Decision of the Council revising the OECD Scheme for the Application of International Standards for Fruit and Vegetables



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Background Information

The Decision revising the OECD Scheme for the Application of International Standards for Fruit and Vegetables was adopted by the OECD Council on 7 July 2006 on the proposal of the Committee for Agriculture. The Scheme facilitates international trade in fruit and vegetables through the harmonisation of implementation and interpretation of international marketing standards. A further objective is to facilitate mutual recognition of inspections by participating countries. The Scheme is well known for its explanatory brochures on standards, but is also involved in defining inspection procedures that are recognized in many countries, and in sponsoring training courses. The Scheme also organises peer reviews with the goal of helping the reviewed country improve its quality inspection system.

THE COUNCIL,

HAVING REGARD to Article 5 a) and c) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

HAVING REGARD to the Decision of the Council, of 8 April 1999, revising the OECD "Scheme" for the Application of International Standards for Fruit and Vegetables [C(99)10/FINAL];

HAVING REGARD to the standards for fruit and vegetables adopted by the United Nations Economic Commission for Europe;

HAVING REGARD to the standards for fruit and vegetables adopted by the WHO/FAO Codex Alimentarius Commission;

NOTING the benefits resulting from the implementation of the OECD "Scheme" for the Application of International Standards for Fruit and Vegetables and, in particular, the explanatory brochures published on the authority of the Secretary-General with a view to facilitating the common interpretation of standards in force, by both the quality control services and professional bodies responsible for the application of standards or interested in the international trade in these products, which are a unique and original contribution to the expansion of international trade in fruit and vegetables;

On the proposal of the Committee for Agriculture:

I. DECIDES:

1. The OECD "Scheme" for the Application of International Standards for Fruit and Vegetables (hereinafter called the "Scheme") is revised pursuant to the provisions of this Decision.

2. The "Scheme" has as its primary objective

to facilitate international trade in fruit and vegetables through the harmonisation of implementation and interpretation of international marketing standards. Hence, the "Scheme" shall:

a) facilitate the international harmonisation and adaptation of marketing standards, to production, trade and marketing conditions;

b) propose revisions to those standards subject to Annex I to this Decision as well as new standards;

c) promote uniform quality control procedures and the use of the model control certificate;

d) set up meetings of officers in charge of national quality control services;

e) reinforce the framework to facilitate mutual recognition of inspections by participating countries;

f) develop the "Scheme's" operational guidelines and training tools;

g) study quality assurance conditions and operations, taking into account new methods of marketing, to ensure that consumer interest in product quality is properly addressed;

h) carry-out voluntary peer reviews on the implementation of the Scheme's rules and guidelines by participating countries;

i) review the operation and progress of its activities at Plenary Meetings of the national representatives appointed by their Governments to be responsible for its implementation (hereafter called the "Plenary Meeting").

3. The "Scheme" may establish a Steering Committee which is a subsidiary body of the Plenary Meeting for the development and preparation of explanatory guidelines for the various standards.

4. The standards adopted by the United Nations Economic Commission for Europe and by the FAO/WHO Food Standards Programme of the United Nations, once approved by the Plenary Meeting, shall be applied under the Scheme to the products specified in Annex I to this Decision, at the export stage, when these products enter into international trade between countries participating in the "Scheme".

5. Each time a new standard is approved, each country participating in the "Scheme" willing to conform thereto shall inform the Secretary-General within a period of six months. Once a standard has been approved, participating countries willing to conform thereto may inform the Secretary-General at any time.

6. The Secretary-General shall bring to the attention of participating countries of the "Scheme" all notifications and information conveyed within the framework of the "Scheme".

7. Within three years of joining the Scheme, participating countries shall establish an export quality control of the produce in accordance with the guidelines set out in Annex II of this Decision, by virtue of which they participate in the Scheme.

8. Participation in the "Scheme" shall be open to any member of the United Nations or one of its specialised agencies or the World Trade Organization which desire to participate therein as regards all or some of the produce concerned and is willing, as an exporting country, to conform with the standards referred to in paragraph 4 and, as an importing country, to recognise them as standards which are to be applied to exported fruit and vegetables produced in the country of origin. The procedure for participation is set out in Annex III to this Decision. Any country desiring to participate in the Scheme shall notify the Secretary-General indicating the institution responsible for quality control and a contact person.

9. Any participating country wishing to withdraw from the "Scheme" shall give no less than twelve months' notice in writing to the Secretary-General.

10. The following international organisations, represented by their Secretariats:

- United Nations Economic Commission for Europe,
- Joint FAO/WHO Food Standards Programme of the United Nations,
- European Association of Fresh Produce Importers, Exporters, Wholesalers and Distributors, and Retailers (Freshfel Europe),
- Liaison Committee for Mediterranean Citrus Fruit Culture (CLAM),
- Liaison Committee for the Promotion of Tropical Fruits and Out-of-Season Vegetables imported from ACP Countries into the EU (COLEACP),

shall be invited to be represented as observers at the Plenary Meeting and its Steering Committee.

11. Other International Governmental or Non Governmental Organisations which have responsibilities in the sector covered by the "Scheme" may be invited to designate an ad-hoc observer or an expert to sessions of the Plenary Meetings of the "Scheme" or its Steering Committee.

12. Sessions of the Plenary Meeting and its Steering Committee may take place in any participating country of the "Scheme". If the meetings take place outside the OECD headquarters, no additional cost shall be incurred by the OECD Secretariat.

13 a) Expenditures required for the functioning of the "Scheme" shall be defrayed from the appropriations authorised for it under Part II of the Budget of the Organisation.

b) The annual contributions of participating countries in the Scheme shall be calculated according to the following scale:

- a basic fee of € 3 000;
- an additional fee calculated according to the criteria used for the contributions of OECD member countries set out in the Resolution of the Council [C(63)155(Final), as amended].

c) The annualised contribution of a new participating country shall be an addition to the budget of the Scheme.

d) A participating country shall fall into arrears on 1 January of the year following the year of the call for the payment of the annual contribution (basic fee and additional fee), if this contribution remains fully or partly unpaid at that date. In the first year of arrears no documentation shall be sent out to the country. In the second year of arrears, the country shall no longer be eligible for issuing OECD Conformity Certificates and will not be invited to Training Workshops or the Meetings of the Heads of National Inspection Services. In the third year of arrears, the country shall be duly notified of a proposal to exclude it from participation in the Scheme and shall not be invited to the Plenary Meeting of the OECD Fruit and Vegetables Scheme. The decision of exclusion shall be adopted by the Council, on the proposal of the Plenary Meeting of the OECD Fruit and Vegetables Scheme and of the Committee for Agriculture. The decision of exclusion shall be notified to the country.

e) Settlement by the country in arrears of the debt in the first and the second year shall reverse all the measures previously taken. Settlement of the debt in the third year and reversal of all the measures previously taken shall be subject to a decision by the Plenary Meeting of the OECD Fruit and Vegetables Scheme. All participating countries and Observers in the Scheme shall be notified of all developments associated with the implementation of this procedure.

f) The present procedure shall apply to arrears of contribution due for 2013 and successive years. Arrears of contributions due for one or more years before 2013 shall be subject to a separate settlement with the Organisation.

II. **DECIDES** that the countries listed in Annex IV shall participate in the “Scheme” established by this Decision subject to notification of the contrary to the Secretary-General within three months following the adoption of the present Decision.

III. **DECIDES** that within a period of six months after the adoption of this Decision, the participating countries shall inform the Secretary-General of the standards currently in force with which they are willing to conform.

IV. **INSTRUCTS** the Committee for Agriculture to report to the Council, when appropriate, on the operation of the “Scheme”, and to submit to the Council, where necessary, proposals for its modification.

V. **AUTHORISES** the Committee for Agriculture to decide on any technical amendments to Annexes I – IV of the Scheme for the Application of International Standards for Fruit and Vegetables. These amendments shall then be transmitted to the Council for information.

VI. **DECIDES** that the Decision of the Council of 8 April 1999 referred to above is repealed and replaced by this Decision.

ANNEX I

STANDARDS APPLICABLE UNDER THE OECD "SCHEME"[1]

Almonds, inshell*
Almond kernels, blanched*
Almond kernels*
Annonas*
Apples (dried) *
Apples (x) *
Apricots (x) *
Apricots (dried) *
Artichokes (x) *
Asparagus (x) *
Aubergines (x) *
Avocados (x) *
Bananas(x)**
Beans (x) *
Berry Fruits (x)*
Broccoli (x) *
Brussels sprouts*
Cabbages (headed) (x) *
Carrots (x) *
Cashew kernels*
Cauliflowers (x) *
Ceps*
Certain Small Fruits (x) *
Chanterelles*
Chicory[2] (x)
Celery (ribbed) *
Cherries (x) *
Chinese cabbages*
Citrus fruit *(x)
Courgettes*
Cucumbers(x) *
Dates *
Edible sweet chestnuts*
Fennel*
Figs (fresh) (x) *
Figs (dried) *
Garlic (x) *
Grapes (dried) *
Hazelnut kernels (x)*
Hazelnuts (inshell) (x) *
Kiwifruit (x) *
Leafy Vegetables*
Leeks*
Lettuces and endives (x) *
Macadamia kernels*
Macadamia nuts, inshell*
Mangoes (x) *
Melons (x)*
Mushrooms (cultivated) (x) *
Onions (x) *
Papaya (x) **
Passion Fruit (x) **
Peaches (dried) *
Peaches and nectarines (x) *
Peas (x) *
Pears (x)*

Pears (dried) *
Pineapples*
Pine nuts (decorticated peeled) *
Pistachio nuts (inshell) (x) *
Pistachio kernels and peeled pistachio kernels
Plums (x) *
Prunes (x) *
Potatoes, early and ware (x) *
Rhubarb*
Root and Tubercle Vegetables*
Shallots (x)*
Strawberries (x) *
Sweet peppers (x) *
Sweet potatoes (x) *
Table grapes (x) *
Tomatoes (x) *
Tomatoes (dried)*
Walnut kernels (x) *
Walnuts (inshell) *
Truffles*
Watermelons (x)*

ANNEX II

OPERATING RULES FOR CONFORMITY CHECKS OF FRUIT AND VEGETABLES COVERED BY A STANDARD

I. OPERATING RULES CONCERNING CONFORMITY CHECKS

1. The purpose of conformity checks is to ascertain that the quality and classification of the produce traded are in conformity with the relevant standards. The standards applied under the Scheme are defined in Annex I. However, these operating rules are appropriate to check the conformity with any standard approved by UNECE, Codex Alimentarius or equivalent standards.

2. The aim of this document is to define an appropriate control method to assess the conformity of produce (fresh**,** dry and dried fruit and vegetables) against standards. These methods set a minimum level whenever produce fails to meet the benchmark requirements of the standard. More extensive methods may be applied as long as will be based at least on the level of inspection described below.

3. Conformity checks are to be carried out according to the methods set out in Section II below by the authorised control service to issue the conformity certificate comparable to the model set out in Appendix I to this Annex. Its use is described in the explanatory note appearing in Appendix II to this Annex.

4. The purpose of the conformity certificate is to attest that the authorised control service has verified, according to the methods set out hereafter in Section II of this Annex that the consignment in question conforms to the standard at the time of inspection.

5. For countries participating under the "Scheme", the application of these operating rules is mandatory at export stage and for standards applied under the "Scheme". The authorised control service of the exporting country is responsible to the corresponding service of the importing country for the statements attesting conformity in the conformity certificate. In the context of the Scheme, the trader refers to the exporter.

II. METHODS OF CONFORMITY CHECKS

1. Definitions

1.1 Authorised control service

The authorised control service has been formally approved or recognized by the government or a government agency having jurisdiction. The authorised control service should have clearly defined responsibilities and authority.

1.2 Inspector

The inspector is the person entrusted by the authorised control service who has appropriate and regular training enabling him/her to undertake conformity checks.

1.3 Signatory

The signatory is the person entitled by the authorised control service for carrying out the inspection and for signing the conformity certificates.

1.4 Trader

Trader means any natural or legal person who holds fruit and vegetables subject to standards for itself or on behalf of a third party with a view to displaying or offering them for sale, selling them, or marketing them in any other manner. Such activities shall cover distance selling whether by internet or otherwise. The trader may be represented for the conformity checks by an appointed staff member (representative/person of the company) or by an agent.

1.5 Standard

The standard defines the characteristics for produce (fresh, dry and dried fruit and vegetables) intended to be sold or delivered in its original condition to the consumer. The standards also puts down requirements for packaging, marking and labelling.

1.6 Conformity check

The conformity check is the examination carried out by an inspector to verify that the produce conforms to the standard.

This conformity check includes:

An identity and documentary inspection: an inspection of the documents or certificates accompanying the lot and an inspection of the goods and the particulars in these documents, to check that they match.

A physical inspection, by means of sampling of the goods in the lot to ensure that it satisfies all the conditions laid down by the standard, including the provisions on the presentation and marking of packages and packaging.

1.7 Consignment

The consignment is the quantity of produce to be sold by a given trader found at the time of inspection and defined by a document. The consignment may consist of one or several types and lots of produce and may be split on several means of transport**.**

1.8 Lot

The lot is the quantity of produce which, at the time of inspection at one place, has similar characteristics with regard to:

Packer, dispatcher and/or shipper or - if available - producer;

Country of origin;

Nature of produce;

Class of produce;

Size (if the produce is graded according to size);

Variety or commercial type (according to the relevant provisions of the standard);

Date of picking or packaging, if available;

Lot number (if available)

Type of packaging and presentation.

However, if during the conformity check of consignments, it is difficult to distinguish between different lots and/or presentation of individual lots is not possible, all lots of a specific consignment may be treated as one lot if they are similar in regard to type of produce, packer/dispatcher/shipper**/**producer, country of origin, class and variety or commercial type, if this is provided for in the standard.

The decision on the lot is taken by the inspector.

1.9 Package

Packages are individually packaged part of a lot, including contents. The packaging is conceived so as to facilitate handling and transport of a number of sales packages or of produce loose or arranged, in order to prevent damage by physical handling and transport. The package may constitute a sales package. Road, rail, ship and air containers are not considered as packages.

1.10 Sales package

Sales packages are individually packaged part of a lot, including contents. The packaging of sales packages is conceived so as to constitute a sales unit to the final user or consumer at the point of purchase.

1.11 Pre-package

Pre-packages are a type of sales packages where the packaging encloses the foodstuff completely or only partially, but in such a way that the contents cannot be altered without opening or changing the packaging.

1.12 Unit

The unit is a single produce, bunch, bundle, or truss.

1.13 Primary sample

The primary sample is the package taken at random from the lot or, in the case of produce presented in bulk (direct loading into a transport vehicle or compartment thereof), a quantity taken at random from a point in the lot.

1.14 Bulk sample

The bulk sample is a number of primary samples supposed to be representative for the lot and whose quantity should be sufficient to allow the assessment of the lot with regard to all criteria of the relevant standard.

1.15 Secondary sample

The secondary sample is a quantity of units or sales packages taken at random from the primary sample.

1.16 Composite sample

The composite sample is the mix of all the secondary samples from the primary samples constituting the bulk sample.

1.17 Reduced sample

The reduced samples is the quantity of produce taken at random from the bulk or composite sample whose size is restricted to the minimum quantity necessary but sufficient to allow the assessment of certain individual criteria.

Several reduced samples may be taken from a bulk or composite sample in order to check the conformity of the lot against different criteria.

1.18 Risk analysis

The risk analysis is the evaluation of the likelihood and severity of adverse effects on the quality of fruit and vegetables. It determines the quantitative and qualitative value of risk related to a concrete situation and a recognized hazard, i.e. the non-conformity of fruit and vegetables with the relevant standard.

2. Implementation of conformity check

2.1 Notification

The trader applying for conformity certificate has to make sure that the authorised control service is informed whenever a consignment is to be exported or imported.

2.2 Decision on conformity checks

The authorised control service may decide to inspect the produce:

Systematically, or

Selectively, based on a risk analysis, and with appropriate frequency, so as to ensure appropriate compliance with the standard.

Where inspection is based on risk analysis, the rules laid down to this end in the *OECD Guidelines on Risk Analysis* [AGR/CA/FVS(2006)1[3]] should be used.

2.3 Place of inspection

A conformity check may be carried out during the packing operation at the point of dispatch, during transport, at the point of destination.

In cases where the authorised control service does not carry out the conformity check in their own premises, the trader shall provide facilities enabling the conduct of a conformity check.

2.4 Inspector's equipment

With respect to the range of produce covered by conformity checks**,** the inspector must be provided with adequate equipment.

2.5 Presentation of produce

The presentation of the lot is made by the trader as well as the supply of all information deemed necessary for the identification of the consignment or lot and for the inspection.

2.6 Identity check

The identification of lots shall be carried out on the basis of their marking or other criteria. In the case of consignments which are made up of several lots it is necessary for the inspector to get a general impression of the consignment with the aid of accompanying documents or declarations concerning the consignments. The inspector shall then determine how far the lots presented comply with the information in these documents.

If the produce is to be, or has been, loaded onto a means of transport, the registration number of the latter shall also be used for identification of the consignment.

2.7 Sampling

A conformity check shall be made by assessing bulk or composite samples. It is based on the principle of presumption that the quality of the randomly taken samples is representative of the quality of the lot.

The inspector selects at random the primary samples to be inspected. If secondary or reduced samples are required, these shall be identified at random by the inspector from the bulk sample.

Care should be taken to ensure that the removal of samples does not adversely affect the quality of the produce.

Damaged packages should not be used as part of the bulk sample. They should be set aside and may, if necessary, be subject to a separate examination and report.

2.7.1 Sample size in case of conformity

The inspector shall determine the size of the bulk sample in such a way as to be able to assess the lot.

2.7.2 Sample size in case of non-conformity

The bulk sample shall comprise the following minimum quantities whenever a lot is declared unsatisfactory:

Packed produce	
Number of packages in the lot	Number of packages (primary samples) to be taken to constitute the bulk sample
up to 100	5
101 to 300	7
301 to 500	9
501 to 1000	10
over 1000	minimum 15

Produce in bulk (direct loading into a transport vehicle or compartment thereof)	
Quantity of lot	Quantity to be taken [1)] to constitute the bulk sample
up to 1000 kg	75 units or 15 kg
1001 to 5000 kg	105 units or 21 kg
over 5000 kg	minimum 150 units or 30 kg
[1)] In the case of bulky produce (over 1 kg per unit), the bulk sample shall be made up of at least 20 units.	

In case the lot size is equal to or below the minimum bulk sample to be taken the whole lot must be inspected.

2.7.2.1 Size of the secondary sample

In the case of packed produce, secondary samples have to be taken from each primary sample to constitute the composite sample. The minimum size of the secondary sample taken from each primary sample shall be:

a) In case of fresh fruit and vegetables:

15 units but at least 3 kg in case the net weight of the primary sample is equal to or less than 25 kg;

50 units but at least 10 kg in case the net weight of the primary sample is more than 25 kg.

In case the primary sample contains a number of units or sales packages equal to or below the minimum number defined as secondary sample, the whole primary sample has to be checked.

In case of primary samples containing sales packages, the number of sales packages to be taken as secondary samples must be such to obtain 3 kg. However, in case of primary samples containing

sales packages of a total net weight of 6kg or less, 50% of the sales packages must be taken as secondary sample.

In case the primary sample contains a number of units or sales packages equal to or below the minimum number defined as a secondary sample, the whole primary sample has to be checked.

b) In case of dry and dried produce:

300 g to 1 kilogram, in case the produce is packed loose in the package or 1 or more sales packages but at least 300 g in case of produce packed in packages containing sales packages.

2.7.2.2 Size of the composite sample

When secondary samples have been taken, the composite sample shall be

a) in case of fresh fruit and vegetables: the total of all secondary samples;

b) in case of dry and dried produce: at least 3 kg. Produce in the composite sample must be evenly mixed.

2.7.2.3 Size of the reduced sample

The reduced sample is taken from the bulk and/or composite sample and must comprise at least:

a) in case of fresh fruit and vegetables:

20 units; if in these 20 units at least 1 unit shows internal defects, the reduced sample must be increased to 100 units.

In case the composite sample contains a number of units below the minimum number defined as reduced sample, additional units have to be taken at random from the bulk sample.

b) in case of dry and dried produce:

100 nuts in the case of nuts in shell

300 g in the case of small dry or dried produce (i.e. 100 g include more than 100 units).

2.8 Physical check

2.8.1 Verification of packaging and presentation

The packaging, including the material used within the package, shall be checked for suitability and cleanliness according to the provisions of the relevant standard. This shall be done on the basis of primary samples, in case of packed produce and in all other cases on the basis of the lot or transport vehicle. If only certain types of packaging or presentation are permitted, the inspector checks whether these are being used. Moreover, this check is used to get a general impression of the lot.

2.8.2 Verification of marking

The marking shall be checked for correctness, completeness and readability according to the provisions of the standard. This shall be done on the basis of primary samples, in case of packed produce and in all other cases on the basis of the lot or transport vehicle. When produce are presented in sales packages presented in packages, the check should verify that the marking of the sales packages (if they are marked) and that of the packages is not misleading.

Unless legal provisions so specify, fruit and vegetables individually wrapped in plastic are not considered as pre-packed foodstuff and do not necessarily need to be marked in accordance with the standard. In such cases, the plastic wrapping can be considered a simple protection for fragile produce**.**

2.8.3 Verification of characteristics of the produce

The general appearance of the produce shall be checked based on the bulk sample, this means checking the top layer(s), emptying the package(s) or transport vehicle partly to check lower layers including, where possible, the ground layer.

The characteristics of the produce shall be checked for conformity with the minimum requirements, classification, sizing, and uniformity according to the provisions of the standard.

This shall be done on the basis of either the bulk or the composite sample.

However, the conformity check based on the bulk sample is obligatory in case of packages of a net weight of 3 kg or less or in case of packages containing less than 15 units. When using the bulk sample as a basis, the produce has to be removed entirely from its packaging.

Whatever the sampling method is applied, sales packages have to be opened and emptied.

The explanatory brochures published by the OECD Scheme for the Application of International Standards for Fruit and Vegetables[4] and by the UNECE[5] are taken into account when assessing the produce.

If external characteristics and/or the season give rise to a certain risk for internal defects or insufficient maturity and ripeness, this aspect has to be checked. As checking the interior quality means that the produce has to be destroyed, this check is carried out on the basis of the reduced sample**.**

The criteria on the degree of development and/or ripeness are checked using the instruments and methods laid down to this end in the relevant standard or in accordance with *OECD Guidelines on Objective Tests to Determine Quality of Fruit and Vegetables and Dry and Dried Produce*[6].

For dry and dried produce**,** the criteria on the degree of development and/or moisture content can be checked using the instruments and methods laid down to this end in the standard.

If during inspection it becomes obvious that the lot is heterogeneous, the lot should be separated – if possible – in homogenous lots. If this is not possible, the report of non-conformity should mention the heterogeneous character of the lot.

2.8.4 Determination of inspection result

The result of inspection is representative for the lot, as all samples (primary, secondary and reduced sample) are taken at random**.**

In the case where defects are detected, the inspector shall determine the respective percentage of the produce not in conformity with the standard by number or weight – as specified in the standard.

If the percentage of defects found is close to the tolerance another bulk, composite or reduced sample, equal in number or weight to the first sample, must be checked. The overall result is reported as an average of the two checks.

2.9 Report of control results

According to the respective legal provisions of the individual countries and depending on the results of control, a report on the findings may be made in the form of a conformity certificate or a report of non-conformity.

2.9.1 Conformity certificate

The authorised control service may issue a Certificate of Conformity as set out in Appendix I, if the produce is in conformity with the relevant standard.

Several lots may be listed on the same conformity certificate if these are uniform with respect to the key criteria such as packer/dispatcher/shipper, receiver and/or means of transport**.**

2.9.2 Report of non-conformity

If defects are found leading to non-conformity, the trader must be informed about these defects and the percentage found as well as the reasons of complaint. This information must be made according to the legal provisions of the individual countries. If the compliance of produce with the standard is possible by a change in marking or by re-grading, the trader must be informed.

2.10 Stop-notice

A lot for which a finding of non-conformity has been issued may not be moved without the authorisation of the authorised control service issuing that non-conformity report. This authorisation can be subject to the conditions laid down by the authorised control service.

2.11 Re-inspection

The trader may decide to bring all or part of the lot into conformity. A lot brought into conformity may not be marketed before the authorised control service has ensured by all appropriate means that the lot has actually been brought into conformity. The inspector may issue a conformity certificate for the lot or part of it only once the lot has been brought into conformity.

2.12 Record of control results

The authorised control service shall develop and maintain a system of recording the inspection results.

2.13 Notification of non-conformity

When defects or deterioration which could have been detected at the time of packaging are found at destination, the authorised control service competent at export/dispatch should be informed. To facilitate this notification, the notification form and codes laid down to this end in the *OECD Document to Facilitate the Exchange of Information between National Control Services of Exporting and Importing Countries on Non-Conformity of Fruit and Vegetables*[7] should be used.

2.14 Decline in value by conformity checks

After the conformity check, the bulk/composite sample shall be given the disposal of the trader.

The authorised control service shall not be obliged to return produce of the bulk/composite sample that have been damaged or destroyed during the conformity check, unless this is stated in national legal provisions.

No compensation can be claimed from the authorised control service if the commercial value of the produce has suffered a loss, unless this is stated in national legal provisions.

2.15 Communication

It is recommended that the authorised control service develops and cultivates regular communication with the industry as well as with other authorised control services.

ANNEX III

PROCEDURE FOR THE EXTENSION OF THE OECD "SCHEME" FOR THE APPLICATION OF INTERNATIONAL STANDARDS FOR FRUIT AND VEGETABLES TO NON-PARTICIPATING COUNTRIES

1. Eligibility of a Country for the OECD "Scheme"

1.1 OECD Member countries may participate in the Scheme on the basis of a written notification to the Secretary-General of the OECD.

1.2 Non-member countries of the OECD, as defined in Section I, paragraph 8 of the Decision, may submit a written application to the Secretary-General of the Organisation if they wish to join the "Scheme".

1.3 The technical criteria necessary to operate the Schemes shall apply equally to OECD Members and non-member countries.

2. Technical Criteria

Technical criteria to be satisfied by the notifying/applicant country are set out in the rules of the OECD "Scheme" in force and include the following:

2.1 The country shall provide a description of:

a) The nature and terms of the national legislation applicable to fruit and vegetables entering into international trade;

b) The standard or standards included in the OECD "Scheme" with which the requesting country is prepared to conform;

c) The steps to be taken for the acceptance of the standards or the adaptation of existing national standards to those of the "Scheme", and the period of time necessary;

d) The organisation and methods of control of exports.

2.2 The request must also state that the appropriate national authorities are aware of the regulations of the "Scheme" and are prepared to conform with them, including particularly the sending of qualified representatives to the Plenary Meetings.

2.3 The notifying/applicant country must also undertake to take part in studies or measures designed to ensure:

i) the harmonisation of control operations;

ii) the possible revision of the standards;

iii) the adoption of new standards.

3. Evaluation Mission

The OECD Secretariat shall acknowledge receipt of the notification/application and shall examine the attached technical documentation. If the technical documentation is considered to be satisfactory, the Secretariat shall visit the notifying/applicant country with a representative of a National Designated Authority.

The tasks of the mission shall be:

3.1 To explain to the responsible authorities the technical and administrative requirements involved in adherence to the “Scheme”, as well as its organisation and coordination at the international level.

3.2 To make sure that sufficient technical and administrative facilities exist to enable the provisions of the “Scheme” to be satisfactorily applied.

3.3 To consider the need for expert assistance during the initial period of the “Scheme”’s operation.

The cost of the mission shall be borne by the notifying/applicant country.

4. Final assessment of the application

4.1 If the result of the examination provided for in paragraph 3 is satisfactory, the Plenary Meeting of the “Scheme” will advise the Committee for Agriculture to endorse the acceptance of the request for adherence. The Committee for Agriculture of the Organisation will then be invited to recommend to the Council that it approves the admission of the country concerned.

4.2 The Secretary-General of the Organisation will notify the applicant country and the already participating countries of the Decision at the end of the procedure.

5. Annual contribution

The notifying/applicant country agrees to the payment to OECD of an annual fee, irrespective of the number of products for which it has declared it was prepared to conform with the Standards of the “Scheme”.

6. Participation in the Plenary Meetings and its subsidiary body during the application procedure

Before admission, the notifying/applicant country shall be authorised to attend the Plenary Meeting and its subsidiary body as an observer, with a view to presenting the documentation submitted according to section 2 above.

ANNEX IV

COUNTRIES PARTICIPATING IN THE OECD "SCHEME" FOR THE APPLICATION OF INTERNATIONAL STANDARDS FOR FRUIT AND VEGETABLES

Austria
Belgium
Brazil
Bulgaria
Croatia
Finland
France
Germany
Greece
Hungary
Ireland
Israel
Italy
Kenya
Luxembourg
Morocco
Netherlands
New Zealand
Poland
Romania
Serbia
Slovakia
Slovenia
South Africa
Spain
Sweden
Switzerland
Turkey

APPENDIX I

MODEL CONFORMITY CERTIFICATE

<table>
<tr><td colspan="2">1 Exporter/Trader</td><td colspan="2">OECD SCHEME for Fruit and Vegetables</td><td>CONFORMITY CERTIFICATE

N° ----------</td></tr>
<tr><td colspan="2" rowspan="2">2 Packer as indicated on packing (if other than exporter/trader)</td><td colspan="3">This certificate is for the exclusive use of control services</td></tr>
<tr><td colspan="2">3 Control service</td></tr>
<tr><td colspan="2">6 Identification of means of transport</td><td colspan="3">4 Country of origin *

7 Space reserved for national regulations **</td><td>5 Country of destination</td></tr>
<tr><td>8 Packages (number and type)</td><td>9 Nature of produce (variety when specified by the standard)</td><td>10 Quality class</td><td colspan="2">11 Total weight in kg gross/net</td></tr>
<tr><td colspan="5">The consignment referred to above conforms, at issue time, to the standards.

---------- ----------
Customs office of departure ** Place and date of issue

Valid until (date): ----------

Signatory (name in block capitals)

Signature Seal of Authorised Control Service</td></tr>
<tr><td colspan="5">13 Observations</td></tr>
<tr><td colspan="5">* When the produce is re-exported, indicate its origin after the nature of the produce
** Optional</td></tr>
</table>

Format of the certificate: printed on a 297 mm x 210 mm sheet

APPENDIX II

EXPLANATORY NOTES ON THE USE OF THE MODEL CONFORMITY CERTIFICATE

The following notes are intended to help inspectors in the use of the conformity certificate.

Box No. 1

Name and physical address (e.g. street/city/region/postal code and, if different from the country of origin, the country) of the exporter or exporting firm or trader. The name and address may be substituted by an identification code issued or approved by the authorised control if this is accepted pursuant to national legal provisions.

Box No. 2

Name and address or identification code indicated on the packages if they differ from those given in Box No. 1. It is not necessary to complete this box when the exporter/dispatcher/shipper and packer are one and the same person. The entry "various" may be used if there are several packers, but in that case box no. 1 must be completed.

Box No. 3

Title or acronym of the authorised control service.

Box No. 4

Name of the producing country when the produce is inspected in that country. When the produce is re-exported or is of various origins (national and foreign), the country of origin must be indicated in Box No. 9 immediately after specification of the nature of the produce. Box No. 4 must then remain empty or be deleted.

Box No. 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 No. 6

Number of wagon, registration number of lorry, number of container, name of vessel (possibly indicating "by sea" or "by air").

Box No. 7

Specify any national regulations relating to the export of the produce in question, or any specific information related to national provisions.

Box No. 8

Number and type of packages of each produce (e.g. boxes, trays, cartons, etc.). Specification of the type of packaging material or the size of the package is optional.

Box No. 9

Type of produce (apples, peaches, etc.) for each lot 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. The entry “various” or “mixed produce” is not allowed as this combines several lots. The term "mixture of name of produce" is allowed for packages containing mixtures of varieties and/or commercial types as specified in the standard.

Box No. 10

Specify the class: EXTRA, I or II.

Box No. 11

Specify the net or gross weight of each lot indicated on the consignment note; specifying the total weight of the consignment is optional.

Boxes Nos. 8, 9, 10 and 11

Several lots from the same exporter/dispatcher/shipper/packer constituting a shipment or part of a shipment can be subjects of a single certificate, as long as each lot is checked. In this case, boxes 8 to 11 can be divided in lines, each line giving the concerned information for a lot in the shipment (or the part of shipment).

Box No. 12

Customs office of departure: specify the place where the consignment must be cleared. This entry is optional.

Duration of validity: The expiring date is fixed by the inspector on the basis of criteria specific to the nature of produce and their destination.

Signatory: authorised by the authorised control service

Place and date of issue: place where the goods are inspected and date on which the certificate is issued.

Box No. 13

Reserved for any additional observations. The inspector shall delete this box when no observations are entered.

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1 The products with explanatory material already published or in preparation are indicated by the sign (x). Explanatory material is available from the OECD web site http://www.oecd.org/tad/fv

2 The name of the product and associated explanatory material are updated following the revision of the standard (including its title) at the UNECE level to cover red chicory in addition to “Witloof chicory” (the white one).

3 *http://www.oecd.org/tad/fv*

4 *http://www.oecd.org/tad/fv*

5 *http://www.unece.org/trade/agr/welcome.html*

6 *http://www.oecd.org/tad/fv*

* The Standards are available from the UNECE website http://unece.org/agr/welcome.htm

** Codex Standards are applied under the "Scheme" excluding Sections 7 and 8 on Contaminants and Hygiene. The Codex standards are available from the Codex Alimentarius website: http://www.codexalimentarius.net/web/index_en.jsp#

About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Türkiye, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

OECD Legal Instruments

Since the creation of the OECD in 1961, around 460 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions** are adopted by Council and are legally binding on all Members except those which abstain at the time of adoption. They set out specific rights and obligations and may contain monitoring mechanisms.

- **Recommendations** are adopted by Council and are not legally binding. They represent a political commitment to the principles they contain and entail an expectation that Adherents will do their best to implement them.

- **Substantive Outcome Documents** are adopted by the individual listed Adherents rather than by an OECD body, as the outcome of a ministerial, high-level or other meeting within the framework of the Organisation. They usually set general principles or long-term goals and have a solemn character.

- **International Agreements** are negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.

- **Arrangement, Understanding and Others**: several other types of substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.