

**Control of Plants (Import and Transhipment of Fresh Fruits and Vegetables)
Rules 1999**

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CONTROL OF PLANTS ACT (CHAPTER 57A)

CONTROL OF PLANTS (IMPORT AND TRANSHIPMENT OF FRESH FRUITS AND VEGETABLES) RULES 1999

In exercise of the powers conferred by section 46 of the Control of Plants Act, the Minister for National Development hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Control of Plants (Import and Transhipment of Fresh Fruits and Vegetables) Rules 1999 and shall come into operation on 8th January 1999.

Definitions

2. For the purposes of these Rules —

“container”, in relation to fresh fruits or vegetables, means the basket, carton, bag, box, packet or other receptacle which contains the fruits or vegetables and, where any such receptacle is contained in another such receptacle, includes the latter receptacle;

“licence” means a licence issued under section 30 of the Act for the import or transhipment of any fresh fruit or vegetable;

“licensee” means the holder of a licence;

“permit” means a permit issued under section 30 of the Act to a licensee for the import or transhipment of any consignment of fresh fruits or vegetables.

Person to whom licence or permit may be issued

3. The Director shall not issue a licence or permit to any person unless the person is carrying on business in Singapore and is —

- (a) registered under the Business Registration Act (Cap. 32); or
- (b) in the case of a company, incorporated under the Companies Act (Cap. 50).

Licence and permit not transferable

4.—(1) No licensee shall transfer or assign the benefit of his licence or any permit issued to him to any person.

(2) A licensee who contravenes paragraph (1) shall be guilty of an offence.

Alteration of licence, permit or any label or document

5. Any person who without lawful authority alters any licence or permit or any declaration form, document or label relating to the import or transshipment of any fresh fruit or vegetable or knowingly makes use of any licence, permit, declaration or document so altered shall be guilty of an offence.

Where consignment imported or transhipped in contravention of Act

6.—(1) Where an authorised officer has reasonable grounds to believe that a consignment of fresh fruits or vegetables has been or is to be imported or transhipped in contravention of section 6 or 7 of the Act, he may —

- (a) where the consignment has yet to be removed from the conveyance in which it was brought into Singapore, by order prohibit the removal of the consignment from the conveyance;
- (b) direct the person who brought the consignment into Singapore to export, destroy or otherwise dispose of the consignment; or
- (c) seize the consignment.

(2) Any person who fails to comply with an order of an authorised officer given under paragraph (1) (a) or a direction of an authorised officer given under paragraph (1) (b) shall be guilty of an offence.

Inspection of consignment

7.—(1) Any licensee who imports or tranships a consignment of fresh fruits or vegetables shall —

- (a) before removal of the consignment from the conveyance in which it was brought into Singapore or within such time as an authorised officer may allow, submit to an authorised officer a copy of the import declaration or cargo clearance permit in respect of the consignment, whichever is applicable, and such other document in respect of the consignment as the

Director or authorised officer may reasonably require; and

- (b) when directed by an authorised officer to do so, take the consignment to the Pasir Panjang Wholesale Centre, or such other place as may be specified by the authorised officer, for inspection prior to its sale, supply or distribution.

(2) Any person who fails to comply with paragraph (1) shall be guilty of an offence.

Procedure for taking samples for analysis

8.—(1) Where a consignment of fresh fruits or vegetables has been imported and an authorised officer takes a sample of the consignment for analysis pursuant to section 37 of the Act, the authorised officer shall —

- (a) seal the sample in such manner as its nature permits;
- (b) label the sample with the particulars of the licensee of the consignment and the date the sample was taken;
- (c) sign his name on the label;
- (d) direct the licensee or, where the licensee is not present, the person having charge of the consignment to sign an acknowledgment that the sample comes from the consignment imported by him or of which he is in charge, as the case may be; and
- (e) forthwith deliver the sample to an authorised analyst for analysis.

(2) Where the authorised officer determines that the consignment is to be detained until a report of the result of the analysis is obtained, he shall —

- (a) cause the consignment to be marked or labelled for identification; and
- (b) direct the licensee or, where the licensee is not present, the person in charge of the consignment to store the consignment at such place as the authorised officer may specify until the report is obtained.

(3) Where the licensee is not present at the time the consignment is detained, the authorised officer shall, as soon as practicable, inform the licensee of the detention.

(4) Any person who —

- (a) fails to comply with a direction of an authorised officer given under paragraph (1) or (2); or
- (b) without the authority of the authorised officer, removes, sells or otherwise disposes of any part of a consignment which has been detained,