STATUTORY RULES AND ORDERS OF A GENERAL CHARACTER ISSUED IN 1949

AGRICULTURAL PRODUCE GRADING AND MARKETING

Conditions of Marketing of Apples

MARKETING OF FRUIT RULES (NORTHERN IRELAND), 1949

RULES, DATED THE 8TH AUGUST, 1949, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 15 OF THE MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931 (21 AND 22 GEO. V. c. 8).

1949. No. 136 Amended 1949 S.R.&O. (N.I.) 198

The Ministry of Agriculture in exercise of the powers conferred upon it by Section Fifteen of the Marketing of Fruit Act (Northern Ireland), 1931, and of every other power enabling it in that behalf hereby makes the following Rules, that is to say :—

Definitions

1. In these Rules unless the context shall require a different construction :—

(1) the expression " Ministry " shall mean the Ministry of Agriculture ;

(2) the expression " prescribed " shall mean prescribed by the Ministry of Agriculture ;

(3) the expression " authorised " shall mean authorised by the Ministry of Agriculture.

Application

2. These Rules shall apply to apples only.

Licences

3.—(1) Application for a licence shall be made in the form or to the effect stated in the First Schedule to these Rules.

(2) A licence shall be in the form or to the effect stated in the Second Schedule to these Rules.

Conditions to be observed by licence-holders when consigning Apples from Northern Ireland under the authority of a licence

4.—(1) A licence-holder shall not send any apples out of Northern Ireland save under the authority of his own licence, the number of which shall be clearly marked on each container, and he shall be responsible for the standard of the contents of each container.

(2) Apples sent by licence-holders from Northern Ireland to Great Britain or the Isle of Man under the authority of a licence shall be—

(*a*) graded and be of the standards of quality as laid down in the Third Schedule to these Rules, and

(*b*) in containers which are of the types specified in the Fourth Schedule to these Rules and which are packed and marked as laid down in that Schedule.

(3) A licence-holder shall, with each consignment of apples dispatched to Great Britain or the Isle of Man, furnish to the carrier or person conveying the apples a Return of Shipment to accompany the consignment in the form or to the effect stated in the Sixth Schedule to these Rules. Where such consignment is loaded in two or more vehicles, the licence-holder shall furnish a separate return of Shipment in respect of each vehicle. Where such consignment, loaded in one vehicle, includes lots consigned to two or more consignees, the licence-holder shall furnish a separate Return of Shipment in respect of each such lot.

Permits

5.—(1) Application for a permit may be made in the form or to the effect stated in the Seventh Schedule (A or B) to these Rules.

(2) A Permit may be in the form or to the effect stated in the Eighth Schedule (A or B) to these Rules.

Consignment of Apples below " C " Standard

6.—(1) Notwithstanding any provisions of these Rules, apples which fail to reach the requirements for Standard " C " as laid down in the Third Schedule to these Rules but which are Seconds (as defined in Part 1 of the Fifth Schedule to these Rules) may be sent for the fresh fruit market to Great Britain or the Isle of Man, subject to the conditions that they shall be packed only in box " X ", the specification for the construction of which is given in the said Schedule, and shall conform to the other requirements laid down in that Schedule.

(2) Each consignment shall be accompanied by a Return or Returns of Shipment as prescribed for licence-holders in Article 4 (3) of these Rules.

Grade Designations

7. The Ministry hereby prescribes the designations " C ", " F " and " E.F." referred to in the Third Schedule to these Rules as Grade designations for the purposes of Section 10 of the Marketing of Fruit Act (Northern Ireland), 1931, and the standards as to quality laid down in the Third Schedule to these Rules shall be the definition of quality referred to in that Act as " the statutory definition ".

Small Consignments

8. The provisions of Part I of the Marketing of Fruit Act (Northern Ireland), 1931, shall not apply to consignments of apples sent to Great Britain or the Isle of Man from Northern Ireland weighing not more than one and half hundredweights.

Containers for Apples sold or offered or exposed for sale within Northern Ireland to a retailer for the purpose of resale by him

9. On a sale or offer or exposure for sale of apples within Northern Ireland by any person to a retailer for the purpose of resale by him, such aforesaid person shall mark or cause to be marked on each package or container in which the apples are sold, offered or exposed for sale or delivered to the retailer, or on a label firmly attached to the package or container, in letters and figures not less than 1 inch high, the net weight of apples contained therein when so sold, offered or exposed for sale or delivered to the retailer.

Revocation

10. Rules specified in the Ninth Schedule to these Rules are hereby revoked provided that such revocation shall not affect :—

(*a*) the previous operation of those Rules or anything duly done or suffered thereunder ; or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under those Rules ; or

(*c*) any penalty incurred in respect of any offence committed against those Rules ; or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability or penalty as aforesaid ; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed as if these Rules had not been made.

Commencement

11. These Rules shall come into operation on the eighth day of August, 1949.

Short Title

12. These Rules may be cited as the Marketing of Fruit Rules (Northern Ireland), 1949.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this eighth day of August, Nineteen hundred and forty-nine, in the presence of

(L.S.) (Signed) *D. A. E. Harkness*,
Secretary.

FIRST SCHEDULE M.F. 1.

FORM OF APPLICATION FOR A LICENCE UNDER THE MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

(1) I/We .....
hereby apply for a Licence under the above-mentioned Act to send fruit to Great Britain or the Isle of Man.

(2) I/We enclose herewith cheque for £1 being the annual fee prescribed by the above-mentioned Act for a Licence.

(3) I/We hereby undertake, in the event of a Licence being granted to me/us, to comply with the provisions of the above-mentioned Act and of the Rules made thereunder and with such Rules and directions as the Ministry may from time to time issue.

Signature of Applicant(s).....

Full Postal Address .....

.....

.....

Date.....

To the Secretary,
Ministry of Agriculture,
Stormont,
Belfast.

SECOND SCHEDULE M.F. 2.

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

Licence Number.....

LICENCE.

This is to certify that.....

of.....

in the County of.....is/are licensed under the above-mentioned Act to send fruit to Great Britain or the Isle of Man, subject to compliance with the provisions of the Act and the Rules made thereunder and with such Rules and directions as the Ministry may from time to time issue.

This licence is valid up to and including the.....day of.....,19.....

Dated this.....day of.....19.....

.....
Authorised Officer.

D. A. E. HARKNESS,
Secretary.

THIRD SCHEDULE

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

STANDARDS OF GRADING AND QUALITY.

"C".

Grading.	*Quality.*
For apples of a reasonable uniform shape. The diameter of any apple shall not be less than 2¼ inches.	Apples shall be free from such blemishes or mechanical injuries as are calculated to impair their keeping qualities. Skin blemishes shall not exceed a total area of ¾ inch square on any one apple.

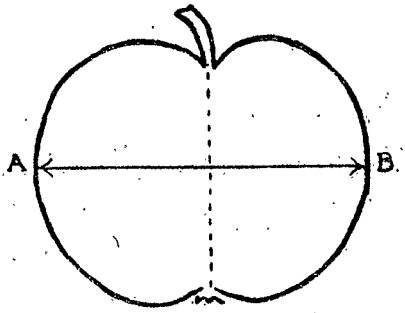
"F"

Grading.	*Quality.*
For apples of a shape and colour characteristic of the variety. The diameter of any apple in this grade shall not be less than 2½ inches.	Apples shall be free from such blemishes or mechanical injuries as are calculated to impair their keeping qualities. Skin blemishes shall not exceed a total area of ½ inch square on any one apple.

"E.F."

Grading.	*Quality.*
For apples of a shape and colour characteristic of the variety. The diameter of any apple in this grade shall not be less than 2¾ inches.	Apples shall be free from such blemishes or mechanical injuries as are calculated to impair their keeping qualities. The skin shall be free from blemishes other than those characteristic of the variety.

N.B.—The diameter as referred to above means the longest transverse dimension taken at right angles to a line running from the eye (blossom) to the stem as shown in the following illustration :—



The diameter of the apple in above sketch is the distance between the points A and B.

Tolerance to be allowed in standards of grading and quality

In order to allow for variations incidental to grading and handling, a consignment of apples in containers marked as being of a particular standard shall be deemed to comply with that standard, both as regards grading and quality, if in each one of such of the containers as an authorised officer shall examine not more than 5 per cent. by count of the contents are found to be below the minimum size specified for that standard and not more than 5 per cent. by count of the contents are found to be below the quality requirements specified for that standard.

FOURTH SCHEDULE

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931

PART I

Packages and Packing Material

1. Apples shall be packed in any of the following containers, specifications for the construction of which are given below :—

(1) Box "Z" for 46 to 54 lb.
(2) Half-barrel (keg) for 56 to 62 lb.
(3) Quarter-barrel (half keg) for 34 to 36 lb.

2. No packing materials may be used other than those specified in Part II of this Schedule, (Packing).

3. All packages and packing materials shall be clean and free from odours likely to affect the flavour of the apples.