

02 NCAC 43F .0103 STANDARDS FOR RECEPTACLES: LABELING: ETC.

All closed containers in which apples or peaches are packed for sale, exposed for sale, or offered for sale, shall clearly and conspicuously be marked immediately after the containers are closed in accordance with the following regulations:

- (1) The name and address (including zip code) of grower, packer, shipper, or distributor must be shown on the principal display panel.
- (2) The name of the product must be shown on the principal display panel.
- (3) The variety of apples must be shown; however, it may be shown on the principal display panel or on the bag closure. The words "Variety Unknown" may be used in lieu of the variety on containers in which apples are packed that are normally marketed during the summer months and meet the grade U.S. No. 1, Early.
- (4) The variety of peaches must be shown on the principal display panel. The words "Clingstone Peaches," "Semi-clingstone Peaches," or "Freestone Peaches," as applicable, may be used in lieu of variety.
- (5) The net quantity of contents (weight, measure or count) must be shown on the principal display panel in a uniform location, as required by the Federal Fair Packaging and Labeling Act.
- (6) The minimum size must be shown on the principal display panel; however, when fairly uniform size apples or peaches are packed in a container and sold by count, count may be used in lieu of net weight and minimum size markings. However, overwrap packages that contain six or less apples or peaches that are fully visible to the purchaser need not include a statement of count.
- (7) Apple containers must show the applicable U.S. Grade on the principal display panel or be marked "Unclassified," "Not Graded," or "Grade Not Determined." Peach containers are not required to show grade markings; however, when grade is shown, the product must meet that standard.

History Note: Authority G.S. 106-185; 106-188; 106-195;
Eff. August 1, 1982;
Amended Eff. July 1, 1998; July 1, 1986; February 1, 1983;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 22, 2015.