

No. 47.

THE AGRICULTURAL PRODUCE (EXPORT) LAW.

CAP. 39 AND LAW 50 OF 1954.

REGULATIONS MADE UNDER SECTION 8.

CONTENTS

<i>Part.</i>	<i>Title.</i>	<i>Regulations.</i>
I	Preliminary	1- 3
II	General and Administrative Provisions	4- 20
III	Licensed packing houses	21- 22
IV	Export of produce for certain purposes, etc. ..	23- 28
V	Citrus fruit and citrus products	29- 45
VI	Fresh Fruit	46- 63
VII	Dried Fruit	64- 67
VIII	Vegetables	68-101
IX	Dried herbs : Tobacco	102-113
X	Cereals : Legumes : Dried seeds	114-122
XI	Nuts	123-127
XII	Vine products	128-133
XIII	Carob and Olive products	134-140
XIV	Miscellaneous products	141-146
XV	Revocation of previous Regulations, etc. ..	147-148
Appendices I to VIII Prescribed forms ; fees ; etc.		

PART I.—PRELIMINARY.

In exercise of the powers vested in him by section 8 of the Agricultural Produce (Export) Law, His Excellency the Governor, with the advice of the Executive Council, hereby makes the following Regulations :—

1. These Regulations may be cited as the Agricultural Produce (Export) Regulations, 1956.

2. In these Regulations, unless the context otherwise requires :—

“ bag ” means a container made of new jute or hessian cloth ;

“ basket ” means a container made from canes, and shall be distinguished into “ small ” and “ large ” sizes, as set out in regulation 5 (4) of these Regulations ;

“ brand ” means the brand or trade mark used by a consignor to distinguish produce exported by him ;

“ bale ” means a closely pressed package of produce bound and usually wrapped with hessian or other material ;

“ carton ” means a container made of cardboard ;

“ carobs ” means whole or kibbled carobs, carob seed, carob germ and carob juice ;

“ case ” means a container made of clean, well seasoned wood ;

“ certified seed potatoes ” means the produce of a crop which was inspected whilst growing in the field by a Government officer and in respect of which certificates have been issued to the satisfaction of the Director ;

“ cereals ” means any produce mentioned in Class VI (i) of the First Schedule to the Law ;

“ citrus fruit ” means oval (Jaffa type), round, Valencia and bitter oranges, grapefruit, sweet lemons, clementines, mandarines and sour lemons ;

Cap. 39
50 of 1954.Cap. 39.
50 of 1954.

- “consignment” means any produce exported including the packing materials, cases and containers;
- “crate” means a container made of wood with open spaces to provide ventilation ;
- “Director” means the Director of Commerce and Industry ;
- “dried fruit” means any produce mentioned in Class III of the First Schedule to the Law ;
- “dried herbs” means any produce mentioned in Class V (i) of the First Schedule to the Law ;
- “dried seeds” means any produce mentioned in Class VI (iii) and (iv) of the First Schedule to the Law ;
- “export” with its grammatical variations and cognate expressions includes the conveyance of produce from the place of its growing to the packing place and thence to the port of shipping in the Colony ;
- “flower seeds” means any seeds so specified from time to time by the Director by notice in the *Gazette* ;
- “fruit” means any produce mentioned in Class II of the First Schedule to the Law, but does not include dried fruit ;
- “fumigated tobacco” means any tobacco which has been processed by smoke curing, commonly known as “Latakia type” ;
- “grape juice” means the juice produced from the crushing of fresh grapes ;
- “inspector” means any produce inspector as defined in section 2 of the Law ;
- “legumes” means any produce mentioned in Class VI (ii) of the First Schedule to the Law ;
- “licensed packing house” means any place where the grading, blending, treatment, selection or packing of agricultural produce takes place, and which has been licensed by the Director under regulation 21 of these Regulations ;
- “melons” indicates water melons and all forms of musk melons ;
- “muscatel raisins” means grapes which, having the characteristic muscatel flavour, have been dried in the sun after having previously been lye-dipped ;
- “nuts” means almonds, hazelnuts, walnuts and other forms of nuts, whether shelled or unshelled ;
- “package” includes every means by which goods for carriage may be covered, enclosed, contained or packed ;
- “perishable produce” or “perishables” means all produce included in Classes I (i), II and IV of the First Schedule to the Law ;
- “port” means any place appointed to be a port by the Governor-in-Council under the provisions of any Customs Law and includes an airport;
- “produce” means agricultural produce as defined in section 2 of the Law ;
- “raisins” includes scalded, sun-dried, muscatel, and sultana raisins ;
- “raisin juice” means the juice obtained by extraction from raisins ;
- “scalded raisins” means grapes of the local black and white varieties, known locally as “mavron” and “xinisteri”, which have been dried in the sun after having been lye-dipped ;
- “sage” means the dried plants *Salvia cypria*, *Salvia triloba* and *Salvia grandiflora*, either packed separately or together ;
- “shelled nuts” means the kernel of any nut from which the shell has been removed ;
- “sultana raisins” means the produce of grapes of the variety “sultana” which have been dried in the sun after having been lye-dipped ;
- “sun-dried raisins” means the produce of grapes, other than of the variety “sultanina” which have been dried in the sun without having previously been lye-dipped ;

Cap. 39
50 of 1954.

Cap. 39
50 of 1954.

Cap. 39
50 of 1954.

Cap. 39
50 of 1954.

Cap. 39
50 of 1954.

Cap. 39
50 of 1954.

Cap. 39
50 of 1954.

Cap. 39
50 of 1954.

“superfluous and inferior substance” includes broken, light, infested, damaged and sprouted produce ;

“substantially” means a permitted tolerance, at the discretion of the inspector, of plus or minus one per cent ;

“unshelled nuts” means the kernel enclosed in the shell which shall be unbroken ;

“vegetable seeds” means the seeds of beetroot, brassica, coriander, leek, onion or spinach or of any other plant specified from time to time by the Director by notice in the *Gazette* ;

“vegetables” means any produce mentioned in Class IV (iii) of the First Schedule to the Law ; Cap. 39
50 of 1954.

“virginia tobacco” means any tobacco grown from seed of the virginia type tobacco and commonly known in the trade by that name ;

“wood” means finely sawn or planed wood with a maximum moisture content of 15 per cent. by weight ;

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

3. The provisions of these Regulations shall apply to the export of 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
50 of 1954.

Provided that nothing in these Regulations contained shall apply to produce exported not exceeding five kilograms net in weight, which is being exported in the luggage of a person leaving the Colony or by post and is not intended for resale.

PART II.—GENERAL AND ADMINISTRATIVE PROVISIONS.

4. Any person who intends to export any produce shall, at least two clear days before the proposed date of export, give a written notice on the form prescribed by the Director of such intention to an inspector at the port of export, stating the quantity and value 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 : Notice of
intention to
export.

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, at his discretion, accept a shorter notice :

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

5.—(1) All containers used in the export of agricultural produce shall be clean. They shall be designed to the satisfaction of the inspector, in such a manner as to ensure, having regard to the nature of the produce and to transport requirements, ease of stacking, stability during transport and ease of ventilation. The finishing of all component parts of wooden packages shall be such as to ensure a smooth surface. The wood used in constructing cases shall be clean, dry, free from bark and harmful knots or odours liable to affect the quality of the produce carried. Containers
used in the
export of
produce.

(2) All packing materials of whatever type shall be clean, and of a nature which will not adversely affect the quality or taste of the produce.

(3) The edges of wooden cases used for perishables shall at the discretion of the inspector be bevelled to the satisfaction of the inspector.

(4) Baskets used in the packing of produce intended for export shall be lined with paper and shall be strongly constructed, of uniform size and shape, and shall have not less than six strengthening wires projecting at the top and

incorporated in the structure of the baskets. Baskets shall be of a standard size as follows :—

(i) *Small baskets :*

Internal height	41 cms.
Internal diameter at top	38 cms.
Internal diameter at bottom	25 cms.

(ii) *Large baskets :*

Internal height	53 cms.
Internal diameter at top	46 cms.
Internal diameter at bottom	31 cms.

First Appendix.

(5) The net or gross weight of any package of produce intended for export shall not exceed that specified in the First Appendix to these Regulations.

(6) All containers in a consignment shall, unless otherwise provided in these Regulations or exempted by the inspector at his discretion, be of homogenous nature and of a uniform size, type, colour and shape.

Marking of containers of produce.

6.—(1) All produce intended for export shall be graded, packed and marked in accordance with these Regulations and each container properly marked for shipment shall be conspicuously stencilled on the outside thereof with the words " Produce of Cyprus " in letters of not less than three centimeters in height.

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

(3) Each container shall, unless otherwise provided in these Regulations, further be marked with :—

- (a) a mark approved by the inspector identifying the consignor and, if the consignor so desires, a trade mark, which shall not be contrary to any provision of these Regulations ;
- (b) the nature of the produce and, where appropriate, the variety ;
- (c) the weight or the number of pieces or both and the size and grade (if applicable) of the produce ;
- (d) at the discretion of the consignor, the name and address of the consignee.

(4) All marks shall be clearly and legibly stencilled on the packages with letters of uniform size and shape and thickness and, unless otherwise provided for in these Regulations, shall have a minimum height of 2.5 cms.

(5) Marks, other than those specified in these Regulations, shall not be used on any package without the prior written approval of the inspector.

(6) The Director, if satisfied that the terms of any contract require the packages of any produce for export to be marked in any manner other than that provided for in these Regulations, may at his discretion permit such alternative markings as may be specified in the contract.

Presentation for inspection at the port of loading.

7.—(1) Produce for export shall at the discretion of the inspector be delivered at a place of inspection at the port of loading, 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 due to leave shortly, the inspection of produce may at the discretion of the inspector be carried out during the hours between sunset and sunrise.

(2) Where produce has been delivered at a place of inspection, at the port of loading and has been found to be unfit for export, the inspector may at his discretion order that such produce shall not be removed from such place without re-selection and grading under his supervision, and may further direct that any discarded produce :—

(i) shall be removed from the place of inspection immediately ; or

(ii) shall be subjected to such treatment as he may think fit to prescribe ;
or

(iii) shall be destroyed at the place of inspection ;

and the consignor shall defray all costs of such removal, treatment or destruction.

8.—(1) Any licensed packing house shall be deemed to be a place of inspection for the purposes of the Law. Produce inspected in a licensed packing house. Cap. 39 50 of 1954.

(2) Where any produce has been inspected in a licensed packing house, a final inspection (to be known as “check-inspection”) shall always be carried out in the customs area of the port of loading and a certificate shall be issued as provided in regulation 15 of these Regulations :

Provided that produce found at the check-inspection to be unfit for export shall at the discretion of the inspector be treated as in regulation 7 (2) above.

9. Every place of inspection at the port of loading 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 without the permission of the inspector. Control of place of inspection.

10. Sampling for inspection other than for check-inspection shall at the discretion of the inspector be carried out after the consignment has been delivered and unloaded in the customs area. Sampling for inspection.

11.—(1) The inspection of perishables shall be carried out within forty-eight hours preceding shipment. Any perishables not shipped within forty-eight hours of such inspection may at the discretion of the inspector be subject to re-inspection. Period during which inspection shall be carried out.

(2) The inspection of produce other than perishables shall be carried out within the six days immediately preceding shipment. Any such produce not shipped within six days of such inspection may at the discretion of the inspector be subject to re-inspection.

12. The inspector may examine any or all of the packages in any consignment or produce for export, and in any case he shall open and examine at least three per centum of the packages of any consignment, and he shall not refuse to pass any consignment for export unless he shall have examined not less than five per centum of the packages. The inspector shall have the right in his discretion to hold back a package or packages from any consignment for further examination and tests. Number of packages inspected.

13. The inspector shall not pass any produce for export if, in his opinion, the produce is unlikely to arrive at the destination to which it is consigned in a sound and marketable condition. Consignment reaching its destination.

14.—(1) The inspector may refuse to pass any consignment as fit for export if the consignment includes packages which do not conform to the provisions of these Regulations. Consignments including packages unfit for export or inferior produce which is difficult to detect.

(2)—(a) If in the opinion of the inspector a consignor has purposely included in any consignment any produce unfit for export, in such a manner as to render the discovery of the unfit produce difficult, he may direct that such consignment or any part thereof shall not be exported, and in such a case the consignment shall not be removed from the place of inspection without the approval of the Director.