

No. 192

13 March 2015

AGRICULTURAL PRODUCT STANDARDS ACT, 1990
(ACT No. 119 of 1990)

**REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF ONIONS AND
SHALLOTS INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA**

The Minister of Agriculture has, under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990)-

- (a) made the regulations in the Schedule;
- (b) determined that the said regulations shall come into operation 3 months after the date of publication; and
- (c) read together with section 3(1) of the said Act, repealed the Regulations published by Government Notice No. R.621 of 5 June 2009.

SCHEDULE

Definitions

1. In these regulations, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act, shall have a corresponding meaning, and-

"address" means a physical address in the Republic of South Africa and includes the street or road number or name, and the name of the town, village or suburb and, in the case of a farm, the name or number of the farm and of the magisterial district in which it is situated;

"consignment" means a quantity of onions or shallots of the same class which belongs to the same owner, delivered at any one time under cover of the same delivery note, consignment note or receipt note or delivered by the same vehicle, or if any such quantity is subdivided into different size groups or cultivars, each quantity of each of the different size groups or cultivars;

"container" means the immediate container in which onions and shallots are packed directly, the outer container in which pre-packed units are packed and bulk containers, excluding prepacked units or shipping containers in which pallet loads are shipped;

"diameter" means the largest diameter of an onion or shallot, measured at right angles to a line running from the stem end to the root base;

"decay" means a state of decomposition, fungus development or internal insect infestation, that partly or completely detrimentally affects the quality of the onions and shallots;

"double bulb" means an onion which clearly consists of more than one bulb when adjudicated on external appearance;

"foreign matter" means any material not normally present in, on or among the onions or shallots;

"inspector" means the Executive Officer or an officer under his control or an Assignee or a trained employee of an Assignee;

"malformed" means that the shape of an onion or shallot of any cultivar is not typical of that cultivar;

"onion" means the bulb of varieties (cultivars) of the plant *Allium cepa* L. Cepa Group excluding green onions with full leaves and onions intended for industrial processing;

"**shallot**" means bulbs of varieties (cultivars) of the plant *Allium cepa* L. Aggregatum Group excluding green shallots with full leaves and shallots intended for industrial processing;

"**the Act**" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990); and

"**thick neck bulb**" means an onion or shallot whose neck in proportion to the bulb thereof, is abnormally thick.

Restrictions on the sale of onions and shallots

2. (1) No person shall sell onions or shallots in the Republic of South Africa-
- (a) unless the onions or shallots are sold according to the classes as referred to in regulation 3;
 - (b) unless the onions or shallots comply with the standards regarding quality as referred to in regulations 4 and 5;
 - (c) unless such onions or shallots are packed in a container and in the manner as prescribed in regulations 6, 7 and 8;
 - (d) unless such onions or shallots are marked with the particulars and in the manner as prescribed in regulations 9, 10 and 11; and
 - (e) unless such onions or shallots are sampled in the manner as prescribed in regulation 12.
- (2) The Executive Officer may grant written exemption, entirely or partially, to any person on such conditions as he deems necessary, from the provisions of sub regulation (1): Provided that such exemption is done in terms of section 3(1) (c) of the Act.

QUALITY STANDARDS

Classes for onions and shallots

3. There are four classes of onions and shallots, namely Class 1, Class 2, Class 3 and Lowest Class.

Standards for classes

4. (a) The classes mentioned in regulation 3 shall comply with the quality standards as set out in Table 1.
- (b) Be fit for human consumption as prescribed in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).

Deviations

5. The classes mentioned in regulation 3 may deviate (m/m) from the standards prescribed in regulation 4, to the extent as set out in Table 2.

CONTAINERS

Requirements for containers

6. Containers in which onions or shallots are packed shall-
- (a) be intact, clean, suitable and strong enough for the packing and normal handling of onions or shallots;

- (b) not impart a taste or odour to onions or shallots; and
- (c) in case of containers that are re-used, be of such materials that the container can be cleaned and disinfected prior to re-use.

Closing of containers

7. Containers shall be closed in any suitable manner.

PACKING REQUIREMENTS

8. (1) Onions or shallots shall, in the same consignment, in the case of Class 1 and Class 2 correspond in cultivar, size group and maturity.

(2) Each container of a type as prescribed in regulation 6 shall be packed as firmly as possible with onions or shallots without damaging the container or the onions or shallots concerned.

MARKING REQUIREMENTS

9. (1) Each container of onions or shallots destined for sale shall be marked clearly, legible, indelibly and not untidy, or askew by printing, stamping or by means of specially designed labels described in sub regulation (4) with the following particulars:

- (a) The name or trademark and physical or postal address of either the producer or owner or importer or packer of the onions or shallots packed in that container.
- (b) The expression "Class 1", "Class 2", "Class 3" and "Lowest Class", as the case may be.
- (c) The expression "produce/product of" followed by the full name of the country of origin thereof or the country of origin declared as required by the regulations published in terms of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972).
- (d) In the case of Class 1 and Class 2, the size group namely "Extra Large", "Large", "Medium", "Small" or "Pickles" as the case may be.
- (e) The net mass of the contents as prescribed in terms of the Trade Metrology Act, 1973 (Act No. 77 of 1973).
- (f) The name onions or shallots in the case of containers where the contents of which are not visible from outside.

(2) The particulars prescribed in sub regulation (1) shall be indicated on the container by stamping, printing or by affixing a label thereon.

(3) If at any stage the class or size designation should change the labels shall be replaced unless the new class or size designation is stamped across the old class or size designation, in clear legible block letters of at least 2 mm larger than the previous marks, with a suitable stamp.

(4) Each container containing onions or shallots shall be provided with one or more labels that shall be-

- (a) intact, clean and neat;
- (b) manufactured from suitable material; and

- (c) affixed firmly to the container and in such a manner that re-stamping is possible without opening or damaging the container.

Display

10. Wherever onions or shallots are displayed for sale in loose quantities-
- (a) any quantity of a particular class, or a particular size group or cultivar shall not be displayed mixed with onions or shallots of any other class, size group or cultivar; and
 - (b) adherence to the marking requirements is optional: Provided that if marked, the class, and in the case of Class 1 and Class 2 also the size group of such quantity of onions or shallots, shall be indicated in clear legible block letters of at least 10 mm in height on a notice board prominently placed at such a quantity of onions or shallots.

Prohibited particulars

11. No wording, illustration or other means of expression which constitutes a misrepresentation or which directly or by implication, creates a misleading impression of the contents, or of the quality or the class thereof shall appear on a container containing onions or shallots or on a label attached thereto.

SAMPLING

12. An inspector shall draw at random, at least two percent of the containers or ten containers in a consignment for inspection purposes and an inspector shall be satisfied that the containers so drawn are representative of the consignment concerned: Provided that in the case of bulk containers at least 25 percent or two bulk containers, whichever is the greatest, shall be taken as sample from the consignment.

OFFENCE AND PENALTIES

13. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and upon conviction be liable to a fine or imprisonment in terms of section 11 of the Act.

TABLE 1
QUALITY STANDARDS

QUALITY FACTOR	CLASS 1	CLASS 2	CLASS 3	LOWEST CLASS
(a) Seed stems and sprouts	Shall not occur	Shall not occur	Shall not occur	*
(b) Appearance	Dry, firm, clean and well developed.	Practically dry, firm, clean and well developed.	Fairly dry, firm, clean and well developed.	*
(c) Insect damage	Shall not occur	Damage with a maximum depth of two fleshy bracts is permissible: Provided that not more than 15% of the bulb shall be cut away with straight cuts to remove the damaged portions.	Damage with a maximum depth of two fleshy bracts is permissible: Provided that not more than 25% of the bulb shall be cut away with straight cuts to remove the damaged portions.	*
(d) Insect infestation	Shall not occur	Shall not occur	Shall not occur	*
(e) Shape				
(i) Onions	Typical of the cultivar concerned.	As for Class 1	*	*
(ii) Shallots	May have cluster or connected clusters large and small in a specific size range.	As for Class 1	*	*
(f) Thick necks				
Onions:				
Small	Maximum diameter of 10 mm is permissible.	Maximum diameter of 20 mm is permissible.	*	*
Medium	Maximum diameter of 10 mm is permissible.	Maximum diameter of 20 mm is permissible.	*	*
Large	Maximum diameter of 15 mm is permissible.	Maximum diameter of 30 mm is permissible.	*	*
X-Large	Maximum diameter of 20 mm is permissible.	Maximum diameter of 40 mm is permissible.	*	*
Shallots:	*	*	*	*

(g) Colour				
(i) Onions	Shall be of the same colour.	As for Class 1	*	*
(ii) Shallots	Characteristically of the cultivar concerned: Provided that red and brown shallots may be packed together, with exception of White Shallots.	As for Class 1	*	*
(h) Heat or cold damage	Shall not occur	Shall not occur	Practically free: Provided that the damage is not deeper than three fleshy bracts	*
(i) Roots	No roots longer than 30 mm	No roots longer than 40 mm	*	*
(j) Bracts	Shall be practically free from loose bracts	Shall be fairly free from loose bracts	*	*
(k) Double bulbs	Shall not occur	Double bulbs which are entirely covered with the same dry bract are permissible.	Double bulbs which are covered with loose dry bract.	*
(l) Bruises	Shall not occur	A maximum of 10% of the surface of the bulb may show as light intensity of bruises.	Permissible: Provided that the onions are not spongy and watery.	*
(m) Mechanical damage	Shall not occur	Damage with a maximum depth of two fleshy bracts is permissible: Provided that not more than 15% of the bulb shall be cut away with straight cuts to remove the damaged portions.	Damage with a maximum depth of two fleshy bracts is permissible: Provided that not more than 25% of the bulb shall be cut away with straight cuts to remove the damaged portions.	*
(n) Black mould	Shall be free from visual black mould	(i) Not more than 20% of the surface of the bulb may be affected with a slight intensity of black mould.	(i) Not more than 50% of the surface of the bulb may be affected with a slight intensity of black mould.	*

		(ii) Not more than 10% of the surface of the bulb may be affected with a serious intensity of black mould.	(ii) Not more than with a serious intensity of black mould 20% of the surface of the bulb may be affected.	
(o) Greening	Light greening on not more than 50% of total area of the bulb is permissible: Provided that the greening is not deeper than one fleshy bract.	Light greening unlimited and dark greening not deeper than two fleshy bracts is permissible.	Dark greening not deeper than three fleshy bracts is permissible.	*
(p) Any other external or internal quality defects	Shall not occur.	Practically free	Fairly free	*
(q) Foreign matter	Shall not occur	Shall not occur	Shall not occur	*
(r) Size groups:				
Onions:				
(i) Extra large	At least 90 mm in diameter	As for Class 1	*	*
(ii) Large	At least 70 mm but not more than 90 mm in diameter	As for Class 1	*	*
(iii) Large-Medium	At least 60 mm but not more than 80 mm in diameter	As for Class 1	*	*
(iv) Medium	At least 40 mm but not more than 70 mm in diameter	As for Class 1	*	*
(v) Small-Medium	At least 35 mm but not more than 60 mm	As for Class 1	*	*
(vi) Small	At least 35 mm but not more than 50 mm in diameter	As for Class 1	*	*
(vii) Pickles	At least 10 mm but not more than 35 mm in diameter	As for Class 1	*	*
Shallots:				
(i) Extra large	At least 66 mm in diameter	As for Class 1	*	*
(ii) Large	At least 46 mm but not more than 65 mm	As for Class 1	*	*

	in diameter.			
(iii) Medium/ Small	At least 15 mm but not more than 45 mm in diameter.	As for Class 1	*	*

* No specifications

TABLE 2
PERMISSIBLE DEVIATIONS (m/m)

Quality factor	Class 1	Class 2	Class 3	Lowest class
(a) Decay				
(i) Dry type decay	3%	5%	8%	*
(ii) Wet type decay	1%	2%	4%	*
(iii) (i) and (ii) collectively, provided that the individual limits are not exceeded	3%	5%	8%	*
(b) Black mould (#)	3%	5%	8%	*
(c) External and internal quality defects with the exception of decay and black mould	10%	15%	25%	*
(d) (a), (b) and (c) collectively, provided that the individual limits specified above are not exceeded	10%	15%	25%	*
(e) Size group deviations:				
(i) Too large or too small	10%	15%	*	*
(ii) Too large and too small collectively	10%	15%	*	*

* No specifications.

In the case where black mould is wet or smutty, it shall be seen as wet type decay and be counted as such.