1968. No. 33 **[C]**

HORTICULTURE

Marketing of Cucumbers

REGULATIONS, DATED 28TH FEBRUARY 1968, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE HORTICULTURE ACT (NORTHERN IRELAND) 1966.

The Ministry of Agriculture in exercise of the powers conferred on it by the Horticulture Act (Northern Ireland) 1966(a) and of every other power enabling it in that behalf, after consultation with such organisations as appear to be representative of interests affected by these Regulations hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Cucumber (Grading) Regulations (Northern Ireland) 1968 and shall come into operation on the 18th March 1968.

Interpretation

2. In these Regulations, unless the context otherwise requires—

"the Act" means the Horticulture Act (Northern Ireland) 1966;

"cucumber" means a whole cucumber (*Cucumis sativus* L) of any variety other than a field variety, whether freshly gathered or stored or taken from store, but does not include any bottled or preserved cucumbers or cucumbers intended for manufacture;

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

Application

3. These Regulations shall apply to home-grown and imported cucumbers.

Grading and labelling of cucumbers for sale within Northern Ireland

4. For the purposes of Section 1 of the Act grades of quality for cucumbers shall be those prescribed in the First Schedule and there shall be affixed to each package a label in the form prescribed in Part I of the Second Schedule.

Retail sales exempt from grading requirements

5. For the purposes of Paragraph (*a*) of Section 2(2) of the Act, the quantity of cucumbers which may be sold by retail without complying with the provisions of Regulation 4 shall be twelve.

Labels of countries outside Northern Ireland

6. A label recognised under the law of any country outside Northern Ireland as indicating that cucumbers 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 the First Schedule shall be treated for the purposes of Part I of the Act as if it were in the form prescribed for that grade in these Regulations.

(a) 1966, c. 15 (N.I.).

Small consignments

7. Section 18(1)(*a*) of the Act shall not apply to any consignment of cucumbers sent out of Northern Ireland if the total weight of cucumbers in such consignment together with the weight of the package in which they are contained does not exceed ten kilogrammes (twenty-two pounds).

Consignment out of Northern Ireland of cucumbers for manufacture

8. No cucumbers for manufacture shall be consigned out of Northern Ireland unless the consignor is in possession of a permit issued by the Ministry under Section 30 of the Act.

Re-grading of cucumbers

9. Where, under Section 26 of the Act, an authorised officer inspects cucumbers which purport to have been graded and labelled to comply with the standards of quality laid down in the First Schedule and where as the result of his inspection the authorised officer has reasonable cause to believe that the cucumbers are not of the standard of quality required for the grade shown on the label he may cancel that label by affixing thereto a label in such one of the forms set out in Part II of the Second Schedule as is appropriate to indicate what appears to him to be the correct grade or where it appears to him that the quality of the cucumbers is inferior to that required for the grade designated Class 3 in the First Schedule to indicate that fact.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 28th day of February 1968.

(L.S.)

A. McKelvie,
Assistant Secretary.

FIRST SCHEDULE

Definition of Grades of Quality

CHARACTERISTIC	EXTRA CLASS	CLASS 1	CLASS 2	CLASS 3
	REQUIREMENT	REQUIREMENT	REQUIREMENT	REQUIREMENT
Type	All cucumbers within a package shall be of the same type.	All cucumbers within a package shall be of the same type.	—	—
Development and Maturity	Each cucumber shall be sound and reasonably firm. It shall be well developed over its whole length. It shall not be deformed by seed formation.	Each cucumber shall be sound and free from serious wilting and shall be reasonably well developed over its whole length, save that the tip may be undeveloped. It shall not be deformed by seed formation.	Each cucumber shall be sound and free from serious wilting but slight underdevelopment is permitted.	Each cucumber shall be sound but there may be slight limpness. Not more than half of any cucumber may be underdeveloped.
Colour	Each cucumber shall have the colour characteristic of its type.	Slight colour defects may be present.	No cucumber shall be seriously discoloured.	No cucumber shall be excessively discoloured.
Shape	Each cucumber shall be almost straight and have the shape characteristic of its type.	Any cucumber may be slightly-bent and may have slight irregularities of shape.	Any cucumber may be bent or have slight irregularities of shape but it shall have no serious deformity. In the case of a bent cucumber, the maximum height of the arc measured between the inside edge of the cucumber and a straight line between the end of the handle and the tip shall not exceed one-fifth of the length of this line.	—