

THE AGRICULTURAL PRODUCE ACT

REGULATIONS  
(under section 23)

THE CITRUS FRUIT (PROTECTION) REGULATIONS, 1948

(Made by the Governor in Executive Council on the 27th day of August, 1948) L.N. 61/48

1. These Regulations may be cited as the Citrus Fruit (Protection) Regulations, 1948.

2. In these Regulations—

“citrus fruit” and “fruit” include oranges, grapefruit, shad-docks, lemons, limes, tangerines, Ugli fruit, Ortaniques;

“a season” means a period commencing on the 1st day of July of one year and extending to the 30th day of June of the following year;

“plucked” means reaped without clippers in such a manner as not to damage the skin surrounding the seat of the button of the fruit;

“hamper” means a type of basket specially constructed to be conveyed by an animal on its back.

*Gathering of Fruit*

3.—(1) Citrus fruit intended for export, processing or local trade shall at no time during gathering come into direct contact with the ground nor be exposed to sun or rain nor stored with any surface moisture thereon but shall be placed directly into picking bags or boxes or heaped on properly padded surfaces such padding to be sufficient and to be of such a nature as to prevent injury to the fruit:

Provided that no such fruit shall be placed into picking bags or boxes or heaped on padded surfaces unless they have been properly stem cut with approved clippers or properly plucked. Fruit in boxes or heaps shall at no time be stored to a height exceeding thirteen inches.

(2) No citrus fruit intended for export as fresh fruit shall be plucked.

(3) No citrus fruit intended for export as fresh fruit shall be transported otherwise than in a vehicle except in boxes or properly padded baskets of rigid construction and in no case shall fruit be more than thirteen inches high in these containers.

The expression "padded baskets" referred to in this paragraph shall not include hampers.

*Quality of fruit for export*

4. No person shall export, offer for export, or offer knowing the same may be exported, or sell or offer to sell or purchase for export, unmarketable fruit as defined in the Act.

*Conveyance of fruit*

5.—(1) Citrus fruit intended for export as fresh fruit being conveyed in vehicles shall be placed in boxes having smooth inside surfaces and which shall not be more than thirteen inches deep and shall be so packed within the vehicle as to prevent injury to the fruit.

(2) Citrus fruit for processing may be conveyed loose in a vehicle the type and construction of the body of which has been approved by an Inspector of Produce and a certificate of approval issued to the owner. Such body shall be constructed with solid sides and floor, that is to say, not slatted, the inside surfaces of which shall be smooth. It shall be the duty of the owner to maintain the body of the vehicle in respect of which a certificate has been granted to the satisfaction of an Inspector of Produce and to produce the certificate when required so to do by any authorized person under the Act. Any person who owns, operates, drives, or causes to be operated or driven, for the purpose of transporting fruit a vehicle the body of which does not comply with this regulation shall be guilty of an offence.

(3) The certificate referred to in paragraph (2) shall be in the form set out in the Schedule and shall be renewed as from the 1st day of July each year.

Schedule.

*Protection of fruit*

6. No person shall—

- (a) stand, sit or lie upon citrus fruit or upon boxes containing such fruit;
- (b) place any article upon such fruit or upon such boxes;
- (c) transport or carry any person or article upon boxes containing such fruit.

Provided that citrus fruit for processing may be stored in slatted bins the construction of which meets with the approval of an Inspector of Produce.

*Packing of Fruit*

9.—(1) No person shall pack for export, or attempt to export any citrus fruit which does not comply with the following conditions—

- (a) Such fruit shall be mature, fully coloured, (except in the case of limes), free from decay, bruises, creasing, unsightly scars, dryness, scale insects, dirt and sooty mould, and such fruit except in the case of tangerines shall be treated, waxed and polished in machines and by processes approved by the Chief Inspector of Produce.
- (b) Such fruit shall be tightly wrapped in paper the printing and quality of which shall first be approved by the Chief Inspector of Produce.
- (c) Boxes containing such fruit for export shall be labelled with labels of a kind to be approved by the Chief Inspector of Produce, and printed with the trade mark of the exporter. Such labels shall be printed in colours and on paper of durable quality.
- (d) Boxes shall be stamped on both panel ends with the grade of fruit as may be ordered by the Chief Inspector of Produce also the number of fruit contained therein. The letters and numbers shall be not less than one inch high.
- (e) Boxes shall be distinctly marked in order to show what fruit they contain, and the variety and the number of such fruit.
- (f) The approval of the Chief Inspector of Produce of any paper, labels and boxes for packing citrus fruit only covers the operations of any exporter for the season succeeding such approval.

Samples of such boxes, paper and labels shall be left with the Chief Inspector of Produce for the purposes of record.

(2) Boxes of citrus fruit containing Extra Fancy fruit and Fancy fruit (as hereinafter defined) of approved varieties shall consist of fruit having the same varietal characteristics and shall be marked with labels indicating the grade of the fruit and the words, "Produce of Jamaica, West Indies".

The approved varieties for the purposes of this regulation are—

*Grapefruit*—Marsh, Duncan, Foster, Triumph, Silver Cluster and Walters.

*Oranges*—Valencia, Parson Brown and Washington Navel.

(3) Stencilling of individual fruit shall be adopted only in respect of Extra Fancy and Fancy grades and these grades shall be preceded by the word "Jamaica" but individual stencilling may also be used on Choice and Standard grades.

(4) Citrus fruit for export with the exception of limes and tangerines shall be graded in five grades, as follows—

*Extra Fancy, Fancy, Choice, Standard and Russets*

*Extra Fancy* shall be fruit of the same variety and shape which is firm, fully coloured, thin skinned, of smooth exterior and entirely free from all blemishes.

*Fancy* shall be fruit of the same variety, fully coloured and of a similar shape, and shall be firm and approximately not more than 5% marked.

*Extra Fancy* and *Fancy* shall be limited to the approved varieties as described in paragraph (2).

*Choice* shall be fruit fully coloured and of similar shape and shall be firm and approximately not more than 15% marked.

*Standard* shall be fruit of uniform shape and fully coloured and approximately not more than 30% marked.

*Russet* shall be fruit that is firm and uniform in respect of shape and surface.

The above-mentioned percentages refer to the surface area of any one fruit.

A tolerance of 5% by count may be permitted in respect of all grades.

"Culled" or "Orchard Run" fruit shall be fruit which is mature, sound and in every way suitable for manufacturing purposes. No person shall export such fruit except under a permit from the Chief Inspector of Produce. Applications for such permits shall be made at least seven days prior to the date of sailing of the vessel by which the fruit is to be carried and shall state—

- (a) the destination of the fruit;
- (b) the purpose for which it is to be used; and
- (c) the quantity to be exported.

Such fruit shall be packed in boxes clearly marked "Orchard Run (or 'Culls' for manufacturing purposes only".

(5) An Inspector of Produce shall have the right to take a reasonable quantity from each shipment or packing house for the purposes of record or tests.

(6) No person shall export citrus fruit, other than Culls or Orchard Run fruit, which have not been sized and packed to the satisfaction of an Inspector of Produce.

(7) Notwithstanding anything mentioned in this regulation the Chief Inspector of Produce may in his discretion permit the export of citrus fruit prepared and processed otherwise than as specified in this regulation.

#### *Boxing and Packing*

10. Any person packing citrus fruit for export shall use new boxes of a type approved by the Chief Inspector of Produce.

#### *Fruit for Ship's Stores*

11. All persons selling or offering for sale fruit for consumption on board a vessel as ship's stores shall be required to conform to these Regulations in all respects except that such fruit need not be graded, wrapped, sized or packed in cases.

#### *Notice to Inspectors*

12. Any person who packs for export citrus fruit other than Culls or Orchard Run fruit shall give not less than three days' clear notice in writing of his intention to make a shipment of such fruit to the Chief Inspector of Produce and to the Inspector of Produce for the district in which such fruit shall be packed for shipment and further notify the Inspector of Produce for the area when and where fruit is being collected or purchased for processing or export and in addition shall state from what wharf the shipment will be made. This notice shall be given for each shipment.

No person shall be permitted to ship fruit until he shall have received a permit from an Inspector of Produce in regard to each particular consignment or shipment.

#### *Sanitary condition of premises*

13. The owner, occupier or person in charge of any premises used for the storage and packing of citrus fruit shall keep such premises and

equipment in a clean and sanitary condition, to the satisfaction of the Inspector of Produce.

14. An Inspector of Produce shall be empowered to order the cessation of packing operations in any packing house, the removal of any citrus fruit therefrom and the closing of any packing house which does not conform to the requirements of these Regulations, and such packing house shall not receive nor pack any citrus fruit for export until such repairs or alterations as may be required by the Inspector of Produce shall have been carried out to his satisfaction.

*Condemned Produce*

15. No person shall export or attempt to export citrus fruit which has been condemned by an Inspector of Produce as being unfit for export but such produce, when the destruction thereof has not been ordered by such Inspector of Produce, may be purchased by any person for use within the Island of Jamaica:

Provided such person shall at the time of the purchase give to the vendor an undertaking in writing that he (the purchaser) will not export or attempt to export such produce, and a copy of such undertaking shall forthwith be sent by the vendor to the Inspector of Produce for the district in which the sale takes place.

*Posting of Regulations*

16. A copy of these Regulations shall be posted in a conspicuous place in every packing house for citrus fruit.

*Penalty*

17. Any person who commits a breach of any of these Regulations shall be liable on summary conviction before a Resident Magistrate to a penalty not exceeding forty dollars and in default of payment to imprisonment for any period not exceeding three months, and if he be a produce dealer or exporter or the owner of a vehicle to whom a certificate has been granted for the transportation of fruit to the suspension or cancellation of his licence or certificate.