

Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector (repealed)

TITLE II

CLASSIFICATION OF PRODUCTS

CHAPTER I

General rules

Article 3

Exceptions and exemptions from the application of marketing standards

1 By way of derogation from Article 2(5) of Regulation (EC) No 1182/2007, the following shall not be required to conform to the marketing standards:

- a products shipped to processing plants, other than where minimum quality criteria for products intended for industrial processing are specifically set in this Regulation;
- b products transferred by the producer on his holding to consumers for their personal use; and
- c on a Commission Decision taken at the request of a Member State using the procedure referred to in Article 46 of Regulation (EC) No 2200/1996 for products of a given region which are sold by the retail trade of the region for well established traditional local consumption.

2 By way of derogation from Article 2(5) of Regulation (EC) No 1182/2007, the following shall not be required to conform to the marketing standards within a given production area:

- a products sold or delivered by the grower to preparation and packaging stations or storage facilities, or shipped from his holding to such stations; and
- b products shipped from storage facilities to preparation and packaging stations.

3 By way of derogation from Article 2(5) of Regulation (EC) No 1182/2007, Member States may exempt the following from the requirement of complying with marketing standards or with some provisions of the marketing standards:

- a products displayed or offered for sale, sold, delivered or marketed in any other manner by the grower on wholesale markets, in particular on producer markets, situated in the production area; and
- b products shipped from those wholesale markets to preparation and packaging stations and storage facilities situated in the same production area.

Where the first subparagraph applies, the Member State concerned notify the Commission of the measures taken.

4 Evidence shall be supplied to the competent authority of the Member State that the products covered by paragraphs 1(a) and 2 fulfil the conditions laid down, in particular with regard to their intended use.

Article 4

Information particulars

1 The information particulars required by marketing standards laid down pursuant to Article 2 of Regulation (EC) No 1182/2007 must be shown legibly and obviously on one side of the packaging, either indelibly printed directly onto the package or on a label which is an integral part of the package or affixed to it.

2 For goods shipped in bulk and loaded directly onto a means of transport, the information particulars referred to in paragraph 1 shall be given in a document accompanying the goods or shown on a notice placed in an obvious position inside the means of transport.

Article 5

Information particulars at the retail stage

At the retail stage, where products are packaged the information particulars required by marketing standards laid down pursuant to Article 2 of Regulation (EC) No 1182/2007 shall be legible and conspicuous.

For pre-packaged products as referred to in Directive 2000/13/EC of the European Parliament and of the Council⁽¹⁾, the net weight shall be indicated, in addition to all the information provided for in the marketing standards. However, in the case of products normally sold by number, the requirement to indicate the net weight shall not apply if the number of items may be clearly seen and easily counted from the outside or, if the number is indicated on the label.

Products may be presented unpackaged, provided that the retailer displays with the goods offered for sale a card showing prominently and legibly the information particulars specified in the marketing standards and in Article 2(1) of Regulation (EC) No 1182/2007 relating to variety, country of origin of the product, and class.

Article 6

Sales packages

1 Sales packages of fresh fruit and vegetables of a net weight of three kilograms or less may contain mixes of different types of fresh fruit and vegetables provided that:

- a the products are of uniform quality and that each type concerned complies with the standards in accordance with paragraph 2;
- b the package is appropriately marked, in accordance with paragraph 3; and
- c the mix is not such as to mislead the consumer.

2 The products contained in packages as referred to in paragraph 1 shall be of the same commercial quality class as referred to in Annex I.

Where a mix contains fruit and vegetables not covered by Community marketing standards, those products must be classed either in the same class, in accordance with Annex I.

3 The marking on sales packages as referred to in paragraph 1 and/or on each package containing them shall show at least the following details:

- a The name and the address of the packer and/or the dispatcher. This mention may be replaced:
 - (i) for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations);
 - (ii) for pre-packages only, by the name and the address of a seller established within the Community indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code;
- b name of each of the products/types contained in the package;
- c name of the variety or of the commercial type for each product contained in the mix for which the Community marketing standard requests it for non-mixed products;
- d country of origin of each of the products concerned, next to the name of the products concerned; and
- e class.

For fruit and vegetables covered by Community marketing standards, these details shall replace the particulars laid down by those standards.

Status: This is the original version (as it was originally adopted).

- (1) [OJ L 109, 6.5.2000, p. 29](#). Directive as last amended by Directive 2006/142/EC ([OJ L 368, 23.12.2006, p. 110](#)).