



**Economic and Social
Council**

Distr.
GENERAL

TRADE/WP.7/2001/6
28 August 2001

ORIGINAL : ENGLISH

ECONOMIC COMMISSION FOR EUROPE

COMMITTEE FOR TRADE, INDUSTRY AND
ENTERPRISE DEVELOPMENT

Working Party on Standardization of
Perishable Produce and Quality Development
Fifty-seventh session, 12-14 November 2001, Geneva

Item 9 (a) of the Provisional Agenda

STATUS AND POSSIBLE REVISION OF THE GENEVA PROTOCOL

Note by the secretariat

During the discussions in several specialized sections questions concerning the Geneva Protocol and its status have been raised. Following these the Secretariat reviewed the protocol and its acceptances.

The goal of this document is to inform and to initiate a discussion which could lead to amendments to the protocol if deemed necessary by the Working Party.

The Geneva Protocol is reproduced in the annex to this document.

History

In AGRI/WP.1/238, 1963 which contains one of the first collections of UNECE standards, the following reason for the creation of the Geneva Protocol is given:

“In February 1952, the Working Party found that provisions applicable to all fruit and vegetables could be drafted. It included these general provisions in a protocol, thus adopting a form which, while more flexible than a convention, would go further than mere recommendations in the direction of placing governments under definite obligations.”

Status of the Protocol

The most recent information about the status of the protocol can be found in publication ECE/AGRI/55/Rev.2 which contains the 1991 versions of UNECE's standards for Fresh Fruit and Vegetables and general texts such as acceptances, standard layout and Geneva Protocol. This information is in some cases not consistent with information contained in earlier publications (1963, 1985).

Countries	Comments
Austria, Belarus, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Greece, Iceland, Italy, Luxembourg, Malta, Netherlands, Norway, Portugal, U.S.S.R, Ukrain, United Kingdom, Yugoslavia	1991: ECE/AGRI/55/Rev.2: no information for these countries 1985: ECE/AGRI/55/Rev.1: Belgium is listed as accepting the protocol. The other countries as in 1991. 1963: AGRI/WP.1/238: Austria, Belgium, Bulgaria, Czechoslovakia, Greece, Italy, Portugal, USSR, Yugoslavia are listed as countries accepting the protocol. The Netherlands are listed as applying the provisions or proposing to apply them shortly.
Denmark*,France*,Hungary, Ireland*, Israel, Poland, Romania, Spain*, Switzerland, Turkey, United States	accepted
Finland	Information from 1991 indicates that in Finland application of international standards is obligatory for certain products but the regulations did not speak clearly about which standards are applicable. Since Finland is today a member of the EU, EU rules should apply.
Germany	qualified acceptance; additional information states that acceptance is qualified because Germany believes standards should be applicable in all stages of trade. they state additionally that the standards are applied in the form of common quality standards of the EEC which occasionally differ from UNECE standards e.g. making provisions for Class III produce and being applicable in all stages of trade.

Sweden	Information from 1991: The export from Sweden of fruits and vegetables is of limited importance and therefore the Swedish government does not apply the UNECE standards for such produce.
--------	---

* it should be clarified what acceptance means for members of the European Union.

Applicability

(a) General questions

Is the text as in the 1985 revision still useful? Today 16 years later, does it cover the needs in the field of standardization or could it be amended to be more in line with the present scope of the work?

The second paragraph seems to exclude seed potatoes from the Geneva Protocol because they are not normally intended to be for the “consumer” but for a producer. By definition meat, cut flowers and eggs are also not covered by the protocol.

Is there a need for a revised protocol covering all standardization activities of the working party or are the present standard layout and the working procedures sufficient to guide the work of the working party and its specialized sections?

(b) Detailed review of the provisions

The secretariat has reviewed the protocol based on a number of comments made at different sessions of the specialized sections.

First paragraph:

The general provisions for standardization are widely accepted. Most standards drawn up in the world follow these provisions. Is this paragraph still useful, especially the deadline of one year?

First and second paragraph:

The present formula used in the protocol is:

“dispatched in international traffic between or to European countries”

Given the membership of UNECE this has been replaced in the standard layout with the more appropriate phrase:

“moving in international trade between and to UNECE member countries”

UNECE standards are voluntary standards. They become mandatory when integrated into the national law of a country. Their importance comes from being used in practice. In practice UNECE standards can also be applied in domestic trade or by non-European countries if they wish. Is it therefore necessary to mention any scope?

Second paragraph:

Should application be limited to the export control stage? Are the reasons for this limitation still valid today?

The text of the second paragraph is also contained in the standard layout

Paragraphs I. to VI.:

These are provisions which could also be directly included as comments in the standard layout.

Paragraph VII:

The first part of this paragraph seems to repeat what is mentioned in the first paragraph (“adopt the general provisions...”) and the second part talks about implementation of the individual standards set by the working party. How does this provision correspond to the fact that each standard again has an acceptance procedure.

Paragraph VIII:

The time limit refers to the one year period that is mentioned in the first paragraph. The same question applies.

Paragraph IX:

The responsibilities of the working party are clear and apply to the present work but could also be covered by the working procedures.

Annex I, A:

The first part of the text is included in the standard layout. Concerning the second part: what is the current status of UNECE Resolution No. 222

Annex I, B:

Does the procedure in this paragraph describe common practice?

Annex I, C:

As the protocol already allows the possibility of conformity checks by the importing country, again the question if it makes sense to restrict the standards to application at the export control stage.

Control certificate:

To what extent is the control certificate used in practice. Are amendments necessary?

Annex II:

The text contained in this annex seems to be mainly covered by the standard layout.

ANNEX

REVISED GENEVA PROTOCOL ON STANDARDIZATION OF FRESH FRUIT AND VEGETABLES AND DRY AND DRIED FRUIT

1. The Governments that have notified the Executive Secretary of the Economic Commission for Europe of their acceptance of this Protocol adopt the general provisions set forth below concerning the standardization of products and undertake to ensure that they are put into effect for international trade between European countries within one year from their adoption.

*
* *

General provisions to be applied in Europe for the commercial standardization and quality control of fresh fruit and vegetables and dry or dried fruit dispatched in international traffic

2. This text defines the general characteristics to be possessed at the export control stage by marked produce dispatched in international traffic between or to European countries and normally intended to be sold or delivered in its original condition to the consumer.

I. DEFINITION OF PRODUCE

Each product for which commercial quality standards are established shall be defined in a relevant standard by the name of the genus and species to which it belongs (Latin botanical reference followed, as the case may be, by the author's name). These standards shall be drawn up in conformity with the corresponding standard layout annexed hereto, specifying the condition in which the product is marketed: fresh, dry or dried.

However, a group of products may be the subject of a more general standard in so far as the characteristics of the products permit.

II. GENERAL PROVISIONS CONCERNING QUALITY

A. Minimum requirements

In all classes, allowances being made for the specific provisions and tolerances established for each class, produce shall satisfy minimum general requirements as regards, in particular, healthiness, cleanliness, appearance, humidity, absence of extraneous odour and/or flavour, development and/or maturity. The state of the produce shall be such as to withstand handling and transport and arrive at its destination in good condition.

B. Provisions concerning classification

Products may be classified in three classes, designated Extra, I and II, and defined according to their quality characteristics and the extent to which they have certain defects.

In cases where a three-tier classification is not required, the relevant standard shall so stipulate.

III. PROVISIONS CONCERNING SIZING

In the case of produce subject to sizing, sizing may be determined, according to product, by reference to one or more of the following criteria:

Diameter, circumference, length, weight and/or, in relation to these criteria, maximum dimensions of the items of produce in a package;

- Number of items per kilogram
- Number of items in a given package.

IV. PROVISIONS CONCERNING TOLERANCES

A. Quality tolerances

A certain percentage, by number or weight, of product not fulfilling the quality requirements of the class concerned may be allowed in each package, but in general this tolerance shall not exceed 5 per cent in the "Extra" class or 10 per cent in classes I and II.¹

Save where exceptionally provided for, the tolerance may not extend to produce affected by rot, visibly mouldy, or with serious bruises, unhealed cracks or any other form of deterioration making the produce unfit for consumption.

B. Sizing tolerances

A certain percentage, by number or weight, of items not corresponding to the stated size and/or the specified size limits may be allowed in each package, but this tolerance shall not exceed 10 per cent in any class.

However, in particular cases, the Working Party on Standardization of Perishable Produce and Quality Development may, where justified and taking into account the nature of the produce, set higher or lower tolerances, or a specific tolerance for particular defects or sizes.

¹*The packer/exporter should do everything possible to ensure that the produce arrives at its destination in good condition. He should therefore refrain from deliberately exploiting the full tolerances indicated above as they are only to allow for material or human errors which may occur in packing, handling or transport.*

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

All the produce in each package shall be of the same origin, variety (or commercial type) quality and of the same crop year. In addition, homogeneity of size may be required in the case of produce subject to sizing.

In the case of produce pre-packed for direct sale to the consumer, a mixture of varieties, commercial types or species may be allowed provided this is appropriately indicated in the marking.

The visible part of the contents of the package shall be representative of the whole.

B. Packaging

The packaging shall be sufficiently strong and the contents so packed as to ensure that the produce is adequately protected.

The packing materials used inside the packages shall be new, clean and not liable to cause internal or external deterioration of the produce. The use of paper or stamps with commercial markings is authorized subject to the proviso that non-toxic ink or adhesive shall be used for the printing or labelling.

Subject to the tolerances allowed for each type of produce, packages shall not contain any foreign matter.

C. Presentation

If necessary, the mode or modes of presentation are defined in each relevant standard.

Dispatch in bulk in a transport unit may be authorized only for specified types of class II produce which are sufficiently resistant to withstand such carriage. The conditions for such authorization shall be set out in each relevant standard.

VI. PROVISIONS CONCERNING MARKING

Each package shall bear, grouped on the same side, in legible and indelible characters, visible from the outside, particulars of the identity of the packer and/or sender, the nature of the product, its origin, commercial characteristics and, if so desired, a check mark.²

For orders dispatched in bulk in a transport unit, these particulars shall be shown on a document accompanying the goods and conspicuously displayed inside the transport unit.

VII. Each government accepting this Protocol undertakes to take the necessary steps under its domestic law to adapt its commodity standards to the general provisions set forth above in the Protocol. In so doing it also undertakes to refer to the individual standards to be prepared by the Working Party on Standardization of Perishable Produce and Quality Development on the basis of the foregoing general provisions, and shall have regard as far as possible to the particular provisions thereof.

VIII. On the expiry of the time-limit laid down, the Working Party shall examine the observations of each country on the manner in which these commitments have been met and the difficulties encountered.

IX. The Working Party shall be responsible for:

- drafting new individual standards and, when necessary, amending the existing standards in the light of experience;
- setting any necessary time-limits for their complete application in each country;
- making arrangements concerning the organization of national controls with a view to achieving uniformity of methods and results;
- laying down the procedure for the revision of the individual standards in the light of the technical and economic evolution of the European market.

X. The Working Party shall also be responsible for drawing up, whenever it thinks best, the clauses of an international agreement calculated to confer a definite status on the European system of standardization of fruit and vegetables.

²Package units of produce pre-packed for direct sale to the consumer shall not be subject to these marking provisions but shall conform to the national requirements. However, the markings referred to shall in any event be shown on the transport packaging containing such package units.

ANNEX I

SUPPLEMENTARY PROVISIONS

A. Packaging and dispatch

Produce shall be suitably loaded and stowed in the transport unit and the conditions of transport shall be such as to ensure that it arrives at its destination in the best possible condition, having regard to its nature, the season, the type of transport and the length of the journey. The use of packagings conforming to the provisions of United Nations/ECE Resolution No. 222 on the standardization of packagings for the international transport of fresh or refrigerated fruit and vegetables is recommended.

B. Official checks in the exporting country

(a) Organization

The standards to be applied and the control regulations shall be issued by an appropriate government body. This provision shall in no way limit the buyer's rights of control.

The actual checking may be carried out by official bodies or by duly authorized associations, establishments or persons.

(b) Procedure

Compliance with the standards shall preferably be checked when the goods are packed or loaded for departure. However, checks may be undertaken during carriage, before the goods cross the frontier of the exporting country.

To reduce journey time as far as possible, it is recommended that checking of compliance with the standards should if possible be carried out in conjunction with any other checks or Customs inspections to which the exported goods are subject, conforming to the provisions of the United Nations/ECE International Convention on the Harmonization of Frontier Controls of Goods.

Where the goods are found to be in order, the competent authority shall issue a certificate of conformity, completed in the form shown and attached hereto. This certificate shall accompany the goods.

(c) Penalties

Without prejudice to any other penalties imposed by the inspecting authorities, produce shall be accepted for international traffic only if it conforms to the relevant standards.

C. The provisions of this Protocol are without prejudice to:

- the application of health and phytosanitary regulations in force in the importing country;

- checks on the conformity to the standards which could be carried out at a later stage by the importing country.

EXPLANATORY NOTES ON THE USE OF THE CONTROL CERTIFICATE

The following notes are intended to help inspectors to use the control certificate.

- Box N° 1** Name and address of the exporter or exporting firm. An identification code issued or approved by the official service may also be used.
- Box N° 2** Name and address or identification symbol marked on the package if different from that entered in section 1; if it is identical, there is no need to complete this section. When there are several packing agents, the entry "various" may be used.
- Box N° 3** Title or acronym of the official national control service.
- Box N° 4** Name of the producing country if the inspection takes place in that country. In the case of re-exported goods or goods of various (domestic and foreign) origins, the country of origin should be indicated in section 9, immediately after the nature of the produce; section 4 should be left blank or a line should be drawn through it.
- Box N° 5** Name of country to which the produce is being sent. However, if the country of final destination is not yet known at the time of inspection - particularly in the case of transport by sea or air - this entry may be replaced by the indication "unknown".
- Box N° 6** Number of wagon, registration number of lorry, number of container, name of vessel (possibly indicating "by sea") or "by air".
- Box N° 7** Specify any national regulations relating to the export of the produce in question.
- Box N° 8** Number and type of packages (boxes, trays, cartons, etc.). Specification of the type of package is optional.
- Box N° 9** Type of produce (apples, peaches, etc.) followed by the name of the country of origin where produce is re-exported or is of various origins (national and foreign). Name of the variety (Golden Delicious, Dixired, etc.) when specified by the standard.
- Box N° 10** Specify the quality class: EXTRA, I or II.
- Box N° 11** Specify the total net or gross weight of the consignment as indicated on the weighing slip or consignment note.

- Box N° 12**
- Customs office of departure: specify the place where the consignment must be cleared. This entry is optional.
 - Duration of validity: specify the number of days for which the certificate is valid, i.e. up to the point of departure from the exporting country (including the day of inspection). The number of days is fixed by the competent national authorities on the basis of criteria specific to each country (nature of produce, season, place of production, etc.).
 - Inspector: name of the person who inspects the consignment.
 - Signature: signature of the person who inspects the consignment.
 - Place and date of issue: place where the goods are inspected and date on which the certificate is issued.

Box N° 13 Reserved for any additional observations. The inspector should delete this box when no observations are entered.

CONTROL CERTIFICATE

1 Exporter:		CONTROL CERTIFICATE No.....	
		This certificate is for the exclusive use of control services.	
2 Packer as indicated on packing (if other than exporter):		3 Control service	
		4 Country of origin*:	5 Country of destination:
6 Identification of means of transport:		7 Space reserved for national regulations **:	
8 Number (and kind**) of packages:	9 Nature of produce (variety when specified by the standard):	10 Quality class:	11: Total weight in kg gross/net ***
<p>12 The above mentioned Inspection Service certifies that on the basis of an examination by sampling the consignment referred to above conforms, at the time of inspection, with the quality standards in force.</p> <p>.....</p> <p>Customs office of departure ** Place and date of issue</p> <p>Duration of validity **** days</p> <p>.....</p> <p>Inspector (name in block capitals)</p> <p>Signature: Seal of Inspection Service</p>			
13 Observations			

- * When the produce is re-exported, indicate its origin after the nature of produce
- ** Optional
- *** Delete where inapplicable
- **** Valid up to point of exit of the exporting country (including day of inspection)

ANNEX II

NOTE ON THE INTERPRETATION TO BE GIVEN TO THE PROVISIONS CONCERNING PRESENTATION AND PACKAGING OF THE PRODUCE

1. In the course of the discussions which took place during its Sixth Session (24-27 October 1955), the Working Party found it desirable to define clearly the interpretation to be given to the provisions of the Protocol on the Standardization of Fruit and Vegetables (document AGRI/WP.1/40/Rev.1) as far as they concern the presentation and packaging of the produce.
2. The Protocol establishes as a general rule that both the produce itself and the conditions under which it is packaged and transported have to be such as to allow the produce to reach its destination in good condition. In every case it falls to the exporter to choose a form of packaging and presentation which will assure proper protection for the produce to be delivered, taking into account the degree of liability to damage of the product in question, the duration of the journey, etc.
3. The Working Party specified that:
 - consignment "in bulk" (see "Definitions" below) is normally applicable only to produce in Class II which is sufficiently resistant to withstand this form of transport;
 - consignment "in bulk" is not normally allowed for produce in the "Extra" class and in Class I. In these classes consignment "in bulk" is strictly prohibited for all fruits but may be used in the case of certain particularly resistant vegetables, such as cabbages;
 - consignment "in bulk in packages" (see "Definitions" below) in principle applies only to produce in Classes I and II and only in exceptional circumstances may it be accepted for produce in the "Extra" class which has a low unit value.

Definitions

The term "in bulk", without further qualification, means direct loading into a means of transport.

The term "in bulk in packages" means that the produce is put into packages without any particular arrangement, in layers or otherwise.

4. In view of the need to encourage exporters to adopt the most economic type of packaging and transport - it being explicitly understood that the quality of the produce must be maintained until it reaches the consumer - the Working Party decided that the individual standards should lay down in every case the exceptions to the above provisions which may be made for certain products. The individual standards should also establish the provisions to be applied for each class of produce as regards sizing and with respect to the manner in which the produce is packed (in rows or layers or in bulk in packages).

Published 1958
Revised 1985