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AGRICULTURAL PRODUCTS ACT 1929

**STRAWBERRY GRADING AND
PACKING CODE 1994**

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WESTERN AUSTRALIA

**STRAWBERRY GRADING AND PACKING
CODE 1994**

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AGRICULTURAL PRODUCTS ACT 1929
STRAWBERRY GRADING AND PACKING CODE 1994

Made by the Minister under section 3F.

PART 1 — PRELIMINARY

Citation

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

Interpretation

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

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

“**blemish**” means any superficial disfigurement that is not likely to affect the keeping quality of the strawberry, and includes slight healed injury such as abrasions, scratches and rubs;

“**class**” means the quality class into which strawberries 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 strawberry;

“**fresh**” means turgid, firm and bright;

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

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

“**processing**” means any operation that subjects strawberries to thermal processing (but does not include cold storage) or that renders strawberries a fruit product;

“**sound**” means not soft; and free from rot, excessive bruising and physical damage that affect the keeping quality of the strawberry;

“**well-filled**” means, in relation to a package of strawberries, that the package is filled to the extent that the strawberries, 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 strawberries (*Fragaria x ananassa* Duchesne), other than for the purpose of processing.

PART 2 — GRADING**Grading into classes**

4. Strawberries 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. Strawberries in all classes other than Class 3 shall be —

- (a) mature;
- (b) intact with calyx attached;
- (c) sound;
- (d) fresh;
- (e) clean but not washed;
- (f) free from abnormal external moisture; and
- (g) free from any foreign smell or taste.

Requirements as to colour

6. Subject to clause 10, strawberries in all classes shall have —

- (a) in the case of strawberries of a variety other than the Selva variety, a surface area at least 50 per cent of which is coloured pink or red; or
- (b) in the case of strawberries of the Selva variety, a surface area 100 per cent of which is coloured pink or red.

Class requirements

7. (1) Subject to clause 11, strawberries graded as Extra Class shall be —

- (a) well-formed and typical of the variety in shape, development and colour;
- (b) free from defects and blemishes; and
- (c) free from damage caused by weather, pests or diseases,

and shall not be marked, split, badly ridged, or buttoned with seedy tips.

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

- (a) practically well-formed and typical of the variety in shape, development and colour;
- (b) practically free from defects and blemishes (other than minor ridging); and
- (c) free from damage caused by weather, pests or diseases,

and shall not be marked, split, badly ridged, or buttoned with seedy tips.

(3) Strawberries graded as Class 2, although not satisfying the requirements of Extra Class or Class 1, shall be —

- (a) reasonably well formed;
- (b) reasonably free from defects and blemishes; and
- (c) reasonably free from damage caused by weather, pests or diseases, with any such damage to be healed and not to affect the keeping quality of the strawberries,

and may have minor faults that do not affect their keeping quality, but shall not be badly buttoned with seedy tips.

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

Grading into sizes

8. (1) Extra Class and Class 1 strawberries shall be graded according to size.

(2) Class 2 and Class 3 strawberries may be graded according to size.

(3) Strawberries that are graded according to size shall be graded as —

- (a) "Medium" or "M", if less than 20 millimetres in diameter;
- (b) "Large" or "L", if at least 20 millimetres but less than 30 millimetres in diameter;

- (c) "Extra Large" or "XL", if at least 30 millimetres but less than 37 millimetres in diameter; or
- (d) "Extra Extra Large" or "XXL", if at least 37 millimetres in diameter.

Determination of size for grading

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

PART 3 — PACKING

Packages to be of same variety, strain, class, and size and of uniform colour

10. (1) Subject to this Part, a package of strawberries shall only contain strawberries —

- (a) of the same variety, strain, class, and size; and
- (b) of uniform colour.

- (2) A package of strawberries of other than the Selva variety contains strawberries of uniform colour if —

- (a) at least 90% by number or net mass of the strawberries in the package have a surface area —
 - (i) at least 50%, but less than 80%, of which is coloured pink or red;
 - (ii) at least 80%, but less than 100%, of which is coloured pink or red; or
 - (iii) 100% of which is coloured pink or red;and
- (b) the remaining strawberries in the package —
 - (i) in a case to which paragraph (a) (i) applies, have a surface area at least 25% of which is coloured pink or red;
 - (ii) in a case to which paragraph (a) (ii) applies, have a surface area at least 50% of which is coloured pink or red; or
 - (iii) in a case to which paragraph (a) (iii) applies, have a surface area at least 80% of which is coloured pink or red;

(3) A package of strawberries of the Selva variety contains strawberries of uniform colour if —

- (a) at least 90% by number or net mass of the strawberries in the package have a surface area 100% of which is coloured pink or red; and
- (b) the remaining strawberries in the package have a surface area at least 80% of which is coloured pink or red.

Class and size tolerances

11. A package of strawberries may contain —

- (a) in the case of a package of Extra Class strawberries, a maximum of 5 per cent by number or net mass not satisfying the requirements of that class but satisfying the requirements of Class 1;
- (b) in the case of a package of Class 1 strawberries, a maximum of 10 per cent by number or net mass not satisfying the requirements of that class but satisfying the requirements of Class 2; and
- (c) if the strawberries have been graded according to size (but irrespective of the class of the strawberries in the package), a maximum of 10 per cent by number or net mass that are —
 - (i) Large, if the package contains strawberries of Medium size;
 - (ii) Medium or Extra Large, if the package contains strawberries of Large size;
 - (iii) Large or Extra Extra Large, if the package contains strawberries of Extra Large size; or
 - (iv) Extra Large, if the package contains strawberries of Extra Extra Large size.

Presentation of strawberries

12. (1) Each package of strawberries shall be —

- (a) well-filled and packed in a manner that allows the fruits to withstand normal handling and transport; and
- (b) free from extraneous plant material, such as loose leaves.

(2) Any strawberries that are visible when packed in a package shall be representative of the contents of the package.

Packaging materials

13. Packages into which strawberries are packed shall be —
- (a) clean and free from all foreign matter;
 - (b) of a quality, design and construction suitable for protecting the strawberries from damage; and
 - (c) made from new materials.

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

14. (1) Subject to subclause (2), the complete trade description of the contents of a package of strawberries —
- (a) shall be marked—
 - (i) on rigid type outer packages (“trays”) on at least one end of the tray; and
 - (ii) on punnets, directly onto, or on a sticker applied to, the surface of the punnet or its covering wrap;and
 - (b) shall be in prominent, indelible and legible characters at least 5 millimetres high on trays or at least 2 millimetres high on punnets.
- (2) A tray of strawberries intended for retail sale is not required to have a trade description marked on it if —
- (a) the tray comprises punnets of strawberries; and
 - (b) each punnet has a trade description marked on it that complies with clause 17.

Marking inside a package to be non-toxic

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

Content of trade description (other than retail)

16. (1) In this clause and clause 17, “person” means the company or other legal entity whose business it was to grow or pack the strawberries referred to in the clause.

(2) Subject to subclause (3), the trade description marked on a package of strawberries intended for sale otherwise than by way of retail sale shall contain —

- (a) the name and address of —
 - (i) the person who grew the strawberries; and
 - (ii) the person who packed the strawberries;
- (b) the word “strawberry” or “strawberries”;
- (c) the variety of the strawberries;
- (d) the class of the strawberries;
- (e) the net mass of the strawberries;
- (f) unless paragraph (g) applies, the size of the strawberries according to the size gradings in clause 8 (3); and
- (g) in the case of a package of strawberries that have not been graded according to size, the word “UNSIZED”.

(3) In subclause (2) —

- (a) paragraphs (b), (c), (d), (f) and (g) apply only to trays; and
- (b) paragraph (e) applies only to punnets.

Content of trade description (retail)

17. The trade description marked on a package of strawberries intended for retail sale shall contain —

- (a) the name and address of —
 - (i) the person who grew the strawberries; and
 - (ii) the person who packed the strawberries;and
- (b) the net mass of the strawberries.

Displays of strawberries to be identified by class and variety

18. (1) A label showing the class and variety of the strawberries shall be attached to each display of strawberries offered for retail sale and the display shall contain strawberries of only that class and variety.

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

Prohibited quality descriptions

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

Dated 7 September 1994.

MONTY HOUSE, Minister for Primary Industry.

