

No. 241. THE AGRICULTURAL PRODUCE (EXPORT) LAW.
CAP. 39.

REGULATIONS MADE UNDER SECTION 8.

A. B. WRIGHT,
Governor.

In exercise of the powers vested in me by section 8 of the Agricultural Produce (Export) Law, I, the Governor, with the advice of the Executive Council, do hereby make the following Regulations:—

PART I.—PRELIMINARY.

1. These Regulations may be cited as the Agricultural Produce Export Regulations, 1953.

2. In these Regulations unless the context otherwise requires—

“certified seed potatoes” means potatoes the produce of a crop which was inspected whilst growing in the field by a member of the Department of Agriculture and in respect of which certificates have been issued by the Director of Agriculture;

“citrus fruit” means oval, round, Valencia and bitter oranges, grapefruit, mandarines and lemons;

“dried fruit” means any dried agricultural produce, excluding nuts, mentioned in Class III of the First Schedule to the Law;

“export specification” means the declaration provided for by section 53 (1) of the Customs Law;

“fresh fruit” means any of the agricultural produce mentioned in Class II of the First Schedule to the Law;

“inspector” means the produce inspector as defined in section 2 of the Law;

“muscatel raisins” means grapes which, having the characteristic muscatel flavour, have been dried in the sun without having previously been lye-dipped;

“nuts” means almonds, hazelnuts and walnuts whether shelled or unshelled;

“produce” means agricultural produce as defined in section 2 of the Law;

“raisins” means grapes, the fruit of the vine *Vitis vinifera*, Linn., which have been dried and treated as described in the definitions of scalded raisins, sun-dried raisins, muscatel raisins and sultanas;

“scalded raisins” means grapes of the varieties mavron or xinisteri which have been dried in the sun after having been lye-dipped;

“shelled nuts” means the kernels of any nuts from which the shell has been removed;

“sultanas” means the produce of grapes of the variety *sultanina* which have been dried in the sun whether having previously been lye-dipped or not;

“sun-dried raisins” means grapes which have been dried in the sun without having previously been lye-dipped;

“unshelled nuts” means the kernels enclosed in the shells which shall be unbroken;

“wood” means finely sawn or planed wood and includes ply wood, fibre board or other wood substitute;

“yellow-leaf tobacco” means any tobacco grown in Cyprus from seed of the Turkish or Oriental type and commonly known in the trade by that name.

3. The provisions of these Regulations shall apply only to the export of agricultural produce to any country which may have been declared under the provisions of section 3 of the Law to be a country to which the Law shall apply.

Cap. 39.

Cap. 39.

Cap. 292.

Cap. 39.

Cap. 39.

Application
of the
Regulations.
Cap. 39.

PART II.—GENERAL PROVISIONS.

Notice of
intention of
export.

4. Any person who intends to export any produce shall, at least two days before the proposed date of export, give notice of such intention to the inspector stating the quantity of the produce to be exported, the destination of such produce, the name of the ship, and whether the produce is to be exported direct or in transit :

Provided that in the event of the ship by which it is intended to export the produce, arriving earlier, or being ready to load earlier than expected, the inspector may accept a shorter notice :

Provided further that the statement of quantity given in the notice shall not preclude the exporter presenting a quantity larger or smaller than that stated.

Marking of
produce for
export.

5.—(1) All produce intended for export shall be packed and marked in accordance with these regulations and each package properly marked for shipment shall be conspicuously marked on the outside thereof with the words " Produce of Cyprus " in letters of not less than one inch in size.

(2) The inspector shall not admit any produce for inspection which is not marked in accordance with paragraph (1) of this Regulation :

Provided that when the Director of Agriculture is satisfied that the terms of any contract require the packages of any produce for export to be marked in any specific manner other than that provided for in these Regulations he may permit such alternative markings as may be specified in the contract.

Presentation
for inspection

6. All produce for export shall be delivered at the place of inspection, and be stacked in such manner as the inspector may direct, sufficiently ahead of the time of shipment as to enable the inspection of the produce to be carried out in daylight :

Provided that if circumstances require, and if the carrying ship is in harbour and is loading, the inspection of produce may be carried out during the hours between sunset and sunrise.

Delay
during
which
inspection
shall be
carried out.

7.—(1) The inspection of fresh fruit shall be carried out within the forty-eight hours immediately preceding shipment and any fresh fruit not shipped within forty-eight hours of such inspection shall be subject to re-inspection.

(2) The inspection of produce other than fresh fruit shall be carried out within the five days immediately preceding shipment and any such produce not shipped within five days of such inspection shall be subject to re-inspection.

Number of
packages to
be inspected.

8.—(1) The inspector may examine any or all of the packages in any consignment of produce for export, and in any case he shall open and examine at least five per centum of the packages of any one consignment and he shall not refuse to pass any consignment for export unless he shall have examined not less than ten per centum of the packages.

(2) The inspector shall not pass any produce for export if, in his opinion the produce is not likely to arrive at the destination to which it is consigned in a marketable condition.

Inspection
certificate
to be issued.
First
Appendix.

9.—(1) On passing any consignment of produce for export the inspector shall issue to the consignor an inspection certificate in the form set out in the First Appendix to these Regulations, such certificate to be made out in triplicate, the original to be given to the consignor, the duplicate copy to be attached to the export specification and the triplicate copy to be retained by the inspector.

(2) No produce which has been passed for export, and in respect of which an inspection certificate has been issued, shall be removed from the place of inspection except for the purpose of being shipped.

10. The consignor shall pay to the Collector of Customs at the port of export the inspection and re-inspection fees set out in the Second Appendix to these Regulations in respect of produce submitted for inspection or re-inspection and—

Second Appendix.

(a) in the case of produce passed for export the inspector shall enter the amount of fees payable on the export specification and he shall attach thereto the duplicate copy of the inspection certificate provided for in regulation 9 (1) of these Regulations, and the Customs Authorities shall not permit the shipment of any produce unless such copy of the inspection certificate is attached to the export specification ;

(b) in the case of produce which has not been passed for export the inspector shall give to the consignor a notice of rejection in the form set out in the Third Appendix to these Regulations on which shall be entered the amount of fees payable, which fees shall be paid, and the receipt therefor produced to the inspector, before removal of the produce from the place of inspection.

Third Appendix.

11. Any produce which the inspector has refused to pass for export shall, after payment of the inspection and re-inspection fees provided for in the preceding Regulation, be removed from the place of inspection within twenty-four hours of the inspection or re-inspection and if not so removed the consignor shall be liable for the payment of storage fees at the rate of three piastres per package per day. Any produce which is not removed within seven days of the inspection or re-inspection may be destroyed or disposed of in such manner as the inspector may determine and the consignor shall be liable for any expenses incurred in the destruction or disposal of the produce and for the storage fees.

Removal from the place of inspection of produce not passed for export.

12. Produce which an inspector has refused to pass for export shall not be presented for inspection at any place of inspection other than the original place of inspection without the written permission of the inspector who originally inspected the produce and refused to pass it for export.

Re-inspection of produce not passed for export to be carried out at the original place of inspection.

13.—(1) Produce which does not conform with the provisions of these Regulations and which is intended for manufacturing purposes may be exported, provided that the words " For Manufacturing Purposes Only " shall be clearly stencilled on each package in letters not less than two inches in size, or where such produce is to be exported in bulk the consignment shall be clearly described as for manufacturing purposes only on the export specification.

Export of produce for manufacturing purposes.

(2) All produce intended for export, otherwise than in bulk, for manufacturing purposes shall be packed to the satisfaction of the inspector, who shall not pass any such produce if he is of the opinion that the produce is not likely to arrive at its destination in a fit state for any manufacturing purpose.

(3) No package of any produce intended for export for manufacturing purposes shall weigh more than forty okes.

14. Notwithstanding anything to the contrary in these Regulations contained the Director of Agriculture may—

Powers of Director of Agriculture to permit export.

(a) allow, under such restrictions and conditions as he may in each case impose, the export, for special purposes, of a consignment of any produce which does not conform with these Regulations ;

(b) if satisfied that any special packing of produce is required for any market outside Cyprus, direct, by notice in the *Gazette*, that the packing of such produce may be altered or modified in such manner as may be contained in such notice so as to meet the requirements of such market.

Place of inspection under control of inspector.

When gross weight may be considered net weight.

15. Every place of inspection shall in all respects be under the control of the inspector and with the exception of the consignor whose produce is undergoing inspection no member of the public shall have access thereto except with the permission of the inspector.

16. Notwithstanding anything to the contrary in these Regulations, when in accordance with usual trade practice any produce is sold gross weight for net weight such gross weight, which shall be considered net weight, shall be marked on the container.

PART III.—AGRICULTURAL PRODUCE CLASS I.

CITRUS FRUIT.

Director of Agriculture to fix date for commencement of picking fruit.

17. Before the commencement of each export season the Director of Agriculture shall by notice in the *Gazette* fix the dates for the beginning of the cutting of citrus fruit for export and no citrus fruit shall be cut for export before the dates so fixed.

Restriction on export of citrus fruit.

18.—(1) No citrus fruit shall be passed for export if such citrus fruit :—

- (a) does not appear to have been properly wilted and graded before packing ;
- (b) has not had the stem cut in such a manner as to prevent injury to other citrus fruit packed in the same container ;
- (c) has a skin of such roughness as to cause disfigurement which in the opinion of the inspector may detract from its marketability in the country to which it is consigned ;
- (d) is infested with any insect pest or disease to such an extent as to detract from its appearance.

(2) No lemons which are less than eighteen centimetres in circumference shall be passed as fit for export.

Grading of citrus fruit. Fourth Appendix Part I.

19. All citrus fruit shall be mature but not over-ripe and shall be graded by the consignor into one of the grades prescribed in Part I of the Fourth Appendix to these Regulations.

Packing of citrus fruit.

20.—(1) Citrus fruit intended for export to markets outside the Mediterranean and Red Sea areas shall be tightly packed in clean cases of such type and dimensions as may from time to time be approved by the Director of Agriculture, and all cases must be so fastened as adequately to protect the citrus fruit therein from injury.

(2) Citrus fruit intended for export to markets within the Mediterranean and Red Sea areas may be packed in clean cases as prescribed in paragraph (1) of this Regulation or in baskets lined on the inside with paper of such thickness as adequately to protect the citrus fruit therein, or the citrus fruit may be exported in bulk.

Registration of brand or mark.

21. Any person wishing to export any citrus fruit shall, before submitting such fruit for inspection, register with the Registrar of Trade Marks at least one brand or mark under which he proposes to ship such fruit ; and no brand or mark shall be used in connection with the export of citrus fruit unless it has previously been approved by the Director of Agriculture.

Marking of containers.

22. Every case or basket in which citrus fruit intended for export is packed shall be marked as follows :—

- (a) At one end of the case or basket there shall be placed or marked the trade mark or other brand of the exporter as may have been registered under the provisions of Regulation 21 of these Regulations, together with the kind of fruit contained therein, that is to say, with the words "Oval Oranges", "Round Oranges", "Valencia Oranges", "Bitter Oranges", "Lemons", "Grapefruit" or "Mandarines" as the case may be.

- (b) The other end of the case or basket shall be marked with any mark of origin as may be prescribed from time to time by the Comptroller of Customs and Excise under the provisions of the Customs Law or any Law amending or substituted for the same. Cap. 292.
- (c) There shall also be marked on the two ends of the case or basket and the top side thereof the exact number of citrus fruit contained therein, and the grade of citrus fruit as prescribed in Regulation 19 of these Regulations.

POMEGRANATES.

23. No pomegranates shall be passed for export if such pomegranates—
- (a) have not had the stem cut in such a manner as to prevent injury to other pomegranates in the same container ; Restriction on export of pomegranates.
 - (b) have external marks to such an extent as to render them unsightly :
Provided that marks due to light sunburn shall not be taken into account ;
 - (c) show signs externally of the presence of any fungus or insect or mechanical injury likely to lead to wastage.

24.—(1) Pomegranates intended for export shall be tightly packed in clean cases, crates or barrels of light wood or in clean strong baskets lined with paper of such thickness as adequately to protect the pomegranates contained therein, or the pomegranates may be exported in bulk. Packing of pomegranates.

(2) No package containing pomegranates for export shall exceed forty cokes in weight.

(3) There shall be clearly marked on each package the number of pomegranates contained therein.

PART IV.—AGRICULTURAL PRODUCE CLASS II.

FRESH FRUIT.

25. No fresh fruit shall be passed for export if such fruit—
- (a) is over-ripe or shows signs, externally or internally, of the presence of any fungus or insect pest ; Restriction on export of fresh fruit.
 - (b) shows any signs of any mechanical injury, bruising or crushing, likely to lead to wastage ;
 - (c) has external marks to such an extent as to render the fruit unsightly ;
 - (d) has not had the stem cut in such a manner as to prevent injury to other fruit in the same container.

26.—(1) All fresh fruit intended for export shall be packed in clean boxes, cases, or crates constructed of wood, or cartons, of such size and dimensions for each kind of fruit as the Director of Agriculture may approve. In each such box, case, crate or carton there shall be packed only fresh fruit of the same variety and of uniform size. Packing of fresh fruit.

(2) Each box, case, crate or carton shall be lined with tissue, grease or other suitable paper and the fresh fruit shall be packed in such a manner as to prevent damage due to movement of the fresh fruit within the package and wood wool or other suitable packing material may be used.

(3) All apples, pears and peaches intended for export shall be separately wrapped in tissue paper and such tissue paper shall have the words "Produce of Cyprus" and, if desired, the name or brand, or both the name and brand, of the exporter or packer printed thereon.

27. Each box, case, crate or carton containing fresh fruit shall be marked in accordance with Regulation 5 of these Regulations and in addition there shall be legibly marked on the outside thereof the kind of fruit contained therein and either the number of fruit or the net weight of the contents, or both the number of fruit and the net weight. Marking of containers.

28. The net weight shall not exceed the weights prescribed in Part I of the Fifth Appendix to these Regulations. Limitation of weight. Fifth Appendix Part I.