

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 273

01 MARCH 2019

AGRICULTURAL PRODUCT STANDARDS ACT, 1990
(ACT No. 119 of 1990)REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF POTATOES 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 No.119 of 1990 -

- (a) made the regulations in the Schedule;
- (b) repealed the regulations published by Government Notices No. R. 1755 of 24 September 1993, R. 1106 of 5 July 1996, R. 1052 of 28 October 2005 and R. 1031 of 12 November 2010; and
- (c) determined that the said regulations shall come into operation on the date of publication.

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 –

“**address**” means a physical address in the Republic of South Africa and includes the street or road number or name, and the name of a 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;

“**bulk container**” means a potato truck, any vehicle or carrier container used for the transportation or storage of potatoes;

“**carrier container**” means a container in which more than one consumer packages are packed;

“**class**” in relation to the quality of potatoes, means a class referred to in regulation 4;

“**class-marked potatoes**” means potatoes of which the container is marked or in the proximity of which the mark is applied indicating that such potatoes are of a particular quality or possess particular quality properties;

“**colour plates**” means potato quality standards and colour plates, which are compiled by the Directorate of Food Safety and Quality Assurance of the Department of Agriculture, Forestry and Fisheries in consultation with role players in the industry;

“**consignment**” means -

- (a) a quantity of potatoes of the same class belonging to the same owner which is delivered at any one time under cover of the same consignment note, receipt note, or is delivered by the same vehicle, or
- (b) in the case of quantity of potatoes that is divided into different classes, size groups, cultivars, trademarks or types of packaging, each quantity of each of the different classes, size groups, cultivars, trademarks or types of packaging;

“**container**” means a bag or any other container in which potatoes are directly packed but excluding bulk and, carrier containers that are shipped or road-transported;

“**decay**” means a state of decomposition or fungal development except dry stem-end rot, partly or completely affecting the quality of the potato detrimentally;

“**foreign matter**” means any material not normally present in, on or among potatoes with the exception of soil;

“**groove cut**” means a cut as depicted in Annexure B;

“**inspector**” means the Executive Officer or an officer under his control or an Assignee or suitably qualified employee of an Assignee;

“**level cut**” means a cut as depicted in Annexure B;

“**malformed**” means that the shape of a potato is not typical of the cultivar concerned;

“**photo**” means the photos in the colour plates;

“**potatoes**” means the raw tubers of the plant *Solanum tuberosum* intended for human consumption;

“**straight cut**” means a cut as depicted in Annexure B;

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

“**unspecified defects**” means any defects caused by physiological or non-physiological factors affecting the quality of the potato detrimentally.

Scope of regulations

2. These regulations are the minimum standards applicable to potatoes that are destined for sale in the Republic of South Africa, and do not include potatoes for seed production purposes.

Restrictions on the sale of potatoes

3. (1) No person shall sell potatoes in the Republic of South Africa -
- (a) unless the potatoes are sold according to the classes referred to in regulation 4;
 - (b) unless the potatoes comply with the standards regarding quality referred to in regulation 5 as set out in Table 1 of Annexure A;
 - (c) unless such potatoes are packed and presented for sale in a container and in the manner prescribed in regulations 6 and 7;
 - (d) unless such potatoes are marked with the particulars and in the manner prescribed in regulation 8;
 - (e) if such potatoes contain a substance so prescribed as a substance which it may not contain;
 - (f) if such potatoes are packed in a container or in a manner so prescribed as a container in which or a manner in which it may not be packed; and
 - (g) if such potatoes are marked with particulars or in a manner so prescribed as particulars with which or a manner in which it may not be marked.

(2) The Executive Officer may grant written exemption, entirely or partially, to any person on such condition as he or she may deem necessary, from the provisions of subregulation (1); provided that such exemption is done in terms of section 3(1)(c) of the Act.

PART I QUALITY STANDARDS

Classes for potatoes

4. There are four classes of potatoes, namely Class 1, Class 2, Class 3 and Lowest Class.

Standards for classes

5. (1) Subject to the provisions of subregulation (2) potatoes which are classified as Class 1, Class 2, Class 3 and Lowest Class shall comply with the specifications set out in Table 1 of Annexure A and depicted in the colour plates.

(2) The maximum extent to which Class 1, Class 2 and Class 3 potatoes may deviate from the specifications prescribed in subregulation (1) are determined in accordance to subregulation (3) and are set out in Table 3 of Annexure A.

(3) The extent to which Class 1, Class 2 and Class 3 potatoes deviates from the prescribed specifications shall be determined as follows:

- (a) examine the tubers in the sample of the consignment sensorially and on the basis of the colour plates in order to determine whether such deficiencies occur thereon or therein: Provided that any tuber from the sample referred to in regulation 9 (2) with suspected internal deficiencies may be dissected for the purpose of a confirmation or otherwise of the observation concerned;
- (b) determine with regard to each of the separate quality factors mentioned in subregulation (2) the mass of the potatoes that deviate from the prescribed specifications; and
- (c) express the mass determined in paragraph (b) as a percentage of the net mass of the container of potatoes, such percentage represents the extent to which potatoes with the deviation concerned are present in such container: Provided that in the case of internal quality defects the degree of deviation shall be determined as a percentage of 3 kg.

PART II REQUIREMENTS FOR CONTAINERS

6. (1) Containers in which potatoes are packed shall -
- (a) be intact, clean, suitable and strong enough for the packing and normal handling of potatoes;
 - (b) not impart a taste or odour to the potatoes;
 - (c) be free from any visible signs of fungal growth; and
 - (d) in case of a carrier container, be strong enough not to bulge out or dent in during normal handling and transporting practices.

**PART III
PACKING AND MARKING REQUIREMENTS**

Packing requirements

7. (1) Potatoes shall, in the case of Class 1, Class 2 and Class 3, correspond in cultivar, class and size group in the same consignment: Provided that the size groups shall not be applicable to Class 3.

(2) Containers shall be closed by bunch tying with a suitable wire tie or by sewing with a suitable tying string or with a suitable lid or whatever the case may be.

Marking requirements

8. (1) The type of container containing potatoes shall be marked in clear legible letters on any conspicuous place or on the label attached thereto, with the following particulars:

- (a) the name or trade mark and address of the producer, owner or packer;
- (b) the class designation, namely "Class 1", "Class 2", "Class 3" or "Lowest Class", as the case may be;
- (c) in the case of Class 1 and Class 2, the size group, namely "Baby", "Small", "Medium", and "Large" as well as optional size grouping of "Extra Small", "Small Medium", "Large Medium" and "Extra Large" as the case may be: Provided that the expressions "B", "S", "M", "L", "XS", "SM", "LM" and "XL" as the case may be, may also be used respectively;
- (d) the net mass of the contents;
- (e) the word "Potatoes";
- (f) the cultivar;
- (g) the indication of packing date: Provided that if a packing date is expressed in a code, such a code shall be registered with the Executive Officer: Agricultural Product Standards;
- (h) the country of origin: Provided that no abbreviations or the expression of the word "South Africa" on its own shall be used; and
- (i) if the potatoes are sold unwashed, the container in which potatoes are packed shall be marked as such.

(2) The requirement referred to in subregulation (1) (e) may be omitted in the case of transparent containers.

(3) If containers containing potatoes are packed in a carrier container, each carrier container shall be marked with the particulars mentioned in subregulation (1), as well as with the number of containers it contains, on at least one end of every carrier container by means of stamping or stencilling or by pasting a printed label thereon.

(4) If at any stage the class designation or size designation is altered, labels, where applicable, shall be replaced or the new class designation or size designation shall be stamped across the old class designation or size designation on the label or the form in clear legible letters larger than the previous marks with a suitable stamp.

(5) Particulars shall be printed in English or both in English and any of the other official languages.

(6) No wording, illustration or other means of expression that constitutes a misrepresentation or which directly or by implication, may create a misleading impression of the contents or of the quality or the class thereof shall appear on a container containing potatoes.

(7) Whenever potatoes are displayed for sale in loose quantities -

- (a) any quantity of a particular class, a size group or a cultivar shall not be displayed mixed with potatoes of any other class, size group or cultivar; and
- (b) the class, and in the case of Class 1 and Class 2 also the size group of such quantity of potatoes, shall be indicated in clear, legible letters on a notice board prominently placed at such a quantity of potatoes.

PART IV SAMPLING PROCEDURES

9. (1) An inspector shall abstract, at random for inspection purposes, a number of containers and satisfy himself or herself that the containers so abstracted are representative of the consignment concerned. Each container abstracted in this manner shall be inspected separately.

(2) If potatoes are inspected for internal quality the inspector shall -

- (a) abstract a sample of 3 kg of potatoes from each container of the sample as set out in subregulation (1); and
- (b) from every 3 kg sample, select and cut a maximum of 750 g of the potatoes that have, in the opinion of the inspector, the poorest internal quality. The mass of the cut potatoes that does not comply with the requirements of the class concerned in proportion to the total mass of the 3 kg sample shall be determined on a percentage basis.

Offence and penalties

10. Any person who contravenes or fails to comply with the provisions 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.

ANNEXURE A
TABLE 1
QUALITY SPECIFICATIONS

Quality factors	Colour plate Number	Class 1	Class 2	Class 3	Lowest Class
(a) Specified defects:					
(i) Decay	-	None	None	None	*
(ii) Insect infestation or damage (tuber moth)	A. 15 W	Tuber shall be free from moth	Tuber shall be free from moth	To the maximum extent depicted in photo 1 is permissible: Provided that not more than 20% of the tuber needs to be cut away with level cuts to remove the infested portions	*
(iii) Insect damage	A. 9	To the maximum extent depicted in photo 2 is permissible: Provided that damage is not deeper than 4 mm	To the maximum extent depicted in photo 5 is permissible: Provided that the damage is not deeper than 6 mm and that not more than 10% of the tuber needs to be cut away with grove cuts to remove the damaged portions	To the maximum extent depicted in photo 7 is permissible: Provided that not more than 20% of the tuber needs to be cut away with groove cuts to remove the damaged portions	*
(iv) Cold damage	-	None	None	None	*
(v) Heat damage	-	None	None	None	*

Quality factors	Colour plate Number	Class 1	Class 2	Class 3	Lowest Class
(vi) Damage by watergrass and other plants	A. 15 Y	Tuber shall be free from damage by watergrass and other plants	Tuber shall be free from damage by watergrass and other plants	To the maximum extent depicted in photos 1, 2 and 3 is permissible: Provided that two watergrass per tuber or a watergrass that has grown through the tuber shall be regarded as lowest class	*
(vii) Hollow heart	A. 15 Z	Tuber shall be free from hollow heart	To the maximum extent depicted in photo 3 is permissible	To the maximum extent depicted in photo 2 is permissible	*
(viii) Dry stem-end rot and other types of dry rot (#)	A. 13	To the maximum extent depicted in photo 1 is permissible: Provided that the lesion is not deeper than 3 mm	To the maximum extent depicted in photo 2 is permissible: Provided that the lesion is not deeper than 3 mm	To the maximum extent depicted in photo 5 is permissible: Provided that not more than 20% of the tuber needs to be cut away with straight cuts to remove the decayed portions	*
(ix) Brown fleck	A. 14	Tuber shall be free from brown fleck	To the maximum extent depicted in photo 5 is permissible	To the maximum extent depicted in photo 6 is permissible	*
(x) Watery	-	None	None	None	*
(xi) Wilt	-	None	Minor wrinkling of the skin is permissible	Only wilt that does not seriously affect the tuber detrimentally is permissible	*

Quality factors	Colour plate Number	Class 1	Class 2	Class 3	Lowest Class
(xii) Sprouts (#)	A. 2	To the maximum extent depicted in photo 3 is permissible: Provided that the length of the sprouts are not in excess of 2 mm	To the maximum extent depicted in photo 5 is permissible: Provided that the length of the sprouts are not in excess of 4 mm	To the maximum extent depicted in photo 10 is permissible: Provided that the length of the sprouts are not in excess of 10 mm	*
(xiii) Greening (#)	A. 1	No greening of the tuber	To the maximum extent depicted in photo 3 is permissible: Provided that the greening does not cover more than 10% of the surface of the tuber and that the intrusion is not deeper than 2 mm	To the maximum extent depicted in photo 4 is permissible: Provided that the greening does not cover more than 20% of the surface of the tuber and that the intrusion is not deeper than 4 mm	*
(xiv) Malformed. Light malformation due to cultivar characteristic shall not be penalised	A. 3	To the maximum extent depicted in photo 5 is permissible	To the maximum extent depicted in photo 7 is permissible	To the maximum extent depicted in photo 8 is permissible	*
(xv) Foreign matter	-	Free from foreign matter	Free from foreign matter	Free from foreign matter	*
(xvi) Mechanical damage (#)	A. 5	To the maximum extent depicted in photo 5 is permissible: Provided that the lesion is not deeper than 4 mm	To the maximum extent depicted in photo 6 is permissible: Provided that the lesion is not deeper than 6 mm and that not more than 10% of the tuber needs to be cut away with groove cuts to remove the lesion	To a greater extent damaged than depicted in photo 6 is permissible: Provided that not more than 20% of the tuber needs to be cut away with groove cuts to remove the lesion	*

Quality factors	Colour plate Number	Class 1	Class 2	Class 3	Lowest Class
(xvii) Soiled (washed) (#)	A. 8.1	To the maximum extent depicted in photo 4 is permissible	To the maximum extent depicted in photo 6 is permissible	To the maximum extent depicted in photo 8 is permissible	*
Soiled (unwashed)	A.8.2	To the maximum extent depicted in photo 4 is permissible	To the maximum extent depicted in photo 6 is permissible	To the maximum extent depicted in photo 8 is permissible	*
(xviii) Vascular browning	A. 15 X	To the maximum extent depicted in photo 3 is permissible	To the maximum extent depicted in photo 2 is permissible	To the maximum extent depicted in photo 1 is permissible	*
(xix) Common scab and similar defects (#)	A. 12	To the maximum extent depicted in photo 4 is permissible: Provided that the lesion is not deeper than 3 mm	To the maximum extent depicted in photo 7 is permissible: Provided that the lesions are not deeper than 5 mm and not more than 10% need to be cut to remove the damaged parts	To the maximum extent depicted in photo 9 is permissible: Provided that not more than 20% of the tuber needs to be cut away with a level cut to remove the damaged parts	*
(xx) Growth cracks (#)	A. 4	To the maximum extent depicted in photo 3 is permissible: Provided that the growth crack is not deeper than 4 mm	To the maximum extent depicted in photo 5 is permissible: Provided that the growth crack is not deeper than 6 mm and not more than 10% of the tuber needs to be cut away with groove cuts	To the maximum extent depicted in photos 8 is permissible provided that not more than 20 % of the tuber needs to be cut away with groove cuts	*
(xxi) Abraded (@)	A. 6	To the maximum extent depicted in photo 3 is permissible: Provided that maximum 25% of the tuber is abraded and that no browning is present	To the maximum extent depicted in photo 5 is permissible: Provided that maximum 50% of the tuber is abraded and that no browning is present	To the maximum extent depicted in photo 8 is permissible	*

Quality factors	Colour plate Number	Class 1	Class 2	Class 3	Lowest Class
(xxii) Browning	A. 6	No browning of the tuber	To the maximum extent depicted in photo 4 is permissible: Provided that not more than 25% of the area of the tuber is abraded and browned	To the maximum extent depicted in photo 8 is permissible: Provided that the browned areas are not slimy	*
(xxiii) Broken and cut tubers: Provided that if the damaged parts are wet, it shall be considered as decay (#)	A. 7	To the maximum extent depicted in photo 3 is permissible	To the maximum extent depicted in photo 6 is permissible	To the maximum extent depicted in photo 8 is permissible	*
(xxiv) Eelworm (@)	A. 10	Free from eelworm	To the maximum extent depicted in photo 3 is permissible: Provided that maximum 10% of the tuber is infested and that the penetration is not in excess of 3 mm	To the maximum extent depicted in photo 6 is permissible: Provided that maximum 20% of the tuber is infested, that the penetration is not in excess of 3 mm and that the peeled tuber does not appear slimy	*
(xxv) Skin eelworm	A. 11	Skin eelworm to the maximum extent depicted in the lower photo 3 is permissible	Skin eelworm to the maximum extent depicted in the lower photo 4 is permissible	*	*
(xxvi) Rhizoctonia (@)	A. 11	Rhizoctonia to the maximum extent depicted in the top photo 3 is permissible	Rhizoctonia to the maximum extent depicted in the top photo 4 is permissible	*	*
(xxvii) Tomato spotted wilt virus	-	Tuber shall be free from tomato spotted wilt virus	Tuber shall be free from tomato spotted wilt virus	Tuber shall be free from tomato spotted wilt virus	*
(b) Unspecified defects	-	*	*	*	*

- No colour plate

* No specifications

(@) The opposite side of the tuber must not be more infected or abraded than the side depicted

(#) The opposite side of the tuber must be free from the defect

ANNEXURE A

TABLE 2

SIZE GROUPS

Size group	Mass Class 1	Mass Class 2	Mass Class 3	Mass Lowest Class
(i) Baby	Minimum 5g - maximum 70g	As for Class 1	*	*
(ii) Extra Small	Minimum 30g - maximum 50g**	As for Class 1	*	*
(iii) Small	Minimum 50g - maximum 150g	As for Class 1	*	*
(iv) Small medium	Minimum 90g - maximum 120g**	As for Class 1	*	*
(v) Medium	Minimum 100g - maximum 300g	As for Class 1	*	*
(vi) Large-Medium	Minimum 150g - Maximum 250g**	As for Class 1	*	*
(vii) Large	Minimum 250g and more	As for Class 1	*	*
(viii) Extra-Large	Minimum 400g and more**	As for Class 1	*	*

** Optional sizing which shall be clearly marked as such

* No specifications

ANNEXURE A

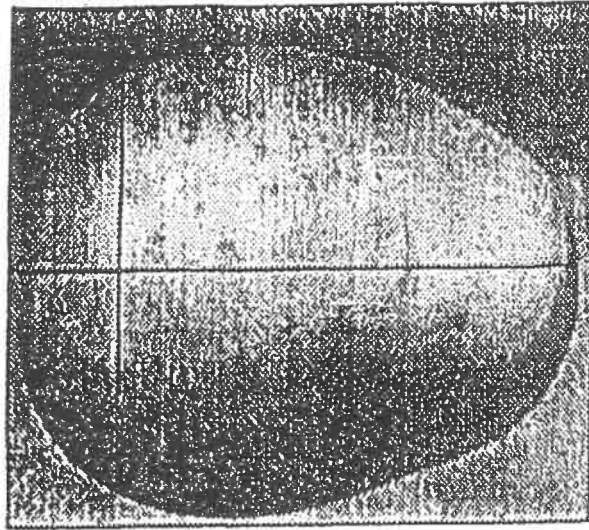
TABLE 3

MAXIMUM PERMISSIBLE DEVIATIONS

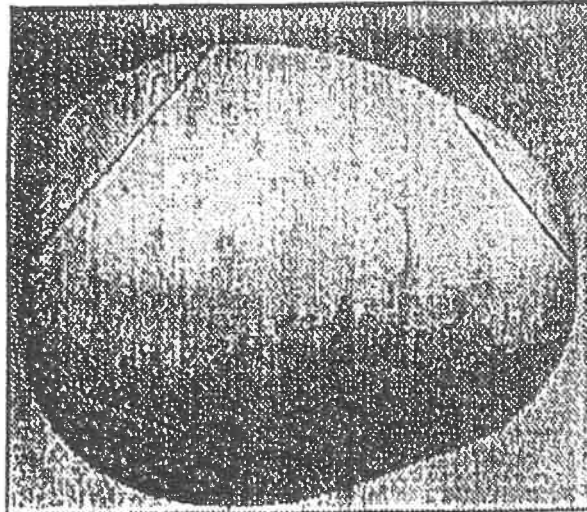
QUALITY FACTOR	CLASS 1 % (m/m)	CLASS 2 % (m/m)	CLASS 3 % (m/m)
(a) Decay	2%	3%	5%
(b) Wet or soiled by decayed tubers	5%	10%	15%
(c) Tomato spotted wilt virus	4%	8%	12%
(d) Malformed	10%	15%	20%
(e) External quality defects including those mentioned in paragraphs (a), (b) and (c) but excluding those mentioned in paragraph (d): Provided that such deviations are individually within the limits as specified above	5%	10%	20%
(f) Internal quality defects including mixed cultivars but excluding those mentioned in paragraph (a)	4%	8%	12%
(g) Deviations in paragraphs (e) and (f) collectively: Provided that such deviations are individually within the limits as specified above	8%	15%	25%
(h) Size group deviations (too large and too small)	10%:	15%:	*
(i) Size group deviations (too large and too small collectively)	10 %	25%	*

* No specifications

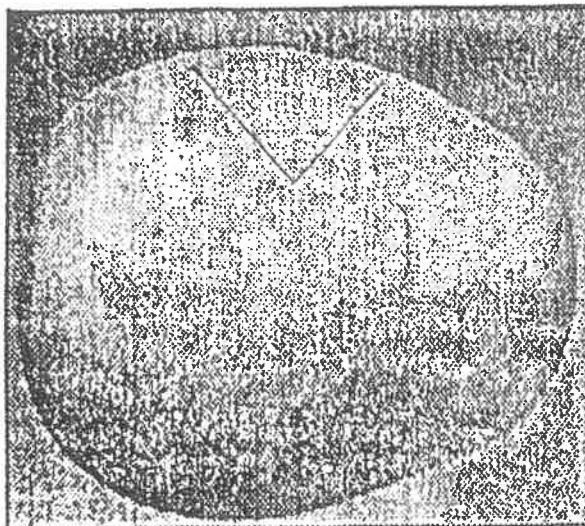
Annexure B/Aanhangsel B
Cuts/Snitte



Straight cut
Reguitsnit



Level cut
Platsnit



Groove cut
Keepsnit