

**AGRICULTURE**

AG301

**AGRICULTURAL PRODUCTS ACT 1929****PEACH AND NECTARINE GRADING AND PACKING CODE 1992**

Made by the Minister for Agriculture under section 3F.

**PART 1 — PRELIMINARY****Citation**

1. This Code may be cited as the *Peach and Nectarine Grading and Packing Code 1992*.

**Commencement**

2. This Code shall come into operation on the day of its publication in the *Government Gazette*.

**Interpretation**

3. In this Code, unless the contrary intention appears —

“**abnormal external moisture**” means 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 peach or nectarine, and includes slight chemical burns and healed injury caused by insect damage, superficial hail damage, abrasions, scratches and rubs, but does not include sunburn;

“**class**” means the quality class into which peaches or nectarines 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, general appearance or presentation of the peach or nectarine;

“**disorder**” means any abnormal physiological condition, including sunburn, that affects the skin or flesh of the peach or nectarine;

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

“**mature**” means having reached the stage of development that will ensure a proper completion of the ripening process;

“**processing**” means any operation that subjects the peaches or nectarines to thermal processing (not including cold storage) or juicing or that renders the peaches or nectarines a fruit product;

“**sound**” means not over-ripe, soft or wilted, and free from rot, excessive bruising and physical injury, internal or external, that is likely to affect the keeping quality of the peach or nectarine; and

“**well-filled**” means that the package is filled to the extent that the peaches or nectarines, after settling, cannot move within the package during normal handling.

**Application**

4. (1) Subject to section 5 of the Act, this Code applies to the sale of peaches or nectarines (*Prunus persica* L.) other than for the purpose of processing.

(2) Clauses 18 and 19 do not apply to a retail sale.

**PART 2 — GRADING****Grading into classes**

5. Peaches or nectarines may be graded as —

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

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

**Minimum requirements**

6. Peaches or nectarines in all classes other than Class 3 shall be —

- (a) intact;
- (b) sound;
- (c) clean;
- (d) practically free from sunburn and free from other disorders;
- (e) free from abnormal external moisture;
- (f) free from any foreign smell or taste;
- (g) of a minimum size, as specified in the Table to clause 12; and
- (h) free from unhealed cracks.

**Maturity**

7. Peaches or nectarines shall be mature.

**Classes**

8. (1) Subject to Part 3, peaches or nectarines graded as Extra Class shall be —

- (a) well-formed and typical of the variety;
- (b) practically free from defects and blemishes, other than very slight blemishes;
- (c) free from damage caused by pests and diseases;
- (d) free from splitting at the stem end.

(2) Subject to Part 3, peaches or nectarines graded as Class 1 shall be —

- (a) reasonably well-formed and typical of the variety;

- (b) reasonably free from defects and blemishes, subject to any blemish not exceeding 1 square centimetre in total area or 1 centimetre in length;
  - (c) practically free from damage caused by pests and diseases; and
  - (d) free from splitting at the stem end.
- (3) Subject to Part 3, Class 2 shall comprise peaches and nectarines that are not suitable for Extra Class or Class 1, but satisfy the minimum requirements as specified in clause 6 and —
- (a) shall be free from any serious defects;
  - (b) may have reasonable defects in shape, development and colouring, subject to the fruit retaining its general characteristics;
  - (c) may have reasonable splitting of the stem end if this does not affect the keeping quality of, or unduly impair the general appearance and presentation of, the fruit; and
  - (d) may have skin blemishes, subject to any blemish not exceeding 2 square centimetres in total area or 2 centimetres in length.
- (4) Class 3 shall comprise peaches and nectarines that do not satisfy the requirements of any of the other classes.

#### Determination of size for grading

9. The size of a peach or nectarine for grading purposes shall be measured by the maximum diameter of the equatorial section of the peach or nectarine.

### PART 3 — PACKING

#### Single variety

10. A package of peaches or nectarines shall not contain peaches or nectarines of any variety other than the variety marked on the package.

#### Mixture of peaches or nectarines by class

11. A package of peaches or nectarines may contain fruit of mixed classes, other than Class 3.

#### Size variations

12. (1) Extra Class peaches and nectarines shall be graded according to size.

(2) Peaches or nectarines in packages marked "UNCLASSED" are not required to be sized.

(3) The size of Class 1 or Class 2 peaches or nectarines packed in packages marked "UNSIZED" may vary without limit.

(4) A package of peaches or nectarines may contain up to 5 per cent by number or net mass of fruit 2 millimetres below the minimum size applicable to the class concerned.

(5) Peaches or nectarines classified as "low chill" or "other" varieties in the Table to clause 19 shall not vary in size within a package by more than the variation specified in relation to that variety in the last column of the Table to this clause.

TABLE

Item	Class of peach	Minimum size		Variation
		Low chill variety	Other variety	
1.	Extra Class	50	55	5 millimetres
2.	Class 1	50	55	5 millimetres
3.	Class 2	50	55	10 millimetres

Item	Class of nectarine	Minimum size		Variation
		Low chill variety	Other variety	
1.	Extra Class	45	50	5 millimetres
2.	Class 1	45	50	5 millimetres
3.	Class 2	45	50	10 millimetres

### Tolerances

13. A package of peaches or nectarines may contain —

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

### Uniformity of peaches or nectarines within packages

14. The contents of each package of —

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

### Presentation of peaches or nectarines

15. (1) Each package shall be well-filled and packed in a manner that allows the peaches or nectarines to withstand handling and transport.

(2) Subject to this Part and Part 2, each package shall contain only peaches or nectarines of the same variety, strain, quality and degree of ripeness.

(3) Any peaches or nectarines packed in a package that are visible shall be representative of the contents of the package.

(4) Packages containing peaches or nectarines shall be free from extraneous plant material such as leaves and spurs.

**Packaging materials**

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

**PART 4 — MARKING****Packages marked "Unclassed"**

17. A package containing peaches or nectarines of mixed classes as permitted by clause 11 shall be marked "UNCLASSED".

**Complete trade description to be applied**

18. (1) The complete trade description shall —
- (a) be applied —
    - (i) on new rigid type packages, to at least one end of each package;
    - (ii) on packages intended for re-use (wooden cases, plastic crates, wooden or fibreboard bulk bins and wire sided bulk bins), on a label or ticket at least 100 mm x 70 mm, securely affixed to one side of the package; and
  - (b) be in prominent, indelible and legible characters at least 5 millimetres high.
- (2) Before a marking is applied to a package intended for re-use, all particulars relating to previous use of the package shall be removed or obliterated.
- (3) A marking inside a package shall be made with a non-toxic ink or glue.

**Information to be included in trade description**

19. Subject to Part 3, the trade description shall contain —
- (a) the name and address of the person who packed the peaches or nectarines;
  - (b) the word "peach" or "peaches" or "nectarine" or "nectarines";
  - (c) the full name of the variety of the peaches or nectarines contained in the package or the approved abbreviation of that name as shown in the Table to this clause;
  - (d) the class of the peaches or nectarines;
  - (e) the size, size range or count of the peaches or nectarines; and
  - (f) in the case of —
    - (i) a package of Class 2 peaches or nectarines that have not been sized; or
    - (ii) a package marked "UNCLASSED" containing peaches or nectarines that have not been sized,the word "UNSIZED".

TABLE

Peach varieties		Nectarine varieties	
Low chill	Other	Low chill	Other
Desert Red Earligrande Flordabelle Flordagem Flordaglo Flordagold Flordaking Flordaprince Flordasun Maravilha New Belle Shermans Red Tropic Sno Tropic Sweet 7-11	April Gold Baby Gold Candor Cardinal Coronet Elberta Fairtime Faye Elberta Fayette Flamecrest Flavourcrest Fragar Glenalton Glohaven Golden Queen Highland Halehaven JH Hale June Hale June Lady Jerseyqueen Loring Maygold O'Henry Late O'Henry Ovale Professor Black Pullers Cling Red Haven Red Lady Southland Starking Delicious Summerset Suncrest Sunray Springcrest Springold Starks Honey Dew Tatura Dawn Tatura Noon	Brandhaviha May Fire May glo Sunblaze Sundollar Sundowner Sungem Sunlite Sunred 81-17 81-6 8-2 9-11	Armking August Red Early Diamond Flamekist Fantasia Flavourtop Fairlane Firebrite Goldmine Independance Late Le Grande Le Grande Maygrande Nectared Red Diamond Red Gold Spring Red

**Trade description for retail sale**

20. (1) A label showing the class of the peaches or nectarines shall be attached to each display of each variety of peaches or nectarines offered for retail sale and, if the label specifies a variety of peach or nectarine, the peaches or nectarines displayed shall correspond to the variety so specified.

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

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

**Prohibited quality descriptions**

21. Peaches or nectarines shall not be designated as "special", "specially packed", "selected", "fancy" or by any other word or form of words that indicates that the peaches or nectarines have special quality characteristics.

**PART 5 — REPEAL****Repeal of former codes**

**22.** (1) The *Peach Grading and Packing Code 1983\** is repealed.

[\* *Published in the Gazette on 23 September 1983 at pp. 3872-73.*]

(2) The *Nectarine Grading and Packing Code 1983\** is repealed.

[\* *Published in the Gazette on 23 September 1983 at pp. 3868-69.*]

ERNIE BRIDGE, Minister for Agriculture.

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