

## THE AGRICULTURAL PRODUCE ACT

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THE AGRICULTURAL PRODUCE ACT

Cap. 7.  
Acts  
31 of 1995  
S. 4,  
23 of 2004.

[1st August, 1926.]

1. This Act may be cited as the Agricultural Produce Act.

Short title.

*Interpretation*

2. In this Act—

Interpreta-  
tion.

“agricultural produce” shall mean any of the kinds of produce mentioned in the First or Fourth Schedule or any of the kinds of livestock or fish mentioned in the Fifth Schedule;

First  
Schedule.  
Fourth  
Schedule.  
Fifth  
Schedule.  
23/2004  
S. 2(a).

“agricultural warden” means a person appointed as such under the Praedial Larceny (Prevention) Act;

“cacao” means cacao beans, whether in the pod or pulp, or separated, and whether cured or uncured, ripe or unripe;

“carrier” means any person who by himself, or by his servant or agent, conveys in a vehicle along a public road any specially protected produce but shall not include—

- (a) a person who by himself or by his servant or agent conveys in his own vehicle any such produce owned by such person; or
- (b) a person who conveys in a vehicle any such produce for sale for local consumption in Jamaica;

“carrying on a trade or business” means any purchase or sale for the purpose of trade in produce although such purchase or sale occurs on one occasion only;

“coffee” means coffee beans, whether in the cherry or pulp, or separated from the pulp, and whether cured or uncured, ripe or unripe;

“coconut” means green or water coconuts, and ripe or dry coconuts in shell or peeled, also the kernel and copra;

“consignor” means the owner or shipper, whether jointly or severally of agricultural produce, and includes any person authorized by such owner or shipper to ship agricultural produce. It also includes, in the case of a company, the managing director, manager, secretary or other principal officer of the company in the Island;

“contract” means any agreement, arrangement or understanding, whether oral or in writing, and whether for a fixed or indeterminate period, whereby any person engages to sell or deliver specially protected produce to an exporter, or to any other person who buys or receives the same for delivery or sale to an exporter:

Provided that the expression shall not include transactions in relation to specially protected produce for local consumption or for any local manufacture nor shall it include any casual sale or delivery to a produce dealer at licensed premises;

“dealer” means any person holding a current licence under this Act;

“exporter” means any person, firm or company carrying on the business of exporting from the Island specially protected produce;

“fruit” means bananas and citrus fruit and any fruit which the Minister may declare to be fruit for the purposes of this Act;

“inspected” means inspected under the provisions of this Act;

“Inspector” means Inspector of Agricultural Produce;

“licensed vehicle” means a vehicle in respect of which a licence is granted under section 17;

“nutmegs” means nutmegs, whether in the pod or separated from the pod, whether cured or uncured, ripe or unripe, and mace;

“place” means any place where any produce mentioned in the First or Fourth Schedule, or any fish or livestock mentioned in the Fifth Schedule, is grown, stored, reared, bought or sold;

First  
Schedule.  
Fourth  
Schedule.  
Fifth  
Schedule.  
22 2004  
S. 2 (c).

“premises” shall include any house, shop, depot, wharf, portion of a wharf, building, room or enclosed place approved by an officer appointed for the purpose by the Minister as a place for the purchase or sale of agricultural produce and any enclosed land appurtenant thereto, or used or occupied therewith;

“prescribed” means prescribed by orders of the Minister or by regulations;