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AGRICULTURAL PRODUCTS ACT 1929

AVOCADO GRADING AND PACKING CODE 1994

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WESTERN AUSTRALIA**AVOCADO GRADING AND PACKING
CODE 1994**ARRANGEMENT

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AGRICULTURAL PRODUCTS ACT 1929
AVOCADO GRADING AND PACKING CODE 1994

Made by the Minister under section 3F.

PART 1 — PRELIMINARY

Citation

1. This code may be cited as the *Avocado Grading and Packing Code 1994*.

Interpretation

2. In this code, unless the contrary intention appears —

“**abnormal external moisture**” means sufficient moisture to make an avocado distinctly wet (but does not include condensation following release from cold storage);

“**blemish**” means any superficial disfigurement of the skin that is not likely to affect the keeping quality of the avocado, and includes slight chemical burns and healed injury resulting from insect damage, superficial hail damage, abrasions, scratches and rubs, but does not include sunburn or superficial injury caused by the fruit spotting bug or fruit fly;

“**class**” means the quality class into which avocados are graded;

“**clean**” means visibly free from any dirt, dust, chemical residue or other foreign matter;

“**defect**” means any abnormal development of shape, colour or condition that detracts from the quality or general appearance of the avocado;

“**disorder**” means any abnormal physiological condition that affects the skin or flesh of the avocado;

“**dry matter content**” means the weight of the dry matter that remains, expressed as a percentage of the weight of the flesh of an avocado that has been peeled to remove the skin and seed coat, after the flesh has been heated to remove its moisture;

“**intact**” means practically free from any mutilation or injury spoiling the avocado;

“**mature**” means having reached the stage of development that ensures a proper completion of the ripening process, with no shrivelling or decay, and having attained a minimum dry matter content of 21%;

“**processing**” means any operation that subjects avocados to thermal processing (but does not include cold storage) or that renders avocados an avocado product;

“**sound**” means not over-ripe, soft or wilted; and free from rot, excessive bruising and physical injury, internal or external, and damage caused by fruit spotting bug or fruit fly, likely to affect the keeping quality of the avocado;

“**well-filled**” means, in relation to a package of avocados, that the package is filled to the extent that the avocados, after settling, are unlikely to move within the package during normal handling.

Application

3. Subject to section 5 of the Act, this code applies to the sale of avocados (*Persea americana* Mill.) other than for the purpose of processing.

PART 2 — GRADING

Grading into classes

4. Avocados may be graded as —

- (a) Extra Class;
- (b) Class 1;
- (c) Class 2; or
- (d) Class 3,

if they comply with the requirements of the relevant class as prescribed by this Part.

Minimum requirements

5. Avocados in all classes other than Class 3 shall be —

- (a) mature;
- (b) intact;
- (c) sound;
- (d) clean; and
- (e) firm,

and shall be free from any —

- (f) disorder;
- (g) abnormal external moisture;
- (h) foreign smell or taste; and
- (i) damage caused by cold storage.

Minimum size or mass

6. (1) Subject to subclause (2), avocados in all classes other than Class 3 shall have a minimum size of 50 millimetres or a minimum mass of 125 grams.

(2) Subclause (1) does not apply to avocados packed in a package marked "COCKTAIL AVOCADOS".

Determination of size

7. For the purposes of this code, the size of an avocado is determined by the measurement of the maximum transverse diameter of the avocado.

Classes

8. (1) Subject to clause 11 (a), avocados graded as Extra Class shall be —

- (a) well-formed and typical of the variety with, if the stalk is present, an intact stalk;
- (b) practically free from blemishes; and
- (c) free from damage caused by pests and diseases.

(2) Subject to clause 11 (b), avocados graded as Class 1 shall be —

- (a) reasonably well-formed and typical of the variety with, if the stalk is present, an intact stalk;
- (b) reasonably free from blemishes and free from any blemishes that —
 - (i) affect the flesh of an avocado; or
 - (ii) cover more than 4 square centimetres of the surface area of an avocado;

and

- (c) reasonably free from damage caused by pests and diseases.

(3) Avocados graded as Class 2 do not satisfy the requirements of Extra Class or Class 1 and may have —

- (a) moderate defects in shape, development and colour, if they otherwise retain the general characteristics of avocados; and
- (b) blemishes that do not impair the general appearance of the avocados.

(4) Avocados graded as Class 3 do not satisfy the requirements of any of the other classes.

PART 3 — PACKING**Packages to be of same variety, strain, class, size and ripeness**

9. (1) Subject to this Part, each package of avocados shall contain only avocados of the same variety, strain, class, size and degree of ripeness.

(2) A package of avocados contains avocados of the same size if the avocados in the package do not vary in size by more than 5 millimetres.

Packages marked "UNCLASSED" or "UNSIZED"

10. (1) If it is marked "UNCLASSED", a package of avocados may be packed with avocados of mixed classes, other than Class 3 avocados.

(2) If it is marked "UNSIZED", a package of avocados may be packed with Class 2 avocados of different sizes.

(3) If it is marked both "UNCLASSED" and "UNSIZED", a package of avocados may be packed with avocados of mixed classes (other than Class 3) and of different sizes.

Class and size tolerances

11. A package of avocados may contain —

- (a) in the case of a package of Extra Class avocados, a maximum of 5% by number or net mass of avocados not satisfying the requirements of that class but satisfying the requirements of Class 1; or
- (b) in the case of a package of Class 1 avocados, a maximum of 10% by number or net mass of avocados not satisfying the requirements of that class but satisfying the requirements of Class 2,

and, irrespective of the class of the avocados, a maximum of 10% by number or net mass of avocados that vary in size by more than 5 millimetres but not more than 10 millimetres.

Uniformity of avocados within packages

12. The contents of each package of —

- (a) Extra Class avocados shall be uniform in shape and colour;
- (b) Class 1 avocados shall be practically uniform in shape and colour; and
- (c) Class 2 avocados shall be reasonably uniform in shape and colour.

Presentation of avocados

13. (1) Each package of avocados shall be —
- (a) well-filled and packed in a manner that allows the avocados to withstand normal handling and transport; and
 - (b) free from extraneous plant material.
- (2) Any avocados that are visible when packed in a package shall be representative of the contents of the package.
- (3) If any avocado in a package —
- (a) has a stalk, the stalk shall be not more than 5 millimetres in length and it shall have been cleanly cut; or
 - (b) does not have a stalk, the place on the avocado where the stalk was attached shall be dry and intact.

Packages of Extra Class avocados

14. A package of Extra Class avocados shall contain only a single layer of avocados, so that no avocado in the package has another avocado packed either above or below it.

Packaging materials

15. (1) Packages into which avocados are packed shall be —
- (a) clean;
 - (b) free from all foreign matter; and
 - (c) of a quality, design and construction suitable for protecting the avocados from damage.
- (2) Materials used inside packages shall be new.

PART 4 — MARKING**Complete trade description to be marked on packages**

16. (1) Subject to subclause (3), the complete trade description, as specified in clause 17 (2), of the contents of a package of avocados —
- (a) shall be marked —
 - (i) on rigid type packages, on at least one end of each package; and

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(ii) on packages intended for re-use (wooden cases, plastic crates and wooden, fibreboard or wire-sided bulk bins) on a label or ticket at least 100 millimetres x 70 millimetres, securely affixed to one side of the package;

and

(b) shall be in prominent, indelible and legible characters at least 5 millimetres high.

(2) Before any marking is applied to a package that is being re-used, all particulars relating to previous use of the package shall be removed or obliterated.

(3) Subclause (1) does not apply to a package of avocados offered for retail sale.

Content of trade description

17. (1) In this clause, "person" means the company or other legal entity whose business it was to pack the avocados referred to in this clause.

(2) The trade description marked on a package of avocados in accordance with clause 16 (1) shall contain —

- (a) the name and address of the person who packed the avocados;
- (b) the word "avocado" or "avocados";
- (c) the name of the variety of the avocados;
- (d) the class of the avocados, or the word "UNCLASSED" if clause 10 (1) or (3) applies to the contents of the package;
- (e) the number of avocados in the package; and
- (f) the word "UNSIZED" if clause 10 (2) or (3) applies to the contents of the package.

Marking inside a package to be non-toxic

18. Any marking made inside a package shall be made with a non-toxic ink or glue.

Displays of avocados to be identified by class and variety

19. (1) A label showing the class of the avocados shall be attached to each display of unpacked avocados offered for retail sale and, if the label specifies a variety of avocados, the avocados displayed shall correspond to the variety so specified.

(2) If a display of avocados contains a mixture of varieties, the label shall show the full names of the individual varieties within the mixture.

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(3) The marking on the label shall be in prominent, legible characters at least 25 millimetres high.

Prohibited quality descriptions

20. Subject to this Part, avocados shall not be labelled or otherwise marked with words such as "special", "specially packed", "selected", "fancy" or with any other words that indicate that the avocados have special quality characteristics.

Dated 7 September 1994.

MONTY HOUSE, Minister for Primary Industry.



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