1968 No. 1041

HORTICULTURE

GRADING AND TRANSPORT OF PRODUCE

The Grading of Produce (Pears) (Amendment) Regulations 1968

Made - - -	*2nd July* 1968
Laid before Parliament	*9th July* 1968
Coming into Operation	*15th July* 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, commencement and interpretation

1.—(1) These regulations may be cited as the Grading of Produce (Pears) (Amendment) Regulations 1968; and shall come into operation on 15th July 1968.

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

Amendment of the Grading of Produce (Pears) Regulations 1967

2. The Grading of Produce (Pears) Regulations 1967(c) shall be amended as follows:—

(*a*) by deleting from the paragraph headed "Size" in Schedule 1 thereto the words "in the case of the Conference variety and not less than 60 millimetres in the case of any other variety.";

(*b*) by deleting from the paragraph headed "Size" in Schedule 2 thereto the words "in the case of the Conference variety and not less than 55 millimetres in the case of any other variety.";

(*c*) by deleting from the paragraph headed "Size" in Schedule 3 thereto the words "in the case of the Conference variety and not less than 50 millimetres in the case of any other variety.";

(*d*) by substituting in Schedule 4 thereto for the paragraph headed "Size" the following paragraph:—

"*Size.* In the case of pears of any variety other than—

(*a*) unfertilised pears of the Conference variety which are not less than 10 centimetres in length and which are packed separately, and

(*b*) pears of the Robin variety,

the diameter of each pear shall be not less than 45 millimetres.

In the case of pears of the Conference variety which are unfertilised,

(a) 1964 c. 28. (b) 1889 c. 63. (c) S.I. 1967/1019 (1967 II, p. 3077).

not less than 10 centimetres in length and which are packed separately, the diameter of each pear shall be not less than 40 millimetres.

In the case of pears of the Robin variety, the diameter of each pear shall be not less than 35 millimetres.";

(*e*) by substituting in Schedule 5 thereto for paragraph 1 the following paragraph:—

"1.—(1) Any label of the kind referred to in regulation 4 of these regulations shall bear the word "PEARS" unless the pears in connection with which it is used are clearly visible, and shall also convey the following true information relating to those pears:—

(*a*) the grade of quality expressed by the word or numeral "EXTRA", "1", "2" or "3", as the case may be;

(*b*) the name of the variety, in the case of pears of the Conference or Robin variety which, in either case, fall within Class 3;

(*c*) in the case of any pears other than those which fall within Class 2 and are packed loose in a container or which fall within Class 3, a length, expressed in millimetres or inches, which is not greater than the diameter of the pear with the shortest diameter and which does not fall short of the diameter of the pear with the longest diameter by more than 5 millimetres, or 3/16 inch as the case may be, as respects pears falling within Extra Class, or by more than 10 millimetres, or 3/8 inch as the case may be, as respects pears falling within Class 1 or Class 2.

(2) Any label used in connection with any pears other than pears of the Conference or Robin variety which, in either case, fall within Class 3 may convey the name of the variety of those pears.

(3) Any label used in connection with pears which fall within Class 2 and are packed loose or which fall within Class 3 may convey in relation to those pears the information required to be conveyed by virtue of sub-paragraph (1)(*c*) of this paragraph in relation to pears which fall within Class 2.

(4) If any label conveys, in accordance with these regulations and in relation to the pears in connection with which it is used, a length which is not greater than the diameter of the pear with the shortest diameter, that label may also convey in relation to those pears a length, expressed in millimetres or inches, which is not less than the diameter of the pear with the longest diameter and, in the case of pears to which sub-paragraph (1)(*c*) of this paragraph applies, which does not exceed the diameter of the pear with the shortest diameter by more than 5 millimetres, or 3/16 inch as the case may be, as respects pears falling within Extra Class, or by more than 10 millimetres, or 3/8 inch as the case may be, as respects pears falling within Class 1 or Class 2.

(5) Any reference to a label in sub-paragraphs (2) to (4) of this paragraph and 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.";

(*f*) by substituting in Schedule 5 thereto for paragraph 4 the following paragraph:—

"4. Information required to be conveyed in accordance with paragraph 1(1)(*c*) above, or which may be conveyed in accordance with paragraph 1(3) or 1(4) above, shall appear in a third space either to the right of, contiguous with and similar in height to the second aforesaid space and not less than 2.5 centimetres in width, or to the left of, contiguous with and similar in height to the first 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.".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th June 1968.

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

Given under the Seal of the Secretary of State for Scotland on 2nd July 1968.

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

EXPLANATORY NOTE

(*This Note is not part of the regulations.*)

These amending regulations, which come into operation on 15th July 1968—

(*a*) reduce by 5 millimetres the minimum diameter required for pears (other than those of the Conference variety) falling within Extra Class, Class 1 or Class 2;

(*b*) reduce by 10 millimetres the minimum diameter required for pears of the Robin variety which fall within Class 3;

(*c*) amend the requirements as to the information to be conveyed on labels, permitting the indication of a minimum size for the range packed instead of the exact size of the smallest fruit and the giving of certain information as to size where this is not compulsory: an alternative form for the labels is also prescribed.