Commission Regulation (EC) No 1861/2004 of 28 October 2004 laying down the marketing standard applicable to peaches and nectarines

COMMISSION REGULATION (EC) No 1861/2004

of 28 October 2004

laying down the marketing standard applicable to peaches and nectarines

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) Peaches and nectarines are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted. Commission Regulation (EC) No 2335/1999 of 3 November 1999 laying down marketing standards for peaches and nectarines[(2)], has been amended several times. For the sake of clarity, Regulation (EC) No 2335/1999 should therefore be repealed and replaced, as from 1 March 2005, by a new Regulation.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-26 concerning marketing and quality control of peaches and nectarines recommended by the Working Party on agricultural Quality Standards of the United Nations Economic Commission for Europe (UN/ECE), as well as of his recommendation introducing minimum maturity criteria applicable to peaches and nectarines.

(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) As products in the ‘Extra’ class have to be particularly carefully sorted and packaged, only lack of freshness and turgidity should be taken into account in their case.

(6) 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:

Changes to legislation: *Commission Regulation (EC) No 1861/2004 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*

Article 1

The marketing standard applicable to peaches and nectarines falling within CN code 0809 30 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.

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

Article 2

Regulation (EC) No 2335/1999 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 March 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

***Changes to legislation:** Commission Regulation (EC) No 1861/2004 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*

ANNEX

MARKETING STANDARD FOR PEACHES AND NECTARINES

I.DEFINITION OF PRODUCE

This standard applies to peaches and nectarines[(3)] grown from varieties (cultivars) of *Prunus persica Sieb*. and *Zucc.*, to be supplied fresh to the consumer, peaches and nectarines for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. Minimum quality requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, peaches and nectarines 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.

Peaches and nectarines must have been carefully picked.

The development and state of peaches and nectarines 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 peaches and nectarines must be sufficiently developed and display satisfactory ripeness.

The development and state of maturity of the peaches and nectarines must be such as to enable them to continue their ripening process and to reach a satisfactory degree of ripeness. In order to satisfy this requirement the refractometrix index of the flesh, measured at the middle point of the fruit pulp at the equatorial section must be greater than or equal to 8 ° Brix and the firmness must be lower than 6,5 kg measured with a plunger of 8 mm diameter (0,5 cm^2) at two points of the equatorial section of the fruit.

C. Classification

Peaches and nectarines are classified into three classes as defined below:

(i) *'Extra' class*

Peaches and nectarines in this class must be of a superior quality. In shape, development and colouring they must be typical of the variety allowing for the district in which they are grown. They must be free from defects with the exception of very slight superficial defects, provided that these do not affect the general appearance of the produce, its quality, keeping quality and presentation in the package.

Changes to legislation: Commission Regulation (EC) No 1861/2004 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

(ii) *Class I*

Peaches and nectarines in this class must be of good quality. They must be characteristic of the variety, allowing for the district in which they are grown. However, a slight defect in shape, development or colouring may be allowed.

The flesh must be perfectly sound.

Peaches and nectarines split where the stem is joined to the fruit are excluded.

Slight skin 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 and do not exceed:

— 1 cm in length for defects of elongated shape,

— 0,5 cm^2 in total area for other defects.

(iii) *Class II*

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

The flesh should not show any serious defects. Fruits split where the stem is joined to the fruit are allowed only in connection with quality tolerances.

The following skin defects may be allowed provided the peaches and nectarines retain their essential characteristics as regards the quality, the keeping quality and presentation and do not exceed:

— 2 cm in length for defects of elongated shape,

— 1,5 cm^2 in total area for other defects.

III. PROVISIONS CONCERNING SIZING

Size is determined by:

— circumference, or

— maximum diameter of the equatorial section.

Peaches and nectarines must be graded according to the following scale:

Diameter	**Sizing(code)**	**Circumference**
90 mm and above	AAAA	28 cm and above
80 mm and over but under 90 mm	AAA	25 cm and over but under 28 cm
73 mm and over but under 80 mm	AA	23 cm and over but under 25 cm
67 mm and over but under 73 mm	A	21 cm and over but under 23 cm
61 mm and over but under 67 mm	B	19 cm and over but under 21 cm
56 mm and over but under 61 mm	C	17,5 cm and over but under 19 cm