STATUTORY INSTRUMENTS

1968 No. 687

HORTICULTURE

GRADING AND TRANSPORT OF PRODUCE

The Grading of Produce (Cauliflowers) Regulations 1968

Made - - - -	30*th April* 1968
Laid before Parliament	8*th May* 1968
Coming into Operation	13*th May* 1968

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly in exercise of the powers conferred upon them by sections 11, 13 and 23 of the Agriculture and Horticulture Act 1964(a) and of all other powers enabling them in that behalf, hereby make the following regulations after consultation with such organisations as appear to either of them to be representative of interests affected by the regulations:—

Citation and commencement

1. These regulations may be cited as the Grading of Produce (Cauliflowers) Regulations 1968; and shall come into operation on 13th May 1968.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

"the Act" means the Agriculture and Horticulture Act 1964;

"authorised officer" has the meaning assigned to it by section 13(1) of the Act;

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

"container" includes any basket, pail, tray, package or receptacle of any kind, whether open or closed;

"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;

"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 any container, and references to the affixing of a label shall be construed accordingly;

(a) 1964 c. 28.

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

"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.

(2) The Interpretation Act 1889(a) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Designation and definition of grades of quality

3. The following grades of quality are hereby designated in relation to cauliflowers:—

EXTRA CLASS

CLASS 1

CLASS 2

CLASS 3

and the said grades of quality shall be as defined respectively in Schedules 1, 2, 3 and 4 to these regulations.

Forms of labels

4. For each of the grades designated in the last preceding regulation 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 Schedule 5 to these regulations.

Manner of cancellation of labels by authorised officer

5. Where, on premises which he has a right to enter under section 13(1) of the Act, an authorised officer finds any cauliflowers—

(*a*) which are in a container to which is affixed a label in the form prescribed for one of the grades of quality designated and defined in these regulations, 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 insofar as it relates to that grade by affixing thereto and to the container a label in that form prescribed in paragraph 7 of Schedule 5 to these regulations 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 cauliflowers is inferior to that required for the grade designated Class 3 in regulation 3 hereof, to indicate that fact.

Labels of countries outside Great Britain

6. A label recognised under the law of any country outside Great Britain 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 regulation 3 hereof shall be treated for the purposes of Part III of the Act as if it were in the form prescribed for that grade in these regulations.

(a) 1889 c. 63.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th April 1968.

(L.S.) *Cledwyn Hughes,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 30th April 1968.

(L.S.) *William Ross,*
Secretary of State for Scotland.

Regulation 3

SCHEDULE 1

DEFINITION OF GRADE OF QUALITY—EXTRA CLASS

Type. All cauliflowers in a container 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.

Colour. The curd of each cauliflower shall be white or creamy white.

Shape. The curd of each cauliflower shall be well shaped with good depth.

Cleanliness. Each cauliflower shall be clean and free from contamination.

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.

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 container. The curd of each cauliflower shall be free from any sign of wilting and the leaves shall be healthy and reasonably fresh.

Size. The diameter of the curd of each cauliflower shall be not less than 10 centimetres. The difference in diameter between the curd with the shortest diameter and the curd with the longest diameter in a container shall be not more than 4 centimetres.

Presentation. All cauliflowers in a container 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.

SCHEDULE 2 Regulation 3

DEFINITION OF GRADE OF QUALITY—CLASS 1

Type. All cauliflowers in a container shall be of the same type.

Development and maturity. 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.

Colour. The curd of each cauliflower shall be white, creamy white or cream.

Shape. Not more than slight defects in the shape of the curd of each cauliflower may be present.

Cleanliness. 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 container. Each cauliflower shall be free from contamination.

Progressive defects. Each cauliflower shall be free from all but the slightest trace of any blemish or injury which might affect fitness for human consumption. No more than very slight insignificant blemishes or injuries which might affect keeping quality shall be present.

Non-progressive damage and blemish. 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 container. The curd of each cauliflower shall be free from any sign of wilting and the leaves shall be reasonably fresh.

Size. The diameter of the curd of each cauliflower shall be not less than 7.5 centimetres. The difference in diameter between the curd with the shortest diameter and the curd with the longest diameter in a container shall be not more than 5 centimetres.

Presentation. The provisions as to presentation in Schedule 1 to these regulations shall apply to cauliflowers falling within Class 1 as they apply to cauliflowers falling within Extra Class.

SCHEDULE 3 Regulation 3

DEFINITION OF GRADE OF QUALITY—CLASS 2

Development and maturity. The curd of each cauliflower may be slightly blown and slightly loose in texture. Woolliness may be present.

Colour. The curd of each cauliflower shall be white, creamy white, cream or creamy yellow.

Shape. No curd of any cauliflower shall be seriously misshapen.

Cleanliness. Slight soiling may be present if it does not significantly detract from the general appearance of any cauliflower or of the contents of a container. Each cauliflower shall be free from contamination.

Progressive defects. Each cauliflower shall be free from extensive blemish or injury which might affect fitness for human consumption.

Non-progressive damage and blemish. The curd 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.

Size. The diameter of the curd of each cauliflower shall be not less than 7.5 centimetres. The difference in diameter between the curd with the shortest diameter and the curd with the longest diameter in a container shall be not more than 5 centimetres.

Presentation. The provisions as to presentation in Schedule 1 to these regulations shall apply to cauliflowers falling within Class 2 as they apply to cauliflowers falling within Extra Class.

Regulation 3

SCHEDULE 4

Definition of Grade of Quality—Class 3

Development and maturity. The curd of each cauliflower may be slightly blown and loose in texture. Woolliness may be present.

Colour. No curd of any cauliflower shall be seriously discoloured.

Cleanliness. Each cauliflower shall be reasonably clean and free from contamination.

Progressive defects. Each cauliflower shall be free from extensive blemish or injury which might seriously affect fitness for human consumption.

Non-progressive damage and blemish. Each cauliflower shall be free from any defects which might render the cauliflower unfit for human consumption.

Size. The diameter of the curd of each cauliflower shall be not less than 5 centimetres.

Regulations 4 and 5

SCHEDULE 5

Forms of Labels

1.—(1) Any label of the kind referred to in regulation 4 of these regulations 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 or 1½ inches, as the case may be, as respects cauliflowers falling within Extra Class, or by more than 5 centimetres or 2 inches, as the case may be, 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*) above in relation to cauliflowers which fall within Class 2.

(3) Any reference to a label in paragraphs 2 to 6 of this Schedule is a reference to a label of a kind referred to in regulation 4 of these regulations.

2. The label shall cover an area measuring not less than 40 square centimetres and not more than 80 square centimetres 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*) above shall appear in a space measuring not less than 2.5 centimetres in height and 3.5 centimetres 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 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) above 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 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 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;

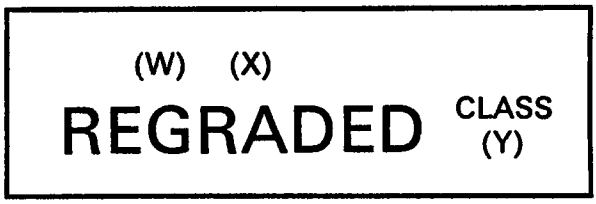
(*c*) not less than 7 millimetres in height in the case of any word or numeral indicating the grade and not less than 3 millimetres in height in any other case.

6.—(1) In addition to the words or numerals which are necessary to convey the information specified in paragraph 1 of this Schedule, 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 5 of these regulations 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:—



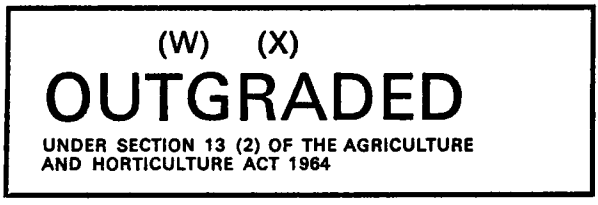
The label shall be completed as follows:—

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

(*b*) by inserting at (X) the letters "M.A.F.F." in the case of a label affixed in England or Wales or "D.A.F.S." in the case of a label affixed in Scotland;

(*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 5 of these regulations 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 regulation 3 of these regulations shall be in the following form:—



The label shall be completed by depicting at (W) a crown and by inserting at (X) the letters "M.A.F.F." in the case of a label affixed in England or Wales or "D.A.F.S." in the case of a label affixed in Scotland.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which are made under sections 11, 13 and 23 of the Agriculture and Horticulture Act 1964 and apply throughout Great Britain, come into operation on 13th May 1968.

The regulations designate and define grades of quality for fresh cauliflowers and prescribe forms of labels for the various grades.