

2012

**FRESH PRODUCE EXPORT
QUALITY CONTROL**

S.R.O. 30

2012

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COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS NO. 30 of 2012.

REGULATIONS

MADE By the Minister under section 50 of the Fresh Produce
Export Quality Control Act 2009 (No. 2 of 2009).

(Gazetted 13th September,2012).

1. These Regulations may be cited as the -

Short title.

**FRESH PRODUCE EXPORT QUALITY
CONTROL REGULATIONS, 2012.**

2. In these Regulations “the Act” means the Fresh Produce
Export Quality Control Act 2009.

Interpretation.

Act No. 2 of 2009.

3. An identification card issued under section 6(2) of the Act
must be in Form 1 set out in Schedule 2.

Identification card.

Schedule 2.

4. (1) An application for a licence under section 9(2) of the
Act must be in Form 2 set out in Schedule 2.

Application for licence
and licence fee.

Schedule 2.

(2) The application fee for a licence under section 9(3) of
the Act is as specified in Schedule 1.

Schedule 1.

5. (1) A notice of intention to refuse an application for a
licence under section 10(1) of the Act must be in Form 3 set out
in Schedule 2.

Refusal of licence.

Schedule 2.

2012 FRESH PRODUCE EXPORT S.R.O. 30
QUALITY CONTROL

- Schedule 2. (2) A notice of refusal of an application for a licence under section 10(5) of the Act must be in Form 4 set out in Schedule 2.
- Licence.
Schedule 1. **6.** (1) The licence fee payable under section 11(1) of the Act is as specified in Schedule 1.
- Schedule 2. (2) A licence issued under section 11(2) of the Act must be in Form 5 set out in Schedule 2.
- Suspension or
revocation of licence.
Schedule 2. **7.** (1) A notice of intention to suspend or revoke a licence under section 17(2) of the Act must be in Form 6 set out in Schedule 2.
- Schedule 2. (2) A notice of suspension or revocation of a licence under section 17(3) of the Act must be in Form 7 set out in Schedule 2.
- Application for
registration and
registration fee.
Schedule 2. **8.** (1) An application for registration of a packing house under section 21(2) of the Act must be in Form 8 set out in Schedule 2.
- Schedule 1. (2) The application fee for registration of a packing house under section 21(3) of the Act is as specified in Schedule 1.
- Refusal of registration.
Schedule 2. **9.** (1) A notice of intention to refuse an application for registration under section 23(2) of the Act must be in Form 9 set out in Schedule 2.
- Schedule 2. (2) A notice of refusal of an application for registration under section 23(5) of the Act must be in Form 10 set out in Schedule 2.
- Certificate of registration.
Schedule 1. **10.** (1) The registration fee payable under section 24(1) of the Act is as specified in Schedule 1.
- Schedule 2. (2) A certificate of registration issued under section 24(1) of the Act must be in Form 11 Schedule 2 .

2012 FRESH PRODUCE EXPORT S.R.O. 30
QUALITY CONTROL

11. (1) A notice of intention to suspend or cancel registration under section 32(2) of the Act must be in Form 12 set out in Schedule 2. Suspension cancellation of registration.
Schedule 2.

(2) A notice of suspension or cancellation of registration under section 32(3) of the Act must be in Form 13 set out in Schedule 2. Schedule 2.

12. (1) An application for inspection under section 38(1) of the Act must be in Form 14 set out in Schedule 2. Inspection.
Schedule 2.

(2) The inspection fee under section 38(2) of the Act is as specified in Schedule 1. Schedule 1.

(3) A certificate of inspection issued under section 39(1) of the Act must be in Form 15 set out in Schedule 2. Schedule 2.

SCHEDULE 1
(Regulations 4(1), 5(2), 8(2), 10(1) and 12(2))

FEES

Description	Section of Act	Fee
<i>Fresh Produce Export Quality Control Licence</i>		
Application fee	9 (3)	\$ 25
Licence fee	10 (1)	\$ 25
<i>Registration of packing houses</i>		
Application for registration	21 (3)	\$ 50

2012 FRESH PRODUCE EXPORT QUALITY CONTROL S.R.O. 30

Registration fee 24 (1) \$100

Inspection

Inspection fee 38 (2) \$ 50

SCHEDULE 2

FORM 1 (Regulation 3)

IDENTIFICATION CARD

Fresh Produce Export Quality Control Act-Section 6(2)

ID No.	Photograph
[Logo of Authority]	
IDENTIFICATION CARD	
Fresh Produce Export Quality Control Inspector	
Section 6(2) Fresh Produce Export Quality Control Act 2009	
Name:	
Address:	
.....	
Signature of inspector	
Valid [date] to [date]	

2012

**FRESH PRODUCE EXPORT
QUALITY CONTROL**

S.R.O. 30

FORM 2

(Regulation 4 (1))

**APPLICATION FOR FRESH PRODUCE EXPORT
QUALITY CONTROL LICENCE**

Fresh Produce Export Quality Control Act - Section 9 (2)

1. (a) Name of Applicant (Company name):		
(b) Address		
(c) Telephone No.	(d) Fax No.	
2. State below full names and home addresses of owner, all partners and/or directors (Please include title). Use separate sheet if necessary		
NAME	ADDRESS	TITLE
3. Business is (Check one):		
<input type="checkbox"/> Owned by one person (yourself)	<input type="checkbox"/> A Partnership	
<input type="checkbox"/> A grower's co-operative association	<input type="checkbox"/> A body corporate	
<input type="checkbox"/> A registered company	<input type="checkbox"/> Others, (specify)	
4. Destination of market		
<input type="checkbox"/> Regional market	<input type="checkbox"/> Extra-regional market	
Countries (specify):		
5. Commodities handled or grown in commercial quantities:		
<input type="checkbox"/> fruits	<input type="checkbox"/> flowers	<input type="checkbox"/> root crops
<input type="checkbox"/> vegetables	<input type="checkbox"/> nuts	<input type="checkbox"/> other (specify)

<p>6. Please provide and indicate the documentary evidence of satisfactory facilities for packing produce. Please tick and complete the appropriate evidence present:</p> <p>(a) <input type="checkbox"/> Certificate of Registration of packing house Reg No. _____</p> <p>(b) <input type="checkbox"/> Letter authorizing use of valid packing house (original signatures) <input type="checkbox"/> Photocopy of valid Certificate of Registration of a packing house Reg No. _____</p> <p>(c) <input type="checkbox"/> Copy of lease agreement for packinghouse <input type="checkbox"/> Photocopy of valid certificate of registration of a packinghouse Reg No. _____</p>
<p>7. Has the applicant had a licence or certificate of registration of registration issued under the Fresh Produce Export Quality Control Act revoked or suspended?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>8. Application fee - A non-refundable application fee to be attached.</p> <p>Note: Submission of a complete application form and the prescribed fee does not authorize the applicant to engage in regional or extra-regional trade.</p>
<p>9. Type of applicant (check one):</p> <p><input type="checkbox"/> New</p> <p><input type="checkbox"/> Re-application (state previous licence number) _____</p> <p>I hereby certify that the foregoing information is to the best of my knowledge true and correct and authorise the Director of the Fresh Produce Export Quality Control Authority or his or her designate to verify any information pertaining to this licence application. I understand that any false or misleading statements made by me will result in the rejection of this application.</p> <p style="text-align: right;">Date _____</p> <p>Signature of applicant _____</p> <p>_____ Official position within the Company</p>

2012

**FRESH PRODUCE EXPORT
QUALITY CONTROL**

S.R.O. 30

FOR OFFICIAL USE OF THE AUTHORITY		
Application received on _____		
Fee collected by _____	Date _____	Amount _____
Fee attached _____	Date _____	Amount _____
Application recommended/rejected _____	Date _____	
Licence No. _____		

If rejected, reason for rejection _____		

NOTES

Each section of the application should be completed and legible.

Section 1 (a) and (b) - The name and address of the applicant refer to the individual or the company's name and address.

Section 2 - The names and addresses of the owners, partners and directors are considered some of the most important information obtained from a licence application. These are normally the individuals who are responsible for making the fair and ethical business decision for the applicant. A careful check of these individuals ensures that they have not used unethical or unfair trade practices in the past. Please ensure it is completed accurately.

Section 3 - Indicate by ticking the correct box whether the business is owned by one person, a grower's co-operative association, a partnership, a company or a body corporate.

Section 4 - Destination of Market - It is important to provide information as to whether the exporter is supplying regional or extra regional markets or both.

Section 5 - Commodity boxes should be checked for the commodities that are handled, as well as circled for commodities which the applicant grows.

Section 6 - A detailed description of the applicant's suitable facilities or packing house is essential. An indication of the location if different from the applicant address is also required.

Section 7 - Indicate by ticking the correct box whether your licence has been previously suspended or revoked.

Section 8 - The appropriate fee must be indicated by ticking the correct box.

Section 9 - Please ensure that the appropriate box indicating whether the application is new or a re-application. In addition it is important to ensure that the applicants' signature and the date of the application are indicated. It is preferred if the signature is one of the principal officers listed in section 2 of the application form. However anyone acting on behalf of the applicant may sign.

If the application for a licence is approved, a licence will be issued.

The licence will be mailed to the applicants business address or if requested may be collected from a designate inspection office.

LICENSING OF RE-APPLICANTS

An application form is sent directly from the main office of the Fresh Produce Export Quality Control Authority to each licensee approximately 6 weeks prior to the expiry of their current licence together with a covering letter.

When assessing a re-application, the information and documentation required on an initial application are required here.

2012 FRESH PRODUCE EXPORT S.R.O. 30
QUALITY CONTROL

FORM 3 (Regulation 5 (1))

NOTICE OF INTENTION TO REFUSE LICENCE
Fresh Produce Export Quality Control Act - Section 10 (2)

Name of Applicant:

Address of Applicant:

You are hereby notified that the Authority, having considered your application for a Fresh Produce Export Quality Control licence made on [date] and having regard to section 10 (3) of the Fresh Produce Export Quality Control Act, intends to refuse to grant the licence on the following grounds:

[List of grounds]

You are hereby given [number of days] from the date of this notice to make written representations to the Authority to show cause as to why the application should be granted.

Date

.....
Director

Stamp of Authority

2012 **FRESH PRODUCE EXPORT** **S.R.O. 30**
QUALITY CONTROL

FORM 4 (Regulation 5 (2))

NOTICE OF REFUSAL OF LICENCE

Fresh Produce Export Quality Control Act - Section 10 (5)

Name of Applicant:

Address of Applicant:

You are hereby notified that the Authority, having considered your application for a Fresh Produce Export Quality Control licence made on [date] and having regard to section 10 (3) of the Fresh Produce Export Quality Control Act and your written representations, if any refuses to grant a licence on the following grounds:

[List of grounds]:

You have a right to appeal the refusal under section 47 of the Act by submitting a notice of appeal to the Appeals Tribunal within 7 days of the receipt of this notice.

Date

.....
Director

Stamp of Authority

2012

**FRESH PRODUCE EXPORT
QUALITY CONTROL**

S.R.O. 30

FORM 5

(Regulation 6 (1))

FRESHPRODUCEEXPORTQUALITYCONTROLLICENSE

Fresh Produce Export Quality Control Act - Section 11 (2)

PHOTO	Surname:	First/ Middle Name:
	Date Issued:	Expiry Date:
	Licence Number	Address:
Authority stamp	This is to certify that the above-named applicant with picture affixed is licensed under the Fresh Produce Export Quality Control Act of Dominica to engage in the export trade of fresh produce until such time as this license is suspended, revoked or expired.	
..... Signature of Licensee	 Director

2012 FRESH PRODUCE EXPORT S.R.O. 30
QUALITY CONTROL

FORM 6 (Regulation 7 (1))

NOTICE OF INTENTION TO SUSPEND OR REVOKE LICENCE
Fresh Produce Export Quality Control Act - Section 17 (2)

Licence No.

Name of Licensee:

Address of Licensee:

You are hereby notified that the Authority, intends to suspend/revoke*
your fresh produce quality control licence on the following grounds:

[List of grounds]:

You are hereby given [number of days] from the date this notice to
make written representations to the Authority to cause as to why
the licence should not be suspended/revoked*.

* *Delete as appropriate.*

Date

.....
Director

Stamp of Authority

2012 FRESH PRODUCE EXPORT S.R.O. 30
QUALITY CONTROL

FORM 8 (Regulation 8 (1))

**APPLICATION FOR REGISTRATION OF A FRESH PRODUCE
 PACKING HOUSE**

Fresh Produce Export Quality Control Act - Section 21 (2)

Name and address of company / individual:	
Telephone Number:	Fax Number:

Name and Home Address of Owner (s) or Partner (s)

Surname, Given Name and Initials	Address	Title
Business is : Owned by one Person - Yourself () Partnership ()		
A Growers Cooperative () A Corporation ()		
Have You another registered packing house under this Act? Yes () No ()		
Are you a licensed exporter of fresh produce? Yes () No ()		
Specify Licence Number:		
Name of Person responsible for the supervision of the preparation fresh produce for export:		
Name and Address of packing house for which registration is requested:		
List the kind of produce prepared for export in this packing house:		
List major grading, packaging and handling equipment		

2012

**FRESH PRODUCE EXPORT
QUALITY CONTROL**

S.R.O. 30

**APPLICATION FEE TO BE ATTACHED IN CASH BY CHEQUE, MONEY
ORDER OR BANK DRAFT TO BE MADE PAYABLE TO THE DOMINICA
BUREAU OF STANDARDS**

I hereby certify that the information included in this application is, to the best of my knowledge, correct and that I understand that any false or misleading statements made by me will result in the rejection of this application. I further acknowledge that i have read and am fully familiar with the provisions respecting packing house under the Fresh Produce Export Quality Control Act.

Signature of Applicant

Official Capacity

Date:

FORM 9

(Regulation 9 (1))

NOTICE OF INTENTION TO REFUSE REGISTRATION

Fresh Produce Export Quality Control Act - Section 23 (2)

Name of applicant:

Address of applicant:

Location of premises:

You are hereby notified that the Authority, having considered your application for registration of a packing house made on [date] and having regard to section 23 (3) of the Fresh Produce Export Quality Control Act, intends to refuse you applications on the following grounds:

2012 FRESH PRODUCE EXPORT S.R.O. 30
QUALITY CONTROL

You are hereby given [number of days] from this notice to make written representations to the Authority to show cause as to why the application should be granted.

Date

.....

Director

Stamp of Authority

FORM 10 (Regulation 9 (2))

NOTICE OF REFUSAL OF REGISTRATION

Fresh Produce Export Quality Control Act - Section 23 (5)

Name of Applicant:

You are hereby notified that the Authority, having considered your application registration of a packing house made on [date] and having to section 23 (3) of the Fresh Produce Export Quality Control Act, intends to refuse you applications on the following grounds:

You are hereby given [number of days] from the date this notice to make written representations to the Authority to show cause as to why the packing house should be registered.

Date

.....

Director

Stamp of Authority

2012 FRESH PRODUCE EXPORT S.R.O. 30
QUALITY CONTROL

[List of grounds:]

You have a right to appeal the suspension/cancellation* under section 47 of the Act by submitting a notice of appeal to the Appeals Tribunal within 7 days of the receipt of this notice.

**Delete as appropriate.*

Date

.....
 Director

Stamp of Authority

FORM 14 (Regulation 12 (1))

APPLICATION FOR INSPECTION OF FRESH PRODUCE

Fresh Produce Export Quality Control Act - Section 38 (1)

Name of Applicant/Licensee/Company		Requested Date	<input type="checkbox"/> Inspection
			<input type="checkbox"/> Re-Inspection
			<input type="checkbox"/> Appeal Inspection
Name of Contact	Telephone	Fax	Time
Exporter/Packer's Name and Address		Location of Produce To Be Inspected	
		Packing House Name and Address:	
Inspection Requested For:		Grade to which the inspection is requested:	
<input type="checkbox"/> Grade Certification for Minimum Requirements for Export		<input type="checkbox"/> Extra Class	
<input type="checkbox"/> Grade Certification for Specific Market		<input type="checkbox"/> Grade 1	
<input type="checkbox"/> Other (specify)		<input type="checkbox"/> Grade 2	
.....		<input type="checkbox"/> Other (Specify)	
.....		

**2012 FRESH PRODUCE EXPORT S.R.O. 30
QUALITY CONTROL**

Product	Quantity	Number of units (packages)	Package Type	Brand/Identifying Marks/Markings
Applicants Comments/Observations				

_____ Date

_____ Applicant's Signature

_____ Print Name

FORM 15 (Regulation 12 (3))

CERTIFICATE OF INSPECTION

Fresh Produce Export Quality Control Act -Section 39 (2)

3

COMMONWEALTH OF DOMINICA

Certificate No.

Inspection Point (1)		Requested (2)		Inspected (3)		
		Date / / Hour		Date / /	Start	End
Name and Address of Applicant (4)				Licence Number (5)		Inspection Fees (6)
Name and Address of onsignee (7)						
Package/Container Markings (8)						
Product (9)	#	Class/Grade Declared (10)	No. and Kind of Packages (11)	Product Size (12)	Colour (13)	Maturity (14)
Aircraft/Air Waybill # (15)				Product Temp (16)	Outside Temp (17)	Packing House Temp (16)
				°C	°C	°C
Carrier/Carrier I. D (19)				Condition of Load (20)		

2012

**FRESH PRODUCE EXPORT
QUALITY CONTROL**

S.R.O. 30

Condition of Packages and Pack (21)			
<input type="checkbox"/> In Good Order, Properly Packed			
Condition (22) tolerances	<input type="checkbox"/> No decay in evidence <input type="checkbox"/> See Comments	Quality Class/ Grade (23)	<input type="checkbox"/> Within <input type="checkbox"/> See Comments
<input type="checkbox"/> Meet the requirements of the Fresh Product Export Quality Control Act, 2009		<input type="checkbox"/> Meet the requirements specified by the Fresh Produce Standards	
<input type="checkbox"/> Fails to meet the requirements of the Fresh Produce Export Act, 2009		<input type="checkbox"/> Fails to meet the requirements specified by the Fresh Produce Standards	
Comments/Observations			
I certify that on the date(s) shown on this certificate, I inspected samples believed by me to be representative of the described lot, and that the quality and/or condition shown by the said sample on the date(s) were stated.			
Inspector Signature and Printed Name (25)		Stamp (26)	

**This certificate is valid for a period of three (3) days after
the inspection date as stated in Box 3.**

Made this 3rd day of September, 2012.

JOHN COLLIN MCINTRYE
Minister for Trade

DOMINICA

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(Price \$4.60 cents)

