

THE AGRICULTURAL PRODUCE ACT

REGULATIONS
(under section 23)

THE AGRICULTURAL PRODUCE (BANANA) REGULATIONS, 1969

(Made by the Minister on the 16th day of June, 1969)

L.N. 243/69
Amd:
L.N. 153/73

1. These Regulations may be cited as the Agricultural Produce (Banana) Regulations, 1969.
2. In these Regulations, unless the context otherwise requires—
“bananas” means bananas intended for export;
“vehicle” means any kind of vehicle whatever, whether mechanically propelled or not.

Protection of Fruit

3. No person shall—
 - (a) cut, carry, load, unload, or stack bananas in such a manner as to injure such bananas, or carry, load, unload, or stack bananas in boxes in such a manner as to injure the bananas or damage the boxes;
 - (b) place bananas on the ground or on the floor of any building or lean them against any post, rail or wall, or rest them on any post, rail or wall, unless such bananas are protected from bruising or other injury by matting or padding to the satisfaction of an Inspector of Produce;
 - (c) expose bananas or bananas in boxes to the direct rays of the sun or to the rain, or leave bananas that are in danger of becoming so exposed unprotected by a covering that is satisfactory in the opinion of an Inspector of Produce;
 - (d) despatch, load or drive a vehicle containing unboxed bananas projecting over or beyond the sides of such vehicle, unless such vehicle is provided with wings for the support of such bananas;
 - (e) despatch, load or drive a vehicle containing bananas in boxes projecting over or beyond the sides of such vehicle;

- (f) transport bananas on animals or in vehicles unless such animals or vehicles are thoroughly padded for the purpose of protecting the bananas from being bruised in transit;
- (g) transport in a vehicle more than seven tiers of unboxed bananas or ten tiers of bananas in boxes extending upwards from the floor of the vehicle:

Provided that not more than two tiers of bananas or bananas in boxes shall extend above the sides or body of the vehicle:

Provided further that for the purposes of this paragraph any unboxed bananas or bananas in boxes used to stabilize or keep in place other bananas or other bananas in boxes shall be counted as one tier;

- (h) sit, stand, walk or lie upon any bananas or upon any box containing bananas;
- (i) place any article upon any bananas or upon any box containing bananas unless such article is for the protection of the bananas;
- (j) while removing bananas from a vehicle, rest such bananas on the rail of the vehicle unless the rail is padded to the satisfaction of an Inspector of Produce;
- (k) offer or accept for export, or sell or purchase for export any bananas, whether or not in boxes, which are so thin, bruised, immature or damaged, or of which the appearance is so marred, as to be unfit for export in the opinion of an Inspector of Produce;
- (l) export bananas, whether or not in boxes, which are not absolutely clean and free from—
 - (i) all foreign matter such as trash, straw, nests, withes, twigs, grass or earth; and
 - (ii) damage by rats or insects;
- (m) pack, or export, or attempt to export, any bananas which are affected by bruising, thrips, swamp spots or scarring of any description, or by any other condition which mars the appearance of such bananas;
- (n) load bananas into a lighter in such a manner that there is any fruit above the sides or gunwale of the lighter, or so that any part of the fruit projects beyond the sides or gunwale of the lighter;

- (o) load bananas in boxes into a lighter to a height exceeding two tiers above the sides or gunwale of the lighter, or so that the boxes rest on the sides or project beyond the sides or gunwale of the lighter;
- (p) load bananas into a lighter unless the lighter is thoroughly padded to the satisfaction of an Inspector of Produce;
- (q) while engaged in stacking or loading bananas or bananas in boxes, or while in control of any gang engaged in stacking or loading, stack or load such banana or bananas in boxes in any boat, ship or vessel in such a manner as to injure or bruise such bananas in any way.

4. No person having the charge or control of any vehicle or lighter loaded with bananas or bananas in boxes shall permit any person to sit, stand, walk or lie on such bananas or on the boxes containing bananas.

Packing Plants

5. Every person who handles bananas at a packing plant shall handle such bananas in accordance with the directions of an Inspector of Produce, and such Inspector of Produce may give such directions as he may, in his discretion, deem necessary in order to prevent damage to the bananas.

6.—(1) All bananas received at a packing plant shall be stored in padded bins and in a standing position, and no bananas shall be stacked one on top of the other.

(2) An Inspector of Produce may determine from time to time the quantity of bananas which may be stored in a packing plant.

7. Every person packing bananas for export shall use new boxes with the words "JAMAICA BANANAS" printed on the sides in letters not less than one inch high.

8. Every box containing bananas shall be distinctly marked on both panel ends with the number or trade mark of the packer or exporter, and such number or trade mark shall be in figures or letters not less than one inch high.

9.—(1) Hands of bananas shall be so cut from the stalks as to allow sufficient crown to be left to hold the fingers firmly together, and such fingers shall not be less than $6\frac{1}{2}$ inches in length.

(2) All hands of bananas or parts thereof which are being packed shall be packed tightly in boxes to the satisfaction of an Inspector of Produce.

Sanitation

10. The owner, occupier, or person in charge of any premises used for the packing of bananas shall keep such premises and any equipment on such premises in a clean and sanitary condition, to the satisfaction of an Inspector of Produce.

11. An Inspector of Produce may order the cessation of packing operations in any packing plant, or the removal of any bananas therefrom, or the closing of any packing plant which does not conform to the requirements of regulation 10, and such packing plant shall not receive or pack any bananas until the conditions which necessitated the cessation of packing, or the removal of the bananas, or the closing of the plant, have been remedied.

12. Bananas being exported should be packed in new and clean boxes and all such boxes with or without bananas should be stored or stacked on dry clean surfaces.

Sale of Rejected Bananas

13. No person shall offer for sale for export any bananas which have been condemned by an Inspector of Produce.

Record of Purchase

14.—(1) No person shall use any book as a produce book for the keeping of records of the purchase of bananas unless such book be in the form set out in the First Schedule and the headings and pages of such book be printed and all the pages be numbered consecutively.

(2) All produce books shall be open to the inspection of an Inspector of Produce at all reasonable times, and such Inspector of Produce shall be entitled to take extracts therefrom and take possession thereof.

Posting of Regulations

15. A copy of these Regulations shall be posted in a conspicuous place in every produce depot and on every premises where bananas are delivered for export.

First
Schedule.

Penalty

16. Any person who commits a breach of any of the provisions of these Regulations shall be liable, on summary conviction before a Resident Magistrate, to a penalty not exceeding forty dollars and, in default of payment, to imprisonment for a period not exceeding three months.

Application of these Regulations

17. These Regulations shall not apply to bananas exported to the countries specified in the Second Schedule.

Second
Schedule.

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FIRST SCHEDULE

(Regulation 14(1))

** Form printed
(photostat copy attached)*

SECOND SCHEDULE

(Regulation 17)

Bermuda

Cayman Islands

The Bahamas.