



Rural Payments
Agency



Department
for Environment
Food & Rural Affairs

Horticultural Marketing Inspectorate

European Union Marketing Standards for Fresh Horticultural
Produce

A Guide for Retailers



Introduction

The European Union (EU) marketing standards for fresh horticultural produce apply across the marketing chain. They are intended to make sure that fresh produce offered to the consumer is accurately labelled, of acceptable quality and that unsatisfactory produce is kept off the market. The marketing standards form part of the EU marketing rules which apply across the marketing chain, from pack-house or point of import, through wholesale and distribution to retail outlets.

The EU marketing standards apply in the United Kingdom (UK). The Horticultural Marketing Inspectorate (HMI), which is part of the Rural Payments Agency (RPA) supports the fresh produce industry to meet the requirements of the standards in England and Wales. All retailers of regulated fresh products covered by the EU marketing standards are legally responsible for making sure that this produce, both loose and pre-packed meets the requirements of the relevant specific or general marketing standards.

Retailers can be prosecuted under The Marketing of Fresh Horticultural Produce Regulations 2009 (as amended) if they display, offer for sale, deliver or market horticultural produce in any way that does not meet the EU marketing rules.

HMI uses a risk based approach to make sure retailers meet the requirements of the EU marketing standards. This means the frequency of inspection visits is based on risk and how well a business is meeting these standards.

RPA staff are here to help, and are committed to providing good customer service. They will treat you with respect, and expect you to do the same.

RPA will not tolerate threatening or abusive behaviour towards its staff, either verbally, physically or in writing, and will take whatever action is necessary (including legal action) against any person who is involved in threatening or abusive behaviour.

This guide explains the EU marketing standards at retail level. It is not meant to be a complete or authoritative guide. It does not cover the requirements of other EU and UK legislation.

For more advice about how to apply the UK and EU legislation, including the EU marketing standards contact:

Horticultural Marketing Inspectorate queries

Telephone: 0345 607 3224

Email: HMI-TDC@rpa.gsi.gov.uk

Follow us on Twitter @ruralpay

For copies of the UK and EU legislation, including EU marketing standards, go to GOV.UK and search for 'marketing standards'.



Specific and General Marketing Standards

EU Regulation 543/2011 sets two types of quality standard; the specific marketing standards (SMS), and the general marketing standard (GMS).

Specific marketing standards

There are 10 individual specific marketing standards which apply to the following products: Apples, citrus fruit (oranges, lemons, soft citrus), kiwi fruit, lettuces (including curled and broadleaved endives), peaches/nectarines, pears, strawberries, sweet peppers, table grapes and tomatoes.

Quality requirements

The products covered by the specific marketing standards need to be graded according to their quality. There are two commonly used quality classes: Class I and Class II. There is also an Extra Class for all specific marketing standard products, except for lettuces. These three classes can be summarised as:

- **Extra Class:** Superior quality produce, that is uniformly regular in shape and appearance, only allowing some very slight superficial defects.
- **Class I:** Good quality produce, allowing for minor defects such as areas of slight skin defects or slight shape defects.
- **Class II:** Reasonably good quality produce, which may show one or more defects (depending on the product), such as some bruising, damage or colour defects.

It is the retailer's responsibility to maintain the quality of the produce in the class shown. Produce that has deteriorated while on display, should be removed. Or, if the produce still meets the minimum requirements for a lower quality class, the label should be changed to show that lower class. This must meet the requirements of the minimum quality class (Class II) at least.

The minimum quality requirements state that produce must be:

- Intact.
- Sound (for example, not rotten, severely bruised or severely damaged).
- Clean.
- Fresh in appearance.
- Practically free from pests.
- Practically free from damage caused by pests affecting the flesh.
- Free of abnormal external moisture.
- Free of foreign smell or taste.
- Sufficiently developed/ripe, but not overdeveloped/overripe.

Some of the specific marketing standards have additional requirements. For more information go to GOV.UK and search for 'marketing standards'.

Labelling requirements - display

On the labelling of each SMS display retailers must clearly show the following:

- Country of origin (listed in full, abbreviations are not acceptable).
- Quality class
- Variety or Type (if required).

It is the retailer's legal responsibility to make sure that this labelling information is accurate and up to date. This includes regularly checking the quality to make sure that the correct class is claimed and that products of different origins and varieties are not mixed in the same free flow display.

This information should be on the labelling of the original container. If not, retailers must find out from their suppliers, all the information they need to make sure their labelling is correct. Where produce is presented to the consumer unpacked in loose displays, this information must be clearly and prominently displayed on a label on the produce, so as not to mislead the consumer. If produce is presented for sale in the original containers, and the retailer uses the labelling on these to show any of the required information, the labelling must be **clearly visible** to the consumer.

On the labelling of each display of any of these 10 SMS products, retailers must clearly show the following:

Requirement		Label examples:	
Quality class	This can be either Extra Class, Class I or Class II (except for lettuces which cannot be Extra Class). The quality of the product on display must meet the requirements for the class shown on the label.	Extra Class Class I Class II	
Country of origin	This should be shown in full, abbreviations are not acceptable.	France, Spain	
Recognised Variety (V) (not the Trademark), or Type (T)	Product:		
	Apples (V)	Granny Smith, Gala	
	Citrus fruit (V) or (T) for example:	Oranges (V) Soft citrus (easy peelers) (T) Mandarins	Navel, Valencia Satsuma, Clementine, Nadorcott
	Peaches/nectarines (T- flesh colour)		White or yellow flesh
	Pears (V)		Conference, Rocha
	Sweet peppers (T) (the only labelling requirement is for 'hot' sweet peppers)		Hot
	Table grapes (V)		Italia, Crimson
	Tomatoes (T) (the only labelling requirement is for Cherry or Cocktail tomatoes)		Cherry or Cocktail
	Kiwi fruit, lettuces or strawberries: the variety or type is not required but the quality class and country of origin are required.		

Example of correct labelling for loose produce:

Requirement	Label
Quality class	Class I
Country of origin	United Kingdom
Variety/Type	Braeburn

National flags and other terms such as 'local produce' or 'home grown' are NOT acceptable as an origin. They may be used to supplement the required information, for example, 'Class I, locally grown English Braeburn Apples'.

Home processing derogation

A derogation from the 10 specific marketing standards is available for products presented for retail sale to consumers for their personal use and specifically labelled as intended for home processing (but not industrial processing which is specifically excluded) or any other equivalent wording. **However the quality of the produce must still meet the general marketing standard.**

There is no specific wording that must be used on the label, but the intention of this derogation must be made clear in the wording used. The intention of the derogation is that the product is used for processing in a domestic environment and not for fresh consumption. Therefore wording such as 'strawberries for home jam making' or 'apples for home pie making' would be acceptable.

Consignments across the marketing chain that are packed/distributed with the intention of being used for home processing should be labelled 'Intended for home processing' while in distribution.

If in doubt, please contact your local Horticultural Marketing Inspector.

General marketing standard

The general marketing standard acts as a simplified marketing standard. It applies to all products that are not covered by the 10 specific marketing standards. However, the following products are not covered by either the general or specific marketing standards:

Early and ware potatoes, chilli peppers, sweetcorn, olives, capers, wild mushrooms, manioc or cassava, arrowroot, salep, Jerusalem artichokes, sweet potatoes, yams, dasheen, taro, sago, cocoyams, yam beans and similar roots and tubers with high starch or inulin content, coconuts, Brazil nuts, cashew nuts, bitter almonds, pecans, pistachios, macadamia nuts, pine nuts, and all shelled nuts (that is, without their shells), ripened bananas, dates, saffron, ginger, bay, turmeric, angelica, nutmeg, sugar cane, peanuts, edname beans, and all prepared and processed products, dried products, and products for industrial processing, wine making or animal feed.

Note: This is not a complete list, if you need more information call your local Horticultural Marketing Inspector.

Quality requirements

Products must be **sound, fair and marketable:**

- Intact.
- Sound (for example, not rotten, severely bruised or severely damaged).
- Clean.
- Practically free from pests.
- Practically free from damage caused by pests affecting the flesh.
- Free of abnormal external moisture.
- Free of foreign smell or taste.
- Sufficiently developed/ripe, but not overdeveloped/overripe.

Labelling requirements - display

Where produce is presented to the consumer unpacked in loose displays, **retailers must clearly and prominently display the country of origin (in full) on a shelf end or produce label on the produce**, so as not to mislead the consumer.

A quality class and variety are not required.

It is the retailer's legal responsibility to make sure that the labelling information is accurate and up to date. This includes regularly checking the quality to make sure that the quality requirements above are met and products of different origins are not mixed in the same free flow display.



Other labelling requirements

Pre-packed products

Except for products sold by number, the net weight must be shown as well as the information required by the marketing standards. Products sold by number do not have to state the net weight if the number of items is indicated or can be clearly seen and counted.

Specific marketing standards

All the information required concerning the labelling of pre-packs can be found in the relevant EU marketing standard. In general, the requirements are that the following information must be shown on the labelling:

- The quality class, the country of origin, and if required, the variety or type, and any specific information such as a size range, weight or number/count.
- An official or accepted code mark, for example, an official grower/packer code number or a global gap number (GGN), or the name and full address of the packer and/or dispatcher. The name and address of the packer and/or dispatcher may be replaced by the name and address of a seller established within the EU, if it is shown in close connection with the words 'Packed for' or similar wording. In this case, a code representing the packer and/or dispatcher must also be shown. Web addresses are not acceptable. The seller must provide all information required by Horticultural Marketing Inspectors on the meaning of their codes.

Example of correct labelling for pre-packed nectarines sold by number:

Requirement	Label
Quality class	Extra Class
Country of origin	Italy
Variety/Type (optional)	Suncrest
Colour of flesh	Yellow flesh
Size	Size Code: A
Weight or Number/Count (unless items are visible)	(4)
Code indicating the packer, or the name and address of the packer/dispatcher.	Packer: Code R31245

General marketing standard

An official or accepted code mark, for example, an official grower/packer code number or a global gap number (GGN), or the name and full address of the packer and/or dispatcher. As well as the country of origin in full (abbreviations and web addresses are not acceptable).



Mixed types of products

Marketing packs of mixed types of products is allowed if they weigh 5kgs or less. The products must be of uniform quality and meet the requirements of the relevant marketing standard. If the pack contains produce from more than one EU country (Member State) or country outside the EU (third country) the origins may be replaced by the following:

- Mix of EU fresh horticultural produce.
- Mix of Non-EU fresh horticultural produce.
- Mix of EU and Non-EU fresh horticultural produce.

Distance contracts

The requirements for retail labelling in this guide also relate to distance contracts under Article 2(1) of Directive 97/7/EC. Legally, consumers must be given the same information about the product before their purchase is concluded as they would in a retail outlet, and so not be put at a disadvantage. Distance contracts include, for example, mail order, telephone, fax, email and internet shopping.

When providing the country of origin for a product being advertised on an internet shopping site it is acceptable, within reason, to list several countries of origin for a specific product. This applies if that product is regularly supplied from those countries, and at the time the order is placed there is no guarantee what the actual country of origin will be when the product is delivered. This is providing that when the goods are delivered the consumer is advised of the actual country of origin on, for example, a delivery note. At this point the consumer has the right to refuse the goods at no cost to themselves.

EU Marketing Standards for Fresh Horticultural Produce - Retailer's Quick Reference Guide

Specific marketing standards

Quality Requirements

The minimum quality requirements state that produce must be:

- Intact.
- Sound (for example, not rotten, severely bruised or severely damaged).
- Clean.
- Fresh in appearance.
- Practically free from pests.
- Practically free from damage caused by pests affecting the flesh.
- Free of abnormal external moisture.
- Free of foreign smell or taste.
- Sufficiently developed/ripe, but not overdeveloped/overripe.

It is the retailer's responsibility to maintain the quality of the produce in the class shown.

Labelling Requirements - display

On the labelling of each display of any of these 10 SMS products, retailers must clearly show the following:

Requirement		Label examples:	
Quality class	This can be either Extra Class, Class I or Class II (except for lettuces which cannot be Extra Class). The quality of the product on display must meet the requirements for the class shown on the label.	Extra Class Class I Class II	
Country of origin	This should be shown in full, abbreviations are not acceptable.	France, Spain	
Recognised Variety (V) (not the Trademark), or Type (T)	Product:		
	Apples (V)	Granny Smith, Gala	
	Citrus fruit (V) or (T) for example:	Oranges (V) Soft citrus (easy peelers) (T) Mandarins	Navel, Valencia Satsuma, Clementine, Nadorcott
	Peaches/nectarines (T- flesh colour)		White or yellow flesh
	Pears (V)		Conference, Rocha
	Sweet peppers (T) (the only labelling requirement is for 'hot' sweet peppers)		Hot
	Table grapes (V)		Italia, Crimson
	Tomatoes (T) (the only labelling requirement is for Cherry or Cocktail tomatoes)		Cherry or Cocktail
	Kiwi fruit, lettuces or strawberries: the variety or type is not required but the quality class and country of origin are required.		

It is the retailer's legal responsibility to make sure that this labelling information is accurate and up to date. This includes regularly checking the quality to make sure that the correct class is claimed and that products of different origins and varieties are not mixed in the same free flow display.

Example of correct labelling for loose produce:

Requirement	Label
Quality class	Class I
Country of origin	United Kingdom
Variety/Type	Braeburn

National flags and other terms such as 'local produce' or 'home grown' are **NOT** acceptable as an origin.

Home processing derogation

A derogation from the 10 specific marketing standards is available for products presented for retail sale to consumers for their personal use and specifically labelled as intended for home processing (but not industrial processing which is specifically excluded) or any other equivalent wording. **However, the products must still meet the general marketing standard quality and labelling requirements.**

General marketing standard

Acts as a simplified marketing standard which applies to all products that are not covered by the specific marketing standards. However, the following products are not covered by either the general or specific marketing standards:

Early and ware potatoes, chilli peppers, sweetcorn, olives, capers, wild mushrooms, manioc or cassava, arrowroot, salep, Jerusalem artichokes, sweet potatoes, yams, dasheen, taro, sago, cocoyams, yam beans and similar roots and tubers with high starch or inulin content, coconuts, Brazil nuts, cashew nuts, bitter almonds, pecans, pistachios, macadamia nuts, pine nuts, and all shelled nuts (that is, without their shells), ripened bananas, dates, saffron, ginger, bay, turmeric, angelica, nutmeg, sugar cane, peanuts, edname beans and all prepared and processed products, dried products, and products for industrial processing, wine making or animal feed.

Note: This is not a complete list, if you need more information call your local Horticultural Marketing Inspector.

Quality requirements

Products must be sound, fair and marketable.

Labelling requirements - display

Retailers must clearly show the country of origin (in full) on the labelling of each display. A quality class and variety are not required.

Other labelling requirements

Pre-packed products

Except for products sold by number, the net weight must be shown as well as the information required by the marketing standards. Products sold by number do not have to state the net weight if the number of items is indicated or can be clearly seen and counted.

Mixed types of products

Marketing packs of mixed types of products is allowed if they weigh 5kgs or less.

The products must be of uniform quality and meet the requirements of the relevant marketing standard. If the pack contains produce from more than one EU country (Member State) or country outside the EU (third country) the origins may be replaced by the following:

- Mix of EU fresh horticultural produce.
- Mix of Non-EU fresh horticultural produce.
- Mix of EU and Non-EU fresh horticultural produce.

(For more information read 'A Guide for Retailers' on GOV.UK and search for 'marketing standards'.)

For copies of the UK and EU legislation, including the EU marketing standards go to GOV.UK and search for 'marketing standards'. For more advice about any of these call Horticultural Marketing Inspectorate queries on 0345 607 3224 or email HMI-TDC@rpa.gsi.gov.uk. Follow us on Twitter @ruralpay



Rural Payments
Agency



Department
for Environment
Food & Rural Affairs



hmi 101 A Guide for Retailers

Version 10.0

July 2017

© Crown copyright 2017

Produced by the Rural Payments Agency

www.gov.uk/rpa

Twitter: @Ruralpay