

1968. No. 33

[C]

HORTICULTURE**Marketing of Cucumbers**

REGULATIONS, DATED 28TH FEBRUARY 1968, 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 hereby makes the following Regulations:—

Citation and Commencement.

1. These Regulations may be cited as the Cucumber (Grading) Regulations (Northern Ireland) 1968 and shall come into operation on the 18th March 1968.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“the Act” means the Horticulture Act (Northern Ireland) 1966;

“cucumber” means a whole cucumber (*Cucumis sativus* L) of any variety other than a field variety, whether freshly gathered or stored or taken from store, but does not include any bottled or preserved cucumbers or cucumbers intended for manufacture;

“package” includes any basket, pail, tray, container or receptacle of any kind, whether open or closed.

Application

3. These Regulations shall apply to home-grown and imported cucumbers.

Grading and labelling of cucumbers for sale within Northern Ireland

4. For the purposes of Section 1 of the Act grades of quality for cucumbers shall be those prescribed in the First Schedule and there shall be affixed to each package a label in the form prescribed in Part I of the Second Schedule.

Retail sales exempt from grading requirements

5. For the purposes of Paragraph (a) of Section 2(2) of the Act, the quantity of cucumbers which may be sold by retail without complying with the provisions of Regulation 4 shall be twelve.

Labels of countries outside Northern Ireland

6. A label recognised under the law of any country outside Northern Ireland as indicating that cucumbers in connection with which it is used are of a quality not inferior to that required by these Regulations for a grade of quality designated in the First Schedule shall be treated for the purposes of Part I of the Act as if it were in the form prescribed for that grade in these Regulations.

Small consignments

7. Section 18(1)(a) of the Act shall not apply to any consignment of cucumbers sent out of Northern Ireland if the total weight of cucumbers in such consignment together with the weight of the package in which they are contained does not exceed ten kilogrammes (twenty-two pounds).

Consignment out of Northern Ireland of cucumbers for manufacture

8. No cucumbers 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 cucumbers

9. Where, under Section 26 of the Act, an authorised officer inspects cucumbers which purport 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 cucumbers are 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 cucumbers 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 28th day of February 1968.

(L.S.)

A. McKelvie,
Assistant Secretary.

FIRST SCHEDULE

Definition of Grades of Quality

CHARACTERISTIC	EXTRA CLASS	CLASS 1	CLASS 2	CLASS 3
	REQUIREMENT	REQUIREMENT	REQUIREMENT	REQUIREMENT
Type	All cucumbers within a package shall be of the same type.	All cucumbers within a package shall be of the same type.	—	—
Development and Maturity	Each cucumber shall be sound and reasonably firm. It shall be well developed over its whole length. It shall not be deformed by seed formation.	Each cucumber shall be sound and free from serious wilting and shall be reasonably well developed over its whole length, save that the tip may be undeveloped. It shall not be deformed by seed formation.	Each cucumber shall be sound and free from serious wilting but slight underdevelopment is permitted.	Each cucumber shall be sound but there may be slight limpness. Not more than half of any cucumber may be undeveloped.
Colour	Each cucumber shall have the colour characteristic of its type.	Slight colour defects may be present.	No cucumber shall be seriously discoloured.	No cucumber shall be excessively discoloured.
Shape	Each cucumber shall be almost straight and have the shape characteristic of its type.	Any cucumber may be slightly bent and may have slight irregularities of shape.	Any cucumber may be bent or have slight irregularities of shape but it shall have no serious deformity. In the case of a bent cucumber, the maximum height of the arc measured between the inside edge of the cucumber and a straight line between the end of the handle and the tip shall not exceed one-fifth of the length of this line.	—

FIRST SCHEDULE (continued)

Definition of Grades of Quality

CHARACTERISTIC	EXTRA CLASS	CLASS 1	CLASS 2	CLASS 3
	REQUIREMENT	REQUIREMENT	REQUIREMENT	REQUIREMENT
Cleanliness	Each cucumber shall be clean and free from contamination.	Each cucumber shall be clean and free from contamination.	Slight soiling may be present if it does not significantly detract from the general appearance of each cucumber or of the contents of a package. Each cucumber shall be free from contamination.	Each cucumber shall be free from contamination, but there may be slight soiling.
Progressive Defects	Each cucumber shall be free from any blemish or injury which might affect keeping quality.	Each cucumber shall be free from any blemish or injury which might affect keeping quality.	Each cucumber shall be free from any blemish or injury which might affect keeping quality.	Each cucumber shall be free from any blemish or injury which might affect keeping quality.
Non-Progressive Damage and Blemish	Small insignificant blemishes and traces of damage not affecting keeping quality may be present if they do not detract from the general appearance of any cucumber or of the contents of a package.	Minor blemishes and minor damage not affecting keeping quality may be present if they do not significantly detract from the general appearance of any cucumber or of the contents of a package.	Minor blemishes and minor damage not affecting keeping quality may be present if they do not seriously detract from the general appearance of any cucumber or of the contents of a package.	Blemishes and damage not affecting keeping quality may be present if they do not render the cucumber unfit for human consumption.
Size	Each cucumber shall be not less than 250 grammes (9 ozs.) in weight. The difference in weight between the lightest and the heaviest cucumber in a package shall not be more than 150 grammes (5 ozs.).	Each cucumber shall be not less than 200 grammes (7 ozs.) in weight. The difference in weight between the lightest and the heaviest cucumber in a package shall not be more than 150 grammes (5 ozs.).	Each cucumber shall be not less than 200 grammes (7 ozs.) in weight.	

SECOND SCHEDULE

Forms of Labels

1.—(1) Any label of the kind referred to in Regulation 4 shall bear the word "CUCUMBERS" unless the cucumbers in connection with which it is used are clearly visible and shall also convey the following true information relating to those cucumbers:—

(a) the grade of quality expressed by the word or numeral "EXTRA", "1", "2" or "3", as the case may be;

(b) in the case of cucumbers which fall within Extra Class or Class 1, the weight of the lightest cucumber, expressed in grammes or ounces.

(2) Any such label may also convey the following true information relating to the cucumbers in connection with which it is used:—

(a) in the case of cucumbers which fall within Class 2 or Class 3, the weight of the lightest cucumber, expressed in grammes or ounces;

(b) in the case of cucumbers which fall within any grade of quality designated in the First Schedule, the weight of the heaviest cucumber if that information is immediately preceded by the weight of the lightest cucumber and both weights are expressed either in grammes or in ounces.

(3) Any reference to a label in paragraphs 2 to 6 is a reference to a label of a kind referred to in Regulation 4.

2. The label shall cover an area measuring not less than 40 square centimetres (6·2 square inches) and not more than 80 square centimetres (12·4 square inches) and shall be clearly distinguishable from its surroundings, either by being bounded by lines or being of a markedly contrasting colour or material or in some other respect.

3. The information referred to in paragraph 1(1)(a) shall appear in a space measuring not less than 2·5 centimetres (1 inch) in height and 3·5 centimetres (1·4 inches) in width. To the right of, and contiguous with, that space there shall be a second space similar in height to the first and not less than 4·0 centimetres (1·6 inches) in width which shall be left blank unless it is necessary to amend or further amend the information as to the grade conveyed in the first mentioned space. In such an event, there shall be inserted in that second space information as to the grade within which the cucumbers fall for the time being.

4. The information specified in paragraph 1(1)(b), 1(2)(a) or 1(2)(b) shall appear in a third space to the right of, contiguous with and similar in height to the second aforesaid space and not less than 2·5 centimetres (1 inch) in width. Each of the spaces referred to in this and the last preceding paragraph shall be rectangular in shape and bounded by lines and shall contain no information other than that specified in these paragraphs in relation to each.

5. Every letter, word or numeral appearing on a label shall be—

(a) clearly legible;

(b) of a dark colour upon a light coloured ground or of a light colour upon a dark coloured ground;

(c) not less than 7 millimetres (0·28 of an inch) in height in the case of any word or numeral indicating the grade and not less than 3 millimetres (0·12 of an inch) in height in any other case.

Additional Labelling Requirements for Cucumbers Consigned out of Northern Ireland

6.—(1) All cucumbers, other than for manufacture, for consignment out of Northern Ireland shall, in addition to the particulars mentioned above, have printed on each package with letters and figures 1·3 centimetres (0·5 of an inch) high the following information:—

(a) the number of the licence held by the consignor;

(b) the number of cucumbers contained in the package.

(2) The additional information must not be placed inside the area described in paragraph 3.

7.—(1) In addition to the words or numerals required to convey the information specified in paragraph 1 the following words, but no others, may appear on the label—“class”, “minimum”, “maximum” and “range”.

(2) The following abbreviations, but no others, may be used on a label in place of the respective words specified in relation thereto:—

<i>Word</i>	<i>Abbreviation</i>
maximum	max
minimum	min
grammes	g
ounces	oz

8.—(1) The label which may be affixed by an authorised officer in accordance with Regulation 12 to indicate what appears to him to be the correct grade of the cucumbers in connection with which that label is used shall be in the following form:—

(W) (X)

REGRADED

Class
(Y)

The label shall be completed as follows:—

- (a) by depicting at (W) a crown;
- (b) by inserting at (X) the letters “M.A.N.I.”;
- (c) by inserting at (Y) the numeral “1”, “2” or “3”, as appropriate.

(2) The label which may be affixed by an authorised officer in accordance with Regulation 12 to indicate that the quality of the cucumbers in connection with which that label is used appears to him to be inferior to that required for the grade designated Class 3 in the First Schedule shall be in the following form:—

(W) (X)

OUTGRADED

Under Section 26 of the
Horticultural Act (Northern
Ireland) 1966

The label shall be completed by depicting at (W) a crown and by inserting at (X) the letters “M.A.N.I.”

THIRD SCHEDULE

**Packages and Packing Material for Produce, other than for
Manufacture, Consigned out of Northern Ireland**

- (1) Packages used for the conveyance of cucumbers shall be so constructed and of such a nature as to be capable of conveying the cucumbers from the consignor to the consignee without damage to the cucumbers.
- (2) All packages and packing materials shall be clean and free from odours likely to affect the flavour of the cucumbers.
- (3) Each cucumber shall be so packed as to prevent movement or damage to the said cucumber and may be separated from other cucumbers in the same package by soft packing material.
- (4) Cucumbers in any package shall be so packed that any which are exposed to view or which would be exposed to view if the package were opened in the ordinary manner, fairly represents in size, maturity and condition the entire contents of the package.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations prescribe—

- (1) the standards required for the grading of cucumbers;
- (2) the type of labels to be used;
- (3) the type of packages to be used when consigning cucumbers out of Northern Ireland.