not more than 4 % in total may consist of split and/or worm-eaten fruit.

B. **Size tolerances**

For all classes, 10 % by number or weight of plums deviating from the minimum size or the size stated on the package, the deviation not exceeding 3 mm above or below.

([1]) Definition: gages (green apricots, dauphines, greengages) having a green skin with a yellowish sheen.

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V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and contain only plums of the same origin, variety, quality and size (i) sized), and for the 'Extra' class, the contents must also be uniform in colour.

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

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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]).

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B. **Packaging**

Plums must be packed in such a way as to protect the produce 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, particularly of paper or stamps bearing trade specifications is allowed provided that the printing or labelling has been done with non-toxic ink or glue.

Packages must be free from all foreign matter.

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

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C. **Presentation**

The plums may be presented:

— in small packages,

— arranged in one or more layers separated from each other,

— in bulk in the package, except for the 'Extra' class.

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:

▼M4

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

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

— name of the variety.

C. Origin of produce

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

D. Commercial specifications

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

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— class,

— size (if sized) expressed in minimum and maximum diameter.

E. Official control mark (optional)

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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

Appendix

Non-exhaustive list of large-fruited varieties of *Prunus domestica*

Variety Cultivar and/or commercial name	Synonyms
Aleksona	
Ariel	
Apple	
Ave	
Belle de Louvain	Bella di Lovanio
Bernardina	
Bluefre	Blue Fré
Cacanska lepotica	Belle de Cacak, Cacaks Beauty, Cacaks Schöne
Cacanska najbolja	Meilleure de Cacak, Cacaks Beste
Cacanska rana	Précoce de Cacak, Cacaks Frühe
California Blue	California Blu
Carpatin	
Centenar	
Coe's Golden Drop	
De Fraile	Fraila
Denniston Superb	
Edimburgh	
Edwards	Colbus
Emma Leppermann	
Empress	
Erfdeel	
Giant	Burbanks Giant Prune
Grand Prix	Grand Prize
Hall	
Harris Monarch	Harris
Heron	
Impérial Epineuse	
Janand	
Jefferson	Jefferson's Gage
Jori's Plum	
Jubileum	
Julius	
June Blood	
Kometa	
Liisu	
Magna Glauca	
Manns Number One	
Marjorie's Seedling	
Merton Gage	Merton, Mereton
Merton Gem	
Monarch	
Monsieur hâtif	Early Orleans
Nueva Extremadura	
Oneida	

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Variety Cultivar and/or commercial name	Synonyms
Ontario	Ontariopflaume
Pitestean	
Pond's Seedling	
President	
Prince Engelbert	
Prince of Wales	Prince de Galles
Prof. Collumbien	
Prune Martin	
Queen's Crown	Cox's Emperor
Quetsche Blanche de Létricourt	Quetsche Dr. Létricourt
Rausve	
Regina Claudia Mostruosa	
Regina d'Italia	
Reine-Claude d'Althan	Falso
Reine-Claude d'Oullins	Oullin's Gage
Seneca	
Skalve	
Staro vengrine	
Sugar Prune	
Sultan	
Swan Gage	
Tartu Punane	
Tragedy	
Utility	Laxton's Utility
Valor	
Victoria	
Vision	
Washington	
Zimmers Frühzwetsche	