



**INTERNATIONAL FEDERATION FOR PRODUCE STANDARDS**  
**PRICE LOOK-UP (PLU) CODE ASSIGNMENT CRITERIA**  
*November 2017*

Please be sure you have thoroughly read through the criteria below and have attached the necessary documentation before submitting your application to the International Federation for Produce Standards (IFPS). Before you proceed, please refer to the PLU codes database, [www.IFPSGlobal.com](http://www.IFPSGlobal.com), to verify that a code does not already exist for the product. In order to give the IFPS sufficient time to consider the application and assign a new number, please refer to the review schedule below when making your decision to submit an application. If the application is not completed fully, the review and decision date may be delayed.

<u>Submission Deadline of Application</u>	<u>Decision Date</u>
November 1	January 31
February 1	April 30
May 1	July 31
August 1	October 31

**A non-refundable processing fee is required for each new application considered by the IFPS.**

The fee is \$1000 USD for a member of any IFPS Member Organization (refer to *Appendix A*) or \$2000 USD for non-members (e.g., if the applicant is a member of PMA, FPC, etc., the fee is \$1000 USD). If an applicant is unsure of their status as a member, please contact the corresponding organization in *Appendix A*. A separate application will be required for each new code requested. Please submit payment in the form of a check or credit card; see bottom of application for payment processing information.

All fees will be payable at the time of application by the filing organization.

Fees will be payable to PMA, the IFPS Secretariat. Applicants must be the grower or marketer of the item. Applications will be reviewed at regional and national levels, including commodity specific and retail review, before advancing to the IFPS for final assessment.

The primary objective of a PLU code is to facilitate effective and efficient price integrity outcomes at the retail point of sale. Additional value-added opportunities include:

- The capacity to offer for sale various varieties of an item, simultaneously and at different price points (e.g. apple varieties).

- Enhanced understanding of shopper behaviour to assist in category management and promotions, etc.
- The means to identify unique varieties with high demand and/or low availability which capture a premium price at retail and are sold through the supply chain at a price reflective of that premium.

## CRITERIA FOR CODE ASSIGNMENTS

**VERY IMPORTANT:** No application will be considered unless the following criteria are met, and the proper documentation is attached. If any of these criteria are not relevant to the application, please indicate this on the application. Please be sure to complete the application thoroughly and have all the supporting evidence required.

### 1. Commodity: Product must be:

- a fresh fruit or vegetable, loose or bunched,
- sold by weight or by the unit,
- in an unprocessed form and
- sold at retail stores.

**Note:** Peeled or pre-cut fruits and vegetables are considered processed product, and, as such, will not be assigned a PLU code for use in the fresh fruit & vegetable department. The commodity name must be the name under which the product is grown; e.g. apples or mangoes.

**2. Variety:** In order for a PLU code to be granted, the product in question must be a unique variety. To prove its uniqueness, the product must meet the variety criteria of the International Union for The Protection of New Varieties of Plants ([www.upov.int](http://www.upov.int)) or a country-specific equivalent organization – please see *Appendix B* for further information.

Having achieved a trademark for a strain of an existing variety is not sufficient enough reason to be granted a PLU code.

Separate codes can be assigned to varieties of a type of produce to allow varieties to be sold at different prices. This should be the growing name or variety if different from the marketing name if the marketing name is trademarked; e.g. Cripps Pink is the variety for the trademarked/product brand Pink Lady®. A PLU code will not be granted to a trademarked or branded name.

**Note:** If the item you are requesting a new code for is similar to an item that is currently assigned a code (e.g., you are requesting a new code for Round Eggplant and Eggplant is currently assigned a code), please attach an explanation of why your item is unique from the item that already has been assigned a code.

**3. Item Size:** If a size break is necessary, indicate the product size (e.g. small/medium/large /extra-large) that must be in compliance with the standard usage within the industry. Size information can be found in the FAQ section of the website, [www.IFPSGlobal.com](http://www.IFPSGlobal.com). In most situations, there will be a North America and Rest of World size break. Please mark the size designation for each by count size, weight or dimension.

**4. Distribution/Marketing:** The product must be available to the entire global produce industry and made available to retailers from more than one marketer. The name and contact information of two or more marketers including your own must be provided. If you are currently the only marketer of the item, documentation from the breeder, or IP owner if not the breeder, is required to state that the item is available to other marketers. A requirement that a specific product brand (commercial name), in addition to the varietal name, be used in the marketing of the product is acceptable.

Codes will not be assigned for product that is controlled by one marketer or by multiple marketers that are controlled by a single entity.

The definition of “marketer”:

- A separate and unique company with rights, including fee based rights, to sell the product without any restrictions to the company brand under which the product is marketed and sold. (A marketer does not include a retailer who sells the item at point-of-sale.)
- Product brand is a particular name given to the product by an individual company, to achieve consumer recognition. The product brand name may not necessarily be the same as the company name.

Example:

- Sun World International is the patent owner of the SUGRATHIRTEEN variety of grape. Sun World International uses the product brand name of “MIDNIGHT BEAUTY®” for this variety of grape.
- Sun World International will license companies around the world to grow and market the SUGRATHIRTEEN variety of grapes.
- A condition Sun World imposes on licensing companies to grow and market the SUGRATHIRTEEN variety is that the product must have the product brand name “MIDNIGHT BEAUTY®” on the packaging if the grape meets prescribed quality standards.
- The company brand name that the grape is sold under is not mandated.
- Sun World International will license companies like Capespan Company to grow and market the SUGRATHIRTEEN grape. Under the Capespan Brand, Capespan Company will market the SUGRATHIRTEEN grape using the product brand name MIDNIGHT BEAUTY® on the packaging when the quality meets the requirements of the MIDNIGHT BEAUTY® specification. The company brand name in this example is Capespan.
- A PLU Code in this example would be issued to SUGRATHIRTEEN.

When these criteria cannot be met, there are blocks of codes called Retailer Assigned Codes within the IFPS PLU system which are reserved for use by retailers to enable grower/shippers to uniquely identify product in that special circumstance. The United Kingdom, Norway and Australia have chosen to coordinate usage of retailer assigned codes at a national level. In these countries, please contact your national IFPS representative for guidance. For more information, visit [www.IFPSGlobal.com](http://www.IFPSGlobal.com).

**5. Production/Sales Volumes:** Current annual and 5-year projected volumes are required for both actual production and sales. The source of these volumes must also be noted (e.g., commission or association data, internal estimates, etc.).

**6. Countries of Production:** The product must be available to be grown in more than one country.

**7. Product Photo:** Photos of the product for which the application is being made must be provided with the completed application. Photos can be provided electronically in a JPG 300 DPI format or on paper (minimum size 10 x 15 cm/4 x 6 inches).

***Please Note: By submitting images (photos) in support of your application, you confirm and guarantee that there is no third-party copyright to the work presented and that you assume full responsibility for any infringement of third party copyright. All images submitted become the property of IFPS.***

**8. Retail Support Letters:** Support letters are required from at least three different retailers, two of which need to operate 25 or more stores and at least one support letter must be from a retailer which operates 100 or more stores. Retailers signing the support letter must be utilizing IFPS PLU codes in their retail operations. (Support letters signed by a retailer not using PLU codes within their store retail systems will be disallowed and the applicant will be asked to provide additional letters to support their application.) Please note: only authorized signers should sign support letters. Authorized signers must be senior produce management at the company level. Companies providing support must be marketing the item for a minimum of 1 year and must provide a 5-year projection of sales.

**9. Intellectual Property (trademarks and patents):** Supporting evidence regarding the uniqueness of the variety is required. This can be provided through a patent copy, breeder documentation or other proof from any of the organizations listed in *Appendix B*. The product can be called a number of names, but will only have one PLU code. For example, if you take the Pinova apple, which is marketed under Pinova and Corail as well as the trademark names of Piñata™ and Evelina™, all use the same PLU code. If the item is trademarked, a common varietal name is required since PLU codes are not assigned to trademarked items.

**10. Impact on industry:** The assignment of a new PLU code to the item under consideration must not negatively impact or disrupt the international fresh produce market. If the application changes the nomenclature of the respective category, there must be support for the application from the industry member's representative of that category. For example, if the application changes the existing size breaks in the category, due diligence must be done to indicate support by the industry in order to make this change. It is the responsibility of the applicant to ensure this due diligence has been executed.

## APPENDIX A

### IFPS Member Organizations

- Asociacion de Exportadores de Frutas de Chile (ASOEX)
- Canadian Horticultural Council
- Canadian Produce Marketing Association
- Fresh Produce Consortium (UK)
- Frug I Com (Netherlands)
- Norges Frukt-og Gronnsaksgrossisters Forbund (Norway)
- Produce Marketing Association (US)
- Produce Marketing Association Australia-New Zealand
- United Fresh (New Zealand)
- United Fresh Produce Association (US)

## APPENDIX B

### Acceptable Agencies for Unique Variety Verification\*

- UPOV – [www.upov.int](http://www.upov.int)
- Plant Variety Protection Program - <http://www.ams.usda.gov/>
- U. S. Patent and Trademark Office - <http://www.uspto.gov/>
- New Zealand Intellectual Property Office <http://www.iponz.govt.nz>
- CFIA Plant Breeders' Rights Office - <http://www.inspection.gc.ca/plants/plant-breeders-rights/varieties/eng/1300463863953/1300463978655>
- EU – CPVO - [http://ec.europa.eu/food/plant/plant\\_property\\_rights/index\\_en.htm](http://ec.europa.eu/food/plant/plant_property_rights/index_en.htm)
- Australia Plant Breeder's Rights - <http://www.ipaustralia.gov.au/get-the-right-ip/plant-breeders-rights/>
- Servicio Agrícola y Ganadero (SAG) – <http://www.sag.cl/ambitos-de-accion/proteccion-derechos-del-obtentor-registro-de-variedades-protegidas>

*\*Please note this list is not exhaustive – if the applicant has achieved unique variety designation from another body, please note this on your application.*