

DEPARTMENT OF AGRICULTURE

STD. No. D-4

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)  
STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE  
EXPORT OF CHERRIES

The Executive Officer: Agricultural Product Standards has stipulated under section 4(3)(a)(ii) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), these standards regarding the quality of cherries and the requirements regarding the packing, marking and labelling thereof.

STD. No. D-4

STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE  
EXPORT OF CHERRIES AS STIPULATED BY GOVERNMENT  
NOTICE No. R. 1983 OF 23 AUGUST 1991

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**Definitions**

1. In these standards and requirements, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act, shall have a corresponding meaning, and --

"Arthropoda" means any stage in the life cycle of an invertebrate member of the Animal Kingdom that is bilaterally symmetrical with a segmented body, with jointed limbs that are paired and a chitinous external skeleton;

"blemish" means any external skin defect on the surface of the cherry that detrimentally affects the appearance of the cherry;

"bruise" means any bruise which shows an indentation or results in discoloration directly under the skin;

"business side" means either of the four sides of a carton, excluding the top and the bottom, on which all prescribed marking requirements are grouped together;

"cherries" means the fruit of the cultivars/varieties which are grown from the species *Prunus avium* or *Prunus cerasus*;

"consignment" means --

- (a) a quantity of cherries of the same cultivar/variety, belonging to the same owner and delivered at the same time under cover of the same delivery note, consignment note or receipt note, or delivered by the same vehicle; or
- (b) in the case of a quantity of cherries that is divided into different cultivars/varieties, classes, trademarks, diameter groups, pallet loads or types of packaging, every quantity of each of the different cultivars, classes, trademarks, diameter groups, pallet loads or types of packaging;

"container" means the immediate container in which cherries are packed directly and the outer container in which prepacked units are packed, excluding prepacked units and shipping containers in which pallet loads are shipped;

"decay" means a state of decomposition, fungus development, internal insect infestation or internal insect damage, with signs of tissue collapse or insect excrement, excluding insect puncture marks, which detrimentally affects the quality of the cherries;

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"diameter" means the largest diameter measured at right angles to the longitudinal axis of the cherry;

"Food Business Operator (FBO)" means the person or persons responsible for ensuring that the prescribed requirements of these standards are met within the food business under his or her control and include both the management of the food business as well as the person with overall authority on site or in the specific establishment;

"foreign matter" means any material that is not normally present in, on or between the cherries;

"hazard" means a biological, chemical or physical agent in, or condition of, a food product with the potential to cause an adverse health effect.

"injury" means any wound or puncture which has pierced the skin of the cherry and exposes the flesh, as well as insect puncture marks which have punctured the skin, with the exception of such wounds or punctures which have become completely callused;

"inspector" means the Executive Officer or an officer under his or her control, or an Assignee or a qualified employee of an Assignee;

"malformed" means that the shape of a cherry of any cultivar is not typical of that cultivar;

"prepacked unit" means a packing unit in which cherries are packed for direct sale to the consumer;

"sound" means free from insect damage, insect or mite infestation, bruises or any external or internal physiological or other disorders, which detrimentally affects the quality of the cherries;

"suitable" means to be suitable according to the opinion of the Executive Officer;

"the Act" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990); and.

"traceability" means the ability to trace and follow a product or any substance intended to be, or expected to be incorporated into a food product through all stages of production, packing, processing, packaging, handling and distribution.

**Scope**

2. These standards and requirements shall relate to cherries in respect of which an approval for the export thereof is required in terms of section 4 of the Act.

**Requirements for approval**

3. (1) An approval referred to in section 4 of the Act may be issued in respect of a consignment of cherries if --

- (a) the cherries in that consignment comply with the quality and food safety standards prescribed in items 4, 5, 6, 7 and 8;
- (b) the cherries are packed in containers which comply with the requirements as prescribed in item 9;
- (c) the cherries comply with traceability requirements set out in item 10;
- (d) the cherries comply with the packing requirements set out in items 11, 12, 13 and 14;
- (e) the containers concerned are marked according to the requirements set out in items 15 and 16;
- (f) the samples for inspection are drawn according to the requirements set out in items 17, 18 and 19;
- (g) the samples are inspected in accordance with the method set out in item 20, 21 and 22;
- (h) the cherries comply with the requirements in respect of chemical treatment prescribed in item 8 and 22;
- (i) that consignment has been presented for inspection in accordance with the Regulations Regarding Control of the Export of Cherries;
- (j) an inspector has, after an inspection in terms of the said regulations, found that the provisions of these standards and requirements have been complied with in respect of the consignment concerned; and
- (k) confirmation has been received that the requirements regarding Food Hygiene and Food Safety Programmes for Regulated Agricultural Food Products or Plant Origin intended for export have been met.

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(2) The Executive Officer may deviate from the stipulated standards and requirements and issue the approval in respect of a quantity of a product that --

- (a) is to be exported as an experiment or under such other special circumstances as may be approved by the Executive Officer; and
- (b) complies with the requirements for such product in force in the country to which it is to be exported.

## QUALITY AND FOOD SAFETY STANDARDS

### Class

4. There is one class of cherries, namely "Class 1".

### Standards for the class

5. (1) A consignment of cherries shall be classified as Class 1 if it --
- (a) is of superior quality;
  - (b) is well-developed and characteristics of the cultivar/variety and/or commercial type with regard to colour;
  - (c) is of a cultivar/variety specified in Table 1 of Annexure 1;
  - (d) complies with the quality and food safety standards set out in Table 2 of Annexure 1; and
  - (e) does not exceed the maximum permissible deviations by number set out in Table 3 of Annexure 1.
- (2) No consignment of cherries classified as "Class 1" shall contain --
- (a) plant injurious organisms of phytosanitary importance as specified by the Directorate Plant Health;
  - (b) any organisms which may be a source of danger to the human being; and
  - (c) Arthropoda infestation including the organisms which do not form part of plant injurious organisms, excluding organisms which may be a source of danger to the human being, on more than 3% of the cherries or three free running Arthropoda per pallet load or part thereof in the consignment: Provided that it does not exceed a maximum of one Arthropoda per container.

### Physical hazards

6. No consignment of cherries classified as "Class 1" shall contain:
- (a) any foreign matter in excess of the tolerance as set out in Table 2 of Annexure 1;

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- (b) any organisms which may be a source of danger to the human being in excess of the tolerance as set out in Table 2 of Annexure 1.

### **Biological and chemical hazards**

7. No consignment of cherries classified as "Class 1" shall contain biological or chemical contaminants in quantities or at levels that exceed the maximum limits prescribed in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972): Provided that --

- (a) if the limit of the importing country is lower than is permissible in terms of Act 54 of 1972, the prescribed limit of the importing country shall be complied with; and
- (b) the Executive Officer may warrant permission for cherries with a higher limit, to be exported to countries where such higher limit is permissible: Provided that the producer or exporter shall sign an affidavit in which it is declared that cherries with higher limits shall only be exported to a country where these higher limits are permissible;

### **Chemical treatment**

8. (a) Any person intending to export cherries during any particular season shall, before submitting the first consignment during that season for inspection, on request furnish the Executive Officer within 24 hours with a certificate certifying --
- (i) which chemical remedies have been used during the spray program on the cherry trees; and
  - (ii) which chemical remedies have been used on the cherries as a post-harvest treatment.
- (b) Subject to the provisions of subitems (a), the follow-on consignments of only the producer concerned whose cherries exceeded the maximum chemical residue limits, shall be held back from export for not more than four working days in order to establish if the cherries complies with the prescribed residue limits: Provided that if the consignments of the producer concerned, again comply with the prescribed residue limits, it shall not be held back from export any longer.

## **CONTAINERS**

### **General**

9. Containers in which cherries are packed shall --
- (a) be new, clean, dry, undamaged and suitable;
  - (b) shall not impart a foreign taste or odour of any substance which may be injurious to human health or to the cherries;
  - (c) be free from any visible signs of fungus growth;
  - (d) be free from Arthropoda infestation; and
  - (e) be strong and rigid enough to ensure that the original shape be retained and not bulge out, dent in, break or tear, to the extent that cherries are damaged or are at risk of being damaged, during normal storage, handling or transport.

**TRACEABILITY REQUIREMENTS**

10. Producers, packhouse managers and exporters shall:
- (a) establish the traceability of cherries at all stages of production, packing, handling and distribution;
  - (b) be able to identify any person or supplier from whom they have been supplied with cherries, or any substance intended to, or expected to be used in the production or processing of cherries;
  - (c) have in place systems and procedures to identify other businesses to which their cherries have been supplied;
  - (d) ensure that adequate procedures are in place to withdraw cherries from the market where such cherries present a serious risk to the health of consumers;
  - (e) immediately withdraw cherries which were identified as food products that present a serious risk to the health of consumers;
  - (f) immediately inform the Executive Officer of such withdrawal;
  - (g) immediately make available to the Executive Officer, on request, any relevant information or documentation mentioned in (a), (b), (c), (d), (e) or (f);  
and
  - (h) keep records of the information mentioned in (g), as well as any other relevant information for at least two years.

## **PACKING REQUIREMENTS**

### **General**

11. (1) Only cherries of the same quality and cultivar shall be packed in the same container.
- (2) Cherries in the same container shall be reasonably uniform in size.
- (3) Each container shall be packed firmly and to capacity.
- (4) If cherries are packed in prepacked units, such units shall be packed in a suitable manner in an outer container : Provided that the prepacked units are new, clean, dry, undamaged and suitable.

### **Packing material**

12. If packing material is used inside the containers, such packing material shall be new, clean, dry, odourless and of a quality such as to avoid causing any external or internal damage to the cherries.

### **Stacking of containers on pallets**

13. If containers containing cherries are palletised --
- (a) the pallet shall be clean, undamaged and suitable;
- (b) pallets manufactured from wood shall be without bark;
- (c) the pallet shall be free from visible signs of fungus growth;
- (d) the pallet shall be free from Arthropoda infestation;
- (e) the containers shall be stacked firmly and square with each other and the pallet;
- (f) only containers of the same dimensions shall be stacked on a pallet; and
- (g) the containers shall not be stacked upside-down on a pallet.

### **Strapping of pallet loads**

14. (1) A pallet load of containers shall be strapped in a suitable manner.
- (2) If containers without lids are being used, a suitable covering shall be placed on top of the pallet load of containers before the pallet load is strapped.

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## MARKING REQUIREMENTS

### General

15. (1) Each container containing cherries shall be marked clearly, indelibly, legibly and not untidy, upside-down or askew, in block letters and numerals on any short or long side of the lid or container, where lids are not used, by printing, stamping or by means of specially designed labels with the following particulars: Provided that all particulars shall be grouped on the same side:

- (a) The expression "Cherries".
- (b) The appropriate cultivar/variety.
- (c) The expression "Class 1", "Cat 1", "Category 1", "Category I", "Class I", "Cat I" as the case may be.
- (d) The country of origin: Provided that no abbreviations or the expression "South Africa" on its own shall be used (e.g. "Products of South Africa", "Produced in South Africa", "Manufactured in South Africa" or any other similar expression).
- (e) The name and physical or postal address of the producer, exporter or owner of the contents of container.
- (f) The producers' code and the packhouse code which is registered with the Executive Officer by the producer or packhouse, as the case may be: Provided that --
  - (i) the indication of the producers' code on the carton shall be mandatory and may be indicated on any side of the carton, if the packhouse code is indicated on the business side of the carton;
  - (ii) if a producer has more than one farm, each farm shall be registered separately; and
  - (iii) such code shall be preceded by the expression "Producer", "FBO", "Packhouse", "PUC", "PHC", "Packer", "Farm number" or "Grower Code".
- (g) The applicable minimum and maximum diameter.

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(h) The applicable packing date on at least 90 per cent of the containers: Provided that if the packing date is expressed in a code, it shall be registered and approved with the Executive Officer.

(2) Subject to the provisions of subitem (1), each outer container containing prepacked units shall be marked with an indication of the total number of prepacked units per outer container: Provided that if the total number of prepacked units is visible from the outside, it does not have to be indicated on the outer container.

(3) If an indication highlighting a special grading, presentation or size is indicated on the same side as the particulars in subitem (1), it shall not be used with the expression "Cherries", the cultivar name or the class indication.

(4) If the country to which the cherries are exported, prescribes requirements with regard to the marking of containers which differ from the aforesaid requirements, the containers containing such cherries may, notwithstanding the provisions of these standards and requirements, be marked in a manner so prescribed and approved by the Executive Officer.

### **Prohibited particulars**

16. No wording, illustration or other means of expression which constitutes a misrepresentation or which directly or by implication, creates a misleading impression of the contents, shall appear on a container containing cherries.

## **SAMPLING PROCEDURES**

### **Obtaining a sample from the consignment**

17. At least two per cent of the containers in a consignment shall be drawn at random for inspection purposes and an inspector shall be satisfied that the containers so drawn are representative of the consignment concerned.

### **Obtaining an inspection sample**

18. An inspection sample shall be drawn from each container obtained in accordance with item 17 and shall consist of the entire contents of the container.

### **Deviating sample**

19. If an inspector should notice during the process of drawing the random sample or during the inspection, that some of the containers derived from any part of the pallet load, truck load or consignment, contain cherries which are noticeably inferior to or differ from the contents of containers which represent the remainder of the pallet load, truck load or consignment, the inspection result shall only be based on the containers derived from the deviating portion of the pallet load or consignment, and further samples required for inspection shall be drawn from this deviating portion.

## **METHODS OF INSPECTION**

### **Determination of the minimum and maximum size**

20. The minimum and maximum size shall be determined as follows:

- (1) Take as working sample the cherries that are noticeably the smallest and/or largest in diameter from the inspection sample obtained in accordance with item 18.
- (2) Determine the diameter of the cherries in subitem (1) with a suitable apparatus.
- (3) Then calculate the number of cherries thus found to be too small and/or too large as a percentage of the total number of cherries in the inspection sample.
- (4) Determine the average percentage of all the inspection samples obtained in accordance with item 18.

### **Verification of biological and chemical contamination compliance**

21. An inspector shall verify compliance to the levels of biological and chemical contamination by sampling and submitting samples for analysis of only certain consignments according to a risk based plan to prescribed laboratories.

### **Verification of chemical treatment compliance**

22. An inspector shall verify compliance to the prescribed maximum residue levels for agrochemicals by sampling and submitting samples for analysis of only certain consignments according to a risk based plan to prescribed laboratories.