

Decree No. 2-17-433 of 5 Safar 1439 (25 October 2017) relating to the quality and health safety of marketed dates and date paste.

(OG. No 6622 of 16 November 2017, page 1292)

The Head of Government,

Having regard to Law No. 28-07 relating to the safety of food products, promulgated by Dahir No. 1-10-08 of 26 Safar 1431 (11 February 2010), especially its articles 5 and 8;

Having regard to Law No 13-83 relative to the repression of frauds on the goods, promulgated by Dahir No 1-83-108 of 9 Moharrem 1405 (5 October 1984), in particular its article 16;

Having regard to Decree No 2-10-473 of 7 Chaoual 1432 (6 September 6, 2011) taken for the application of certain provisions of Law No. 28-07 relating to the safety of food products, in particular its articles 4, 5, 48, 53 and 75;

Considering the Decree No 2-12-389 of 11 Jumada II 1434 (22 April 2013) setting the terms and conditions for the labelling of food products, as amended and completed;

After deliberation in the Government Council at its meeting of 7 Moharrem 1439 (28 September 2017),

DECREES:

ARTICLE 1. - In accordance with the provisions of articles 5 and 8 of the aforementioned Law No. 28-07 relating to the safety of food products, this Decree shall set the conditions to ensure the quality and safety of whole dates, with or without pits and date paste, processed, packaged or displayed with a view to their marketing for human consumption.

The provisions of this decree shall not apply to other methods of use of dates, in particular dates intended for industrial use or for animal feed.

ARTICLE 2. - For the purposes of this decree, the following terms shall mean:

- 1) Date:** the fruit of the date palm (*Phoenix dactylifera* L.);
- 2) Khalt or Saier:** date obtained from the date palm grown from date pits;
- 3) Date paste:** the paste prepared from dates that have reached maturity, washed, pitted and freed from perianths.

ARTICLE 3. - Dates shall be picked when ripe. They can be marketed, with or without pits, washed, dried, rehydrated, or pasteurized. Dates can be presented :

- in bunch : set consisting mainly of the rachis and the twigs to which the dates adhere naturally;
- in twigs: twigs separated from the rachis, to which the dates adhere naturally;
- rows: placed individually with their pits or pitted in layers or detached in the packaging;

- pressed: compressed into layers by a mechanical process.

When the dates are presented in bunches or in twigs, a maximum of 10% of detached dates from the twigs shall be allowed.

Twigs presented in bunches or separated from the rachis must be at least ten centimeters (10) long and bear at least four (4) dates for each ten centimeters (10) of length.

When the dates are presented in twigs, the ends of the twigs must be clearly sliced.

The contents of each batch of dates must be homogeneous and contain only dates of the same variety, origin and quality. The visible part of the contents of the batch must be representative of the whole batch.

ARTICLE 4. - Date varieties shall be classified into two types depending on whether the dates contain mainly sucrose (cane sugar) or glucose and fructose (invert sugar).

The water content of dates and date pastes of these two types of varieties shall be set by an order of the government authority in charge of agriculture.

ARTICLE 5. - Marketed dates shall be classified in three (3) categories: Extra category, category I and category II, according to their size while taking into account the permitted thresholds of dates with defects, calculated on the basis of their number or their weight in a given batch.

An order of the government authority in charge of agriculture shall fix, for each category, the size based on the unit weight of the dates, the nature of the defects allowed, including, where applicable, the possible presence of pits in the pitted dates and the permitted threshold of dates with defects.

The admitted defects mentioned in the above-mentioned order must not affect the general appearance of the product, its quality, its conservation and its presentation in the packaging.

ARTICLE 6. - Without prejudice to the provisions of article 5 above, dates, regardless of their category, shall throughout all stages of the food chain be intact, clean, healthy and free from insects or live parasites, visible traces of damage by insects, mites or other parasites or their residues or droppings. In addition, they shall not show signs of fermentation or abnormal external humidity or have a foreign smell or flavour or contain immature dates.

ARTICLE 7. – Shall be considered as a lawful operation or treatment within the meaning of article 16 of the aforementioned Law No 13-83, the addition in marketed dates of glucose syrup, date syrup, glycerol or sorbitol.

ARTICLE 8. - The date paste shall have the following characteristics:

- be supple, of uniform colour and texture, free from black spots or signs of dryness or alterations in smell or taste;
- not contain foreign bodies;
- be free from fermentation and mould;
- have a mineral matter content not exceeding 1 g/kg, a total ash content not exceeding 1.2% and an acid-insoluble ash content not exceeding 0.1%.

Date paste can be prepared from a single variety or from several varieties of dates.

No additives shall be allowed for the preparation of date paste.

ARTICLE 9. - The microbiological criteria, the levels of contaminants and residues of phytosanitary products in the products marketed dates and date paste shall not exceed the maximum limits set by the regulations in force.

ARTICLE 10. - Dates and date paste shall be wrapped or packaged in suitable, watertight, hermetically sealed, clean and dry containers, to preserve their quality and ensure their organoleptic characteristics. These containers shall ensure the protection of dates and date paste against any source of contamination or deterioration.

These containers shall be made of materials that meet the specifications and requirements as set by article 53 of the aforementioned Decree No. 2-10-473.

ARTICLE 11. - For the sale to final consumers, dates shall be presented prepackaged in containers not exceeding 5 kg.

However, they may be presented non-prepackaged for sale to an end consumer in quantities not exceeding 5 kg, in specialized establishments or spaces reserved for this purpose, meeting the hygiene and health conditions provided for by the regulations in force. In this case, they shall be:

- signalled by a poster or sign, complying with the provisions of article 10 of Decree No 2-12-389 referred to above, which also specify the category under which they are classified in accordance with the provisions of the article 5 above;
- be packaged and labelled in front of this end consumer in a container made of materials intended to come into contact with food products. The label shall bear a reference of the variety, the date of minimum durability, the batch number as well as the name and address of the specialized establishment or the space dedicated to the sale of the said dates.

ARTICLE 12. - Dates and date paste shall be stored in a cool place far from heat, humidity, insects and rodents. During their transport, dates and date paste shall be protected from any source of contamination or deterioration.

Dates and date paste shall be presented for sale under hygienic and storage conditions that guarantee their quality and safety, and shall be protected from any source of contamination or dirt.

ARTICLE 13. - Establishments and companies for the treatment, transformation, packaging, transport, distribution or storage of dates and date paste shall be, as the case may be, approved or authorized by the competent health services in accordance with the provisions of Decree No. 2-10-473 referred to above.

The operators of these establishments or companies shall ensure the traceability of their products in accordance with the provisions of article 75 of the abovementioned decree.

ARTICLE 14. - Importers shall ensure that the imported dates and date paste meet the requirements provided for by this decree and by article 48 of the Decree No 2-10-473 referred to above.

ARTICLE 15. - The labelling of prepackaged dates and date paste shall comply with the provisions of the Decree No. 2-12-389 and also include, as appropriate, the following information:

- The denomination "date" followed by the name of the variety or "khalt" or "date paste" followed by the name of the variety or varieties of dates from which the date pastes were prepared, as the case may be;
- The category in which the dates are classified under the provisions of article 5 above;
- The indication of the mode of presentation "in twigs " or "pressed", as the case may be;
- "Dates coated with glucose syrup" for dates to which glucose syrup has been added;
- "Pitted dates" for dates from which the pits have been removed;
- The treatment used in the case where the omission of the indication of such treatment is likely to create confusion in the mind of the consumer.

ARTICLE 16. - This decree shall come into force as from the date of its publication in the Official Gazette.

However, operators of specialized establishments and areas dedicated to the sale of non-prepackaged dates referred to in article 11 above shall have a period of one year from this date of publication in the Official Gazette to comply with the provisions of said article 11.

ARTICLE 17. - The Minister of Agriculture, Maritime Fisheries, Rural Development and Waters and Forests shall be responsible for the implementation of this decree which shall be published in the Official Gazette.

Done in Rabat, on 5 Safar 1439 (25 October 2017).
The Head of Government, SAAD DINE EL OTMANI.

FOR COUNTERSIGNATURE:

The Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests,
AZIZ AKHANNOUCH.