

## DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 635

07 JULY 2017

AGRICULTURAL PRODUCT STANDARDS ACT, 1990  
(ACT No. 119 OF 1990)REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF BANANAS INTENDED  
FOR SALE IN THE REPUBLIC OF SOUTH AFRICA

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

- (a) made the regulations in this Schedule;
- (b) determined that the said regulations shall come into operation six months after the date of publication; and
- (c) repealed Government Notices No. R68 of 16 March 1973, No. R919 of 5 May 1978, No. R126 of 17 January 1975 and No. R 2857 of 29 December 1989.

## SCHEDULE

**Definitions**

1. In these regulations any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates --

"**Arthropod**" means any stage in the life cycle of an invertebrate member of the Animal Kingdom that is bilaterally symmetrical with a segmented body, with jointed limbs that are paired and a chitinous external skeleton;

"**bananas**" means the fruit of the cultivars which are grown from the species *musa spp.* (AAA Cavendish sub-group) of the *Musaceae* family. Plantains (bananas intended for cooking only) and bananas for processing purposes are excluded;

"**blemish**" means any mark on the surface of the bananas that detrimentally affects the appearance thereof;

"**cigar-end rot**" means

- (a) in relation to light, means a type of dry fungus rot, limited to the blossom-end of the banana, which does not result in any discolouration of the flesh and does not extend further than 5 mm from the blossom-end;
- (b) in relation to major, means a type of dry fungus rot which causes a dark discolouration of the flesh of the banana, and which extend further than 5 mm from the blossom-end; and
- (c) in relation to minor, means a type of dry fungus rot limited to the blossom-end of the banana, and does not affect the quality of the banana detrimentally.

"**cold damage**" means a state whereby the peel of the banana appears glassy, watery or discoloured as result of exposure to faulty storage;

"**consignment**" means:

- (a) a quantity of bananas of the same cultivar, belonging to the same owner and delivered at the same time under cover of the same delivery note, consignment note or receipt note, or delivered by the same vehicle; and

- (b) in the case of a quantity of bananas that is divided into different cultivars, classes, pallet loads, trademarks or types of packaging, every quantity of each of the different cultivars, classes, sizes, pallet loads, trademarks or types of packaging;

"**container**" means the immediate package in which bananas are packed directly and outer package in which prepacked units are packed;

"**decay**" means a state of decomposition, fungus development or internal insect infestation, which detrimentally affects the quality of the bananas;

"**foreign matter**" means any material or substance that is not normally present in, on or between the bananas;

"**injury**" any wound which has pierced the skin of the banana and exposes the flesh; with the exception of such wounds which have become completely callused;

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

"**length**" means the distance between the stem end where it is attached to the stem collar and the blossom end of the banana, measured along the outer (convex) curve of the banana;

"**prepacked unit**" means any single packing unit for presentation as such to the consumer consisting of bananas and the packaging into which the bananas were put before being offered for sale;

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

"**well formed**" means the shape of a banana which is typical of the cultivar concerned.

#### PART I

##### ***Restrictions on the sale of bananas***

2. (1) No person shall sell bananas in the Republic of South Africa –
- (a) unless such bananas are sold according to the classes referred to in regulation 3;
  - (b) unless such bananas comply with the standards for the class concerned as set out in regulation 4;
  - (c) unless such bananas are packed in accordance with the packing requirements as set out in regulations 5, 6, 7, 8 and 9;
  - (d) unless such bananas are contained in containers marked in accordance with the marking requirements as set out in regulations 10;
- (2) Imported bananas may be exempted from the provisions of sub-regulation (1), provided that the bananas:
- (a) comply with either the Codex, United Nations Economic Commission for Europe (UNECE) or Organisation for Economic Co-operation and Development (OECD) standards; and
  - (b) are according to bilateral agreement accompanied by certificate issued by a relevant government authority responsible for quality control of fresh fruit and vegetables and in which it is certified that the quality of the bananas as verified through inspection conforms to the relevant standard.
- (3) The Executive Officer may grant written exemption, entirely or partially, to any person on such conditions as he or she deems necessary, from the provisions of sub-regulation (1).

## QUALITY STANDARDS

### *Classes of bananas*

3. There are three classes of bananas, namely Class 1, Class 2, and Lowest Class.

### *Standards for classes*

4. (1) Bananas shall comply with specifications as set out in Table 1, 2 and 3.
- (2) No consignment of bananas classified as "Class 1", "Class 2", and "Lowest Class" shall contain;
- (a) any organisms which may be a source of danger to human being; and
- (b) Arthropod infestation including the organisms which according to paragraph (a) do not form part of plant injurious organisms, excluding organisms which may be a source of danger to the human being, on more than 3% of the bananas or three free running Arthropod per pallet load or part thereof in the consignment: Provided that it does not exceed a maximum of one Arthropod per container.

## PART II

### PACKING REQUIREMENTS

#### *Requirements for containers*

5. (1) Containers in which bananas are packed shall:
- (a) be clean and suitable;
- (b) not impart a foreign taste or odour to the bananas;
- (c) be free from any visible sign of fungus growth;
- (d) be free from Arthropod infestation; and
- (e) be strong enough for the packing and normal handling of bananas.
- (2) Containers (excluding cartons) that are re-used, shall be of a suitable material that can be cleaned and disinfected prior to re-use.

#### *Packing requirements*

6. (1) Bananas in the same container shall as far as practically possible, be of the same size and appearance.
- (2) Each container shall be packed firmly and to the specified weight on the container.
- (3) If bananas are packed in prepacked units, such units shall be packed in a suitable manner in an outer package: Provided that the prepacked units are clean and suitable.

#### *Packing material*

7. If packing material is used inside containers, such packing material shall be clean and odourless, and not transmit to the bananas any harmful substance or any substance that may be injurious to bananas.

***Stacking of containers on pallets***

8. If containers containing bananas are palletised:
- (1) the pallet shall be clean, undamaged and suitable;
  - (2) the containers shall be stacked neatly and firmly on the pallet; and
  - (3) containers shall not be stacked upside-down on the pallet.

***Strapping of pallet loads***

9. In case a pallet load of containers need to be strapped, it shall be strapped in a suitable manner.

**MARKING REQUIREMENTS**

10. (1) Each container containing bananas shall be marked clearly, neatly, indelibly, legibly, on any visible short or long side of the lid or container, where lids are not used, by printing, stamping or by means of specially designed labels with the following particulars: Provided that all particulars shall be grouped on the same side:

- (a) the expression "Bananas" in case of containers where the contents are not visible from the outside;
- (b) the appropriate cultivar/variety (optional);
- (c) the appropriate Class in accordance with regulation 3;
- (d) the country of origin; (e.g. "Product of South Africa", "Produced in South Africa" or any other similar expression);
- (e) the applicable size;
- (f) the name and physical or postal address of the producer, packer or owner of the contents of the container;
- (g) the applicable date of packing or date code (optional).

(2) Subject to the provisions of sub-regulation (1), each outer package containing prepacked units shall be marked with an indication of the total number of prepacked units per outer package.

(3) If bananas are packed in re-usable containers, excluding cartons, the particulars required in sub-regulation (1) (a), (c), (d), (e), (f) shall be indicated on labels fit into the slot specially affixed for this purpose.

***Prohibition of false or misleading description of products***

11. No person shall use any name, word, expression, reference or indication in any manner, either by itself or in conjunction with any verbal, written, printed, illustrated or visual material, in connection with the sale of a product in a manner that conveys or creates or is likely to convey or create a false or misleading impression as to the nature, substance, quality or other properties, or the class or grade, origin, identity or manner or place of production, of that product.

**PART III****SAMPLING PROCEDURES*****Obtaining a sample from the consignment***

12. An inspector shall draw containers at random for inspection purposes and shall be satisfied that the containers so drawn are representative of the consignment concerned.

***Obtaining an inspection sample***

13. The inspector shall draw at random a sample consisting of 25 bananas from each container: Provided that if a container contains less than 25 bananas, the entire contents of such a container shall be taken as an inspection sample.

***Deviating sample***

14. If an inspector should notice during the process of drawing the random sample or during the inspection, that some of the containers derived from any part of the pallet load, truck load or consignment, contain bananas which are noticeably inferior to or differ from the contents of the containers which represent the remainder of the pallet load, truck load or consignment, the inspection result shall be based only on the containers derived from the deviating portion of the pallet load, truck load or consignment, and further samples required for inspection shall be drawn from this deviating portion.

**METHODS OF INSPECTION*****Determination of length***

15. The length of the banana shall be determined as follows:

- (i) Take as working sample 10 bananas at random from the inspection sample obtained in accordance with regulation 13.
- (ii) Determine the length of the bananas with a suitable apparatus.
- (iii) The length of the banana shall be measured along the outside (convex) curve from the stem end where it is attached to the stem collar until the blossom end of the banana.
- (iv) Calculate the number of bananas thus found to be small and extra large as a percentage of the total number of bananas in the inspection sample.

**TABLE 1: PERMISSIBLE CULTIVARS**

<b>Cultivars</b>
<b>Cavendish</b>
<b>Any other suitable cultivar</b>

TABLE 2: QUALITY STANDARDS

Quality factors	Class 1	Class 2	Lowest Class
1. Appearance	Fresh and firm	Fresh and firm	*
2. Shape of the fruit	Well formed and typical of the cultivar concerned	Well formed and typical of the cultivar concerned	*
3. Ripeness	Shall be fully developed but not overripe, with firm skin	Shall be fully developed but not overripe, with firm skin	*
4. Colour	Good and typical of the cultivar concerned	Good and typical of the cultivar concerned	*
5. Injuries	May deviate to the extent set out in Table 3	May deviate to the extent set out in Table 3	*
6. Cold damage	May deviate to the extent set out in Table 3	May deviate to the extent set out in Table 3	*
7. Stem collar decay	May deviate to the extent set out in Table 3	May deviate to the extent set out in Table 3	*
8. Cigar-end rot (light, minor and major)	May deviate to the extent set out in Table 3	May deviate to the extent set out in Table 3	*
9. Stem collar	Shall be neatly cut	Shall be neatly cut	*
10. Size			
(a) X- Large	221+ mm	221+ mm	*
(b) Large	191 – 220 mm	191 – 220 mm	
(c) Medium	151 - 190 mm	151 – 190 mm	
(d) Small	120 – 150 mm	120 – 150 mm	
11. Blemishes	A combined surface area of not more than 25% of the total fruit surface	A combined surface area of not more than 30% of the total fruit surface	*
12. Treatment against stem collar decay	Shall be treated	Shall be treated	Shall be treated
13. Any other internal or external quality defects	May deviate to the extent set out in Table 3	May deviate to the extent set out in Table 3	May deviate to the extent set out in Table 3

\* No specification

**TABLE 3: MAXIMUM PERMISSIBLE DEVIATIONS**

Quality factors	Class 1	Class 2	Lowest Class
1 Decay	5%	8%	0%
2 Cigar end rot			
a) Minor	10%	15%	20%
b) Light	10%	15%	20%
c) Major	10%	15%	20%
3. Stem collar decay	5%	10%	20%
4 Cold damage	15%	20%	*
5. Injuries	10%	16%	*
6 Blemishes	15%	20%	*
Size	15%	20%	*
8. Ripeness (overripe or unripe)	10%	20%	*
9. Foreign matter	15%	20%	
10. Any other internal or external quality defects	10%	5%	*
11. Deviations in items 4, 5, 6 and 7 of this table collectively: Provided that such deviations are individually within the specified limits	15%	20%	*

No specification

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 700

21 JULY 2017

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

#### CORRECTION NOTICE: REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF BANANAS INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA

In Government Gazette No. 40965, Notice No. 635 of 07 July 2017, to rectify Table 3: Maximum permissible deviations on page 66 to read as follows:

**TABLE 3: MAXIMUM PERMISSIBLE DEVIATIONS**

Quality factors	Class 1	Class 2	Lowest Class
1. Decay	5%	8%	20%
2. Cigar end rot			
(a) Minor	10%	15%	20%
(b) Light	10%	15%	20%
(c) Major	10%	15%	20%
3. Stem collar decay	5%	10%	20%
4. Cold damage	15%	20%	*
5. Injuries	10%	16%	*
6. Blemishes	15%	20%	*
7. Size	15%	20%	*
8. Ripeness (overripe or unripe)	10%	20%	*
9. Foreign matter	15%	20%	*
10. Any other internal or external quality defects	10%	15%	*
11. Deviations in item 4, 5, 6 and 7 of this table collectively: Provided that such deviations are individually within the specified limits	15%	20%	*

\* No specification