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### **Economic Commission for Europe**

Steering Committee on Trade Capacity and Standards

**Working Party on Agricultural Quality Standards**

**Specialized Section on Standardization of Fresh Fruit and Vegetables**

**Sixty-fourth session**

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Item 5 of the provisional agenda

**Discussion on quality tolerances in marketing standards**

### **Discussion on quality tolerances in marketing standards**

The following text on quality tolerances was submitted by the Rapporteur (Netherlands).

Delegations are invited to send their comments to the secretariat.

## **Discussion on tolerances – Update by the Rapporteur from the Netherlands**

The issue of tolerances was introduced by the Netherlands at the 2015 meeting of the Specialized Section on Standardization of Fresh Fruit and Vegetables of the United Nations Economic Commission for Europe (UNECE). Many countries supported the initiative to discuss the level of tolerances, because the current tolerance level is found to be too strict in practice, and it was decided to put it on the agenda for the 2016 meeting.

Meanwhile, in October 2015 the CODEX Committee on Fresh Fruits and Vegetables (CCFFV) discussed the layout of standards. A less strict level of tolerances was included in the pre-session proposal. The proposed level of 3% tolerance for decay in Class I and Class II was not approved because of the general remark that the CODEX norm has to be in line with the UNECE standard. However, the total of remarks received on this proposal gave a clear view of opinions on tolerances. This can be used as a starting point for further discussion in Geneva.

### **Remark 1**

CODEX norms are applied at export control stage. They should be strict in order to prevent the risk of uncontrollable proliferation of decay during transport which might destroy the whole lot.

### **Comment**

CODEX norms are in line in with UNECE standards when it concerns levels of tolerances. The European Union (EU) marketing standards are deducted from the UNECE standards and the levels of tolerances are the same, i.e. 1% for Class I and 2% for Class II.

Although the CODEX norms are applied at export, the EU marketing standards are applied at both the export and the import control stage. So this means that the same levels of tolerances are applied at different stages in the supply chain.

Tolerances are created to allow for loss of quality during transport. When exporting countries 'use' these tolerances to send lower quality products they take deliberately the risk of rejection upon import.

Many exporting countries confirm to apply stricter requirements for export, in order to fulfill the import requirements of the EU. Nevertheless, lots are being rejected by EU member states for the reason of exceeding the 1% tolerance for decay in Class I. This decay mostly occurs during transport and is not yet visible at the moment of export.

We hardly see whole lots being destroyed by proliferation of decay. When a complete lot is no longer fit for use this is usually caused by an external factor like a low temperature or low oxygen level in the container. However, quite often we see a box with one or more fruits that have been damaged by one single decayed fruit in it.

In practice, this means for example a container with 6000 boxes of oranges Class I, of which 15 boxes have to be selected for inspection. In a box there are about 80 fruits, so in total 1200 fruits are inspected. If in 3 boxes there is a decayed fruit that has infected 3 surrounding fruits (total 12 fruits) and in the sample there are 3 other boxes with 2 fruits showing skin defects exceeding the limits for Class II (total 6 fruits), the tolerance level would be exceeded, as  $18/1200 = 1,5\%$ , and the lot would be rejected.

**Remark 2**

One single decayed fruit or vegetable can never be ruled out. However, a single decayed fruit or vegetable is unlikely to be found using normal sampling methods. Moreover, single decayed fruits and vegetables are already accepted at import control stage without a specific mention in the respective standard.

**Comment**

Exceeding the tolerance level can be caused by single decayed fruits or vegetables in a box.

In a lot of 350 boxes of tomatoes, 7 boxes have to be inspected with on average 45 fruits. In total 315 fruits are judged. When 6 out of 315 fruits have a defect within the 1% tolerance, this results in 1,58% decay and therefore rejection. Seven fruits with a defect means 1,90% decay and also rejection.

Article 4, sub 5 of EU Regulation 543/2011 allows for fruits and vegetables in Class I and Class II to show in stages after export to some small loss of freshness and turgidity and some small quality loss due to development and decay. But this “small” is not quantified. And therefore, in the example of the tomatoes, is 1,58% small and 1,90% not? Or are both to be regarded as small and therefore allowed?

Not having a quantification allows for different interpretations between countries and even between individual inspectors. This is contrary to the objective of a level playing field for companies across the European Union and abroad.

The OECD guidelines are being developed to guarantee uniform execution of inspections across member countries. Uniformity will not be reached when inspectors look on a case-by-case basis whether it suits them to apply the guidelines, but can only be reached through the strict application of what has been agreed upon.

**Remark 3**

Internationally agreed quality standards that inflict increased financial losses on the importing party due to high tolerances are likely to be replaced by private standards that are stricter.

**Comment**

Rejections are causing a slowdown in the logistical process with financial consequences for both the exporter and the importer. The slowdown also implies a further loss of quality as products are becoming less fresh or continue to deteriorate while lots are waiting to be brought to conformity.

Internationally agreed quality standards should enhance trade and ensure that high quality products reach consumers and not target at getting the last few fruits or vegetables perfect as well.

This is a “mission impossible” when working with perishable products that naturally go down in quality after harvest.

**Proposal**

Related to remark 1 and the comment (see above), it has been suggested to define separate tolerance levels for each stage, i.e. for import and export. This does not seem a practical solution. Many imported products are re-exported again. Allowing a higher tolerance at import would create problems with re-export.

The other option is of course to increase the tolerance levels. Several importing countries have indicated to work unofficially with 3% tolerance. It is obvious that this is done, because the 1% tolerance is found to be too strict to use in practice. There is no indication this has caused an increase of private standards that are stricter.

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