EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order varies the amounts of certain allowances payable to members of the Royal Ulster Constabulary and defines, where appropriate, the conditions of their payment.

1967. No. 147 **[C]**

HORTICULTURE

Marketing of Apples and Pears

REGULATIONS, DATED 23RD JUNE 1967, 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 and with the approval of the Ministry of Finance as to the licence fee hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Apples and Pears (Grading) Regulations (Northern Ireland) 1967, and shall come into operation on the 17th July 1967.

Revocation

2. The Marketing of Fruit Rules (Northern Ireland) 1957(**b**), the Marketing of Fruit (Amendment) Rules (Northern Ireland) 1961(**c**) and the Marketing of Fruit (Amendment) Rules (Northern Ireland) 1964(**d**) are hereby revoked.

Interpretation

3. In these Regulations

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

"Produce" means fresh apples and pears, whether freshly gathered, stored, or taken from store.

Application

4. These Regulations shall apply to home-grown and imported produce.

Grading and labelling of produce for sale within Northern Ireland

5. Save as provided by Section 2(2) of the Act, produce shall, if sold or offered or exposed for sale in Northern Ireland, be of the grades of quality prescribed in the First Schedule and shall have affixed to each package a label in the form prescribed in Part I of the Second Schedule.

(a) 1966. c. 15 (N.I.).
(b) S.R. & O. (N.I.) 1957, No. 193.
(c) S.R. & O. (N.I.) 1961, No. 181.
(d) S.R. & O. (N.I.) 1964, No. 111.

Retail sales exempt from grading requirements

6. For the purposes of Paragraph (*a*) of Section 2(2) of the Act, the quantity of produce which may be sold by retail without complying with the provisions of Regulation 5 shall be one hundred and twelve pounds.

Labelling of imported produce

7. The Ministry may accept a label recognised under the law of any country outside Northern Ireland as meeting the labelling requirements of Regulation 5 if the produce to which it relates complies with the grades of quality laid down in the First Schedule.

Licences

8.—(1) An application, in the form required by the Ministry, for a licence to send produce out of Northern Ireland in respect of the year ending 30th June 1968, shall be received by the Ministry not later than 31st October 1967.

(2) Subject to paragraph (1) an application for a licence to send produce out of Northern Ireland or for the renewal of such licence shall be in the form required by the Ministry and such licence shall not be issued or renewed unless the application is received by the Ministry on or before 30th June next before the day on which the licence, if issued or renewed, would have come into force.

(3) A licence to send produce out of Northern Ireland shall be in force from 1st July in the year it is issued until the 30th June next following.

(4) All licences and permits issued under the Marketing of Fruit Rules (Northern Ireland) 1957 are hereby revoked.

Fee with Application

9. The fee for the issue or renewal of a licence to send produce out of Northern Ireland shall be five pounds and shall accompany the application for such licence or renewal of such licence.

Conditions to be observed by Licence Holders when consigning produce from Northern Ireland

10. A licence holder shall not send or attempt to send produce out of Northern Ireland unless the produce to be consigned—

(1) complies with the grades of quality laid down in the First Schedule;

(2) is labelled according to the provisions of Part I of the Second Schedule for produce sent out of Northern Ireland;

(3) is in packages which are of the types specified in the Third Schedule and is packed in the manner laid down in that Schedule.

Small Consignments

11. The provisions of Regulation 10 shall not apply to any consignment of produce sent out of Northern Ireland if the total weight of such consignment, including the weight of the package, does not exceed one hundred and twelve pounds.

Consignment out of Northern Ireland of produce for manufacture

12. No produce 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 Produce

13. Where, under Section 26 of the Act, an authorised officer inspects produce which purports 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 produce is 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 produce 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 23rd day of June 1967.

(L.S.) *A. McKelvie,*
Assistant Secretary.

The Ministry of Finance hereby approves of the fee prescribed in the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 23rd day of June 1967.

(L.S.) *R. R. Butler,*
Assistant Secretary.

FIRST SCHEDULE

(1) Grades of Quality for Fresh Apples

Characteristic	Extra Class	Class 1	Class 2	Class 3
	Requirement	Requirement	Requirement	Requirement
Variety	All apples within a package must be of one variety.	All apples within a package must be of one variety.	All apples within a package must be of one variety.	All apples within a package must be of one variety.
Development and Maturity	Must be sound both internally and externally. Must be completely firm. Dessert varieties must be mature and the state of ripeness of all apples must be such as to allow them to remain in good condition during the normal period of distribution.	Must be sound both internally and externally. Must be firm; shrivelled apples must be excluded. Dessert varieties must be mature and the state of ripeness of all apples must be such as to allow them to remain in good condition during the normal period of distribution.	Must be sound both internally and externally. Must be reasonably firm, no more than very slight shrivelling being visible. Dessert varieties must be sufficiently mature to ensure subsequent ripening and the state of ripeness of all apples must be such as to allow them to remain in reasonably good condition during the normal period of distribution.	Must be reasonably sound internally and externally. May be shrivelled but not so extensively as seriously to affect the appearance of the apples. The state of ripeness of all apples must be such as to ensure that they will withstand distribution.

FIRST SCHEDULE (*Continued*)

(1) Grades of Quality for Fresh Apples

Characteristic	Extra Class Requirement	Class 1 Requirement	Class 2 Requirement	Class 3 Requirement
Colour	Dessert varieties (*a*) Red varieties must have at least half the surface showing the full characteristic colour of the variety. (*b*) Partially coloured varieties must have characteristic colour, flush or stripe on at least half the surface. (*c*) Other varieties. The colour must be typical of the variety. Culinary varieties The colour must be typical of the variety.	Dessert varieties (*a*) Red varieties must have at least a quarter of the surface showing the full characteristic colour of the variety. (*b*) Partially coloured varieties. The characteristic colour, flush or stripe must be clearly visible. Other dessert varieties and culinary varieties The colour must be typical of the variety.	Red dessert varieties must not be completely devoid of characteristic colour.	
Shape	Must have the true shape characteristic of the variety.	Slight variation from the true shape characteristic of the variety is allowed. "King" fruit may be included but not be more than slightly misshapen.	Defects allowed provided the general shape characteristic of the variety is retained. Very pronounced "King" fruits must be excluded.	Seriously distorted apples are not allowed.
Cleanliness	Must be clean.	Must be clean.	Must be reasonably clean.	Must be reasonably clean.
Progressive Defects	Must be free from any blemish or injury which might affect keeping quality.	Must be free from any blemish or injury which might affect keeping quality.	Must be free from any blemish or injury which might seriously affect keeping quality.	Slight progressive defects may be present on not more than 5 per cent. of the apples within a package.