ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER E85

EXPORTATION OF FRUIT ACT

Showing the Law as at 15 December 2010

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition consolidates—

Act 6/2010, in force 1 November 2010
Act 7/2010, in force 1 November 2010

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EXPORTATION OF FRUIT ACT

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SCHEDULE: Certificate of Government Fruit Inspector

EXPORTATION OF FRUIT ACT

Interpretation

1. In this Act—

"container" shall include any barrel, crate, package, bag or other outer covering which may be so described in any regulation to be made hereunder;

"export" and "exportation" shall not be applicable to fruit shipped to any West Indian Island, or to Bermuda;

"fruit" means and includes limes, grapefruit, oranges, mangoes, avocado pears, lemons, pineapples, tomatoes, Irish potatoes and also any other fresh fruit, nut or vegetable which the Governor in Council may hereafter declare by regulation to come under the operation of this Act;

"fruit inspector" means any person or persons appointed by the Governor to exercise the powers of inspection of fruit under this Act;

"packing place" means any place notified in the manner provided by section 2.

Packing

2. (1) All fruit for export shall be packed at such place or places as may be specified by notice in the *Gazette*. Such packing shall be done under the supervision of a fruit inspector.

(2) Any person packing or attempting to pack any fruit in a place other than a packing place is guilty of an offence and is liable on summary conviction to a penalty of $960.

Standard containers

3. All fruit intended for export must be packed and shipped in standard containers as specified in the regulations under this Act.

Marking

4. Every such container shall be marked legibly and in plain letters on the outside thereof with the name or identification mark of the shipper, and with the name of the variety of the fruit, the number or weight of the fruit and the grade of fruit contained therein.

Inspection

5. It shall be the duty of the fruit inspector to satisfy himself that all fruit packed or intended to be packed for export is of the proper grade and that the containers used and the markings thereon are in accordance with the provisions of this Act, and to forbid the removal from the packing place for export of any packages which are improperly packed or marked, or of any fruit which is not the proper grade or is packed in containers other than such as are specified by the regulations under this Act.

Stamping

6. On being satisfied that the fruit contained in any package is fit for export, and that all the requirements of section 3 have been complied with, the fruit inspector shall stamp such package with a stamp showing that the fruit contained therein has passed inspection by a Government fruit inspector.

Offences

7. Any person who removes from any packing place any package of fruit without the sanction of the fruit inspector or who exports or attempts to export any fruit which has not been examined and passed by a fruit inspector as fit for export is liable on summary conviction to a penalty of $1,920.

Fruit inspectors

8. The Governor may appoint fit and proper persons to be fruit inspectors under this Act, and may appoint one of these persons to be the chief fruit inspector.

Packing of fruit subject to inspection

9. Any owner or shipper of fruit intending to pack any fruit at a packing place shall give reasonable notice to a fruit inspector, or if there is a chief fruit inspector to the chief fruit inspector, and no fruit shall be wrapped or packed until it shall have been inspected and approved by a fruit inspector. Such examination shall include inspection of the containers, and such supervision as is possible of the packing of such fruit.

Certificate

10. If a fruit inspector or the chief fruit inspector as the case requires shall be satisfied that such fruit is fit for export, he shall issue a certificate to that effect, after the packing of the fruit shall have been completed. Such certificate shall be in the form in the Schedule and shall be deemed to be conclusive evidence that the provisions of section 2 have been complied with. Nothing in this Act shall render the public revenue liable to make good any damage or loss by reason of any act or default of any fruit inspector or chief fruit inspector.

Packing or attempting to pack rejected fruit an offence

11. Any person who packs or attempts to pack for export any fruit after the same has been rejected by a fruit inspector is liable on summary conviction to a fine of $4,800.

Removal of rejected fruit

12. All fruit rejected by a fruit inspector shall be removed forthwith from the packing place, and any fruit inspector may cause any fruit not so removed to be disposed of as refuse.

Irregular exportation of fruit and tampering with containers

13. (1) No person shall export or attempt to export any fruit unless all the provisions of this Act shall first have been fully complied with, and no person shall wilfully tamper with any standard container or the contents thereof when once such container shall have been fastened up after being examined by a fruit inspector and certified as fit for export.

(2) Any person contravening any of the provisions of this section is guilty of an offence and is liable on summary conviction to a fine of $4,800.

Permission to ship fruit to be withheld in certain cases

14. The Comptroller of Customs shall refuse to permit the exportation of any fruit not certified by a fruit inspector as fit for export, and may also exercise the like power whenever he has reasonable cause to suspect that any certified package of fruit has been tampered with after inspection and certification by a fruit inspector.

(Act 6/2010, s. 41)

Authority to make regulations

15. (1) The Governor in Council may make such regulations as he may think fit in respect of the standardization of containers or packages, the grading of fruit, and the method of examination to be employed, the fees payable for examination of fruit, and generally with regard to all details relating to the practical working of this Act.

(2) All regulations made under the authority of this Act shall be laid before the House of Assembly for approval and the House of Assembly may approve, amend or disallow the same and upon approval the regulations shall have the same force and effect as if they were ordained in this Act.

(3) Any person contravening any of the provisions of regulations made under the authority of this Act is guilty of an offence and is liable on summary conviction to such penalties as are fixed by the regulations, not exceeding a fine of $4,800.

Payment into Consolidated Fund

16. All fees provided by this Act shall be paid into the Consolidated Fund and shall be included on the export warrant.

(Act 7/2010, s. 26)

Citation

17. This Act may be cited as the Exportation of Fruit Act, Revised Statutes of Anguilla, Chapter E85.

SCHEDULE

(Section 10)

CERTIFICATE OF GOVERNMENT FRUIT INSPECTOR

Name of Owner or Shipper	Number and Identification Mark of Package or Packages	Description of Fruit and Grade of Fruit

I hereby certify that I have examined the fruit specified above and that in my opinion it is fit for export.

Dated ……. …….…

Fruit Inspector