

WORLD TRADE ORGANIZATION

G/TBT/Notif.00/366
16 August 2000

(00-3316)

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>THE NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Agriculture, Nature Management and Fisheries Agency or authority designated to handle comments regarding the notification shall be indicated if different from above: National Enquiry Point – EC WTO TBT Enquiry Point
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Fresh fruit and vegetables cultivated in the Netherlands.
5.	Title, number of pages and language(s) of the notified document: Agriculture Commodity Board [Dutch designation: PT] Order on quality regulations for vegetables and fruit 2000 Exemption Order 2000/1 on quality regulations (mushrooms) Implementation Order 2000/1 on quality regulations (diverse products)
6.	Description of content: The order comprises two parts: <ul style="list-style-type: none">- Implementation of the EU legislation- National standards for Dutch products, in accordance with the EU system Implementation applies to the following products: Strawberries, apricots, broad-leaved (Batavian) endives and curled endives, apples and pears, artichokes, asparagus, aubergines, avocados, bananas, ribbed celery, cauliflower, citrus fruits, courgettes, peas, table grapes, cherries, kiwi fruit, garlic, cucumbers, lettuce, melons, sweet peppers, peaches and nectarines, leeks, plums, headed cabbage, beans, spinach, Brussels sprouts, tomatoes, onions, water melons, chicory and carrots. Implementation only comprises a reference to the valid European standards in order to indicate clearly that the Quality Control Bureau [Kwalitets-Controle-Bureau] (KCB) monitors compliance with the provisions. The general and detailed standards are only valid for the following non-harmonized products: <ul style="list-style-type: none">leaf and stem plantsbulbous, tuberous and root plantsmushroomssmall fruittypes of cabbage

pulses

The order followed also applies in the EU Orders:

1. Definition of produce
2. Quality provisions: minimum requirements, extra class, I, II and III
3. Provisions concerning sizing
4. Provisions concerning tolerance
5. Provisions concerning presentation
6. Provisions concerning marking

Implementation Order 2000/1

A. Mushrooms

An excess weight of 5% is prescribed for mushrooms for the moment that the mushrooms are delivered on the auction.

B. Chromameter

In order to determine whether apples are sufficiently ripe, use must be made of a specific apparatus, the so-called chromameter.

Exemption decree 2000/1

An exemption is granted for six provisions. It is expected that this exemption will be temporary.

7. **Objective and rationale, including the nature of urgent problems where applicable:**

On the basis of the Agricultural Quality Act, provisions can be laid down with reference to the quality of products. In the PT Regulation on quality standards for vegetables and fruit 2000 standards are laid down for the vegetables and fruit named in the Agricultural Quality Regulation on indication of fruit and vegetables.

As the EU has however not stipulated any standards for a range of products, the PT has laid down standards for the vegetables and fruit not normalized by the EU. This makes clear when any products are marketable.

In order to promote honest trading, the quality of products and consumer protection, the commodity board has established standards exclusively for those products cultivated in the Netherlands.

Implementation Order 2000/1

A. Mushrooms

Mushrooms shrink as time passes. This decree ensures that at the moment of purchase, the weight of the product corresponds as much as possible with the weight indicated.

B. Chromameter

The provision states that apples must be sufficiently ripe. Unripe apples are even sold at the beginning of the season in order to obtain premium prices while the consumer purchases an unsatisfactory product. In order to monitor the ripeness of apples, apples must be cut open before they are traded. Consequently these apples are unsuitable for trade and consumption. For the varieties named in the decree it is stipulated that the ripeness of the fruit be determined by external examination using a device called a chromameter.

The monitoring body, the KCB, operates with a machine which can execute a definitive check.

Exemption decree 2000/1

Exemptions are granted from the quality regulations pertaining to mushrooms. This accommodates the wishes encountered in practice. These exemptions are of a temporary nature, although it cannot be stated in advance how long the exemptions will apply. In accordance with the conditions of the decree, it is possible to deviate temporarily from the basic standards laid down in the provisions. In this way it has been effected that the nurserymen can in practice work flexibly with the regulations, while the monitoring body can check on the basis of clear provisions.

This ensures that deviations from the regulation only take place in accordance with the conditions named above.

8. Relevant documents:

Agricultural Quality Act

Agricultural Quality Decree on vegetables and fruit

Establishment Order of the Product Board for Horticulture

9. Proposed date of adoption: 1 November 2000

Proposed date of entry into force: 6 November 2000

10. Final date for comments: 26 October 2000

11. Texts available from: National enquiry point [X] or address, e-mail and telefax number of the other body: