Commission Regulation (EC) No 1862/2004 of 26 October 2004 laying down the marketing standard applicable to watermelons

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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)], and in particular Article 2(2) thereof,

Whereas:

(1) Watermelons are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted. Commission Regulation (EC) No 1093/97 of 16 June 1997 laying down marketing standards applicable to watermelons[(2)], has been amended several times. For the sake of clarity, Regulation (EC) No 1093/97 should therefore be repealed and replaced, as from 1 January 2005, by a new Regulation.

(2) To that end, and in the interest of preserving transparency on the world market, account should be taken of the UN/ECE standard FFV-37 concerning marketing and quality control of watermelons recommended by the Working party on agricultural quality standards of the United Nations Economic Commission for Europe (UN/ECE) as well as its recent amendments.

(3) Application of the new standards should remove products of unsatisfactory quality from the market, bring production into line with consumer requirements and facilitate trade based on fair competition, thereby helping to improve profitability.

(4) The standards are applicable at all marketing stages. Long-distance transport, storage over a certain period and the various processes the products undergo may cause some degree of deterioration owing to the biological development of the products or their perishable nature. Account should be taken of such deterioration when applying the standard at the marketing stages following dispatch.

(5) 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 standards applicable to watermelons falling within CN code 0807 11 shall be as set out in the Annex.

The standards shall apply to all marketing stages under the conditions laid down in Regulation (EC) No 2200/96.

Changes to legislation: Commission Regulation (EC) No 1862/2004 is up to date with all changes known to be in force on or before 25 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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

(a) a slight lack of freshness and turgidity;

(b) slight deterioration due their development and their tendency to perish.

Article 2

Regulation (EC) No 1093/97 is repealed.

Article 3

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

It shall apply as from 1 January 2005.

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

Done at Brussels, 26 October 2004.

For the Commission

Franz FISCHLER

Member of the Commission

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ANNEX

STANDARD FOR WATERMELONS

I.DEFINITION OF PRODUCE

This standard applies to watermelons of varieties (cultivars) grown from *Citrullus lanatus (Thunb.) Matsum*. *Et Nakaih*. to be supplied fresh to the consumer, watermelons for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. Minimum quality requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, watermelons 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,
— firm and sufficiently ripe; the colour and taste of the flesh should conform to a sufficient state of ripeness,
— not split,
— free of abnormal external moisture,
— free of any foreign smell and/or taste.

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

— to withstand transport and handling, and
— to arrive in satisfactory condition at the place of destination.

B. Minimum maturity requirements

The watermelons must be sufficiently developed and display satisfactory ripeness. The refractometric index of the pulp measured at the middle point of the fruit flesh at the equatorial section must be greater than or equal to 8^{o} Brix.

C. Classification

Watermelons are classified in two classes defined below.

(i) Class I

Watermelons 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,

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— a slight defect in colouring of the rind; a pale colouring of the watermelon which has been in contact with the ground during the period of growth is not regarded as a defect,
— slight healed superficial cracks,
— slight skin defects due to rubbing or handling of which the total area affected must not exceed one-sixteenth of the surface of the fruit.

The stem of the watermelon must not exceed 5 cm in length.

(ii) Class II

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

The following defects may be allowed provided the watermelons retain their essential characteristics as regards the quality, the keeping quality, and presentation:
— defects in shape,
— healed superficial cracks,
— defects in colouring of the rind; a pale colouring of the watermelon which has been in contact with the ground during the period of growth is not regarded as a defect,
— slight bruising,
— skin defects due to rubbing or handling or to damage by pests or diseases of which the total area affected must not exceed one-eighth of the surface of the fruit.

III. PROVISIONS CONCERNING SIZING

Size is determined by the weight per unit. The minimum weight is fixed at 1 kg.

When watermelons are presented in packages, the difference in weight between the lightest and the heaviest unit in the same package should not exceed 2 kg, or 3,5 kg if the lightest unit weighs 6 kg or more.

This relative uniformity of weight is not compulsory for watermelons presented in bulk.

IV. PROVISIONS CONCERNING TOLERANCES

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

A. Quality tolerances

(i) Class I

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

(ii) Class II

10 % by number or weight of watermelons satisfying neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting, or any other deterioration rendering it unfit for consumption.

B. Size tolerances