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## CHAPTER 161

### THE EXPORTATION OF FRUIT ACT

#### Arrangement of Sections

#### Section

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### EXPORTATION OF FRUIT

*(1st November, 1939.)*

13/1938.

**1.** This Act may be cited as the Exportation of Fruit **Short title.**  
Act.

**2.** In this Act— **Interpretation.**

"container" includes any barrel, crate, package, bag  
or covering which may be prescribed;

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CAP. 161)

Exportation of Fruit

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"export" with its grammatical variations and cognate expressions means to take or cause to be taken out of Antigua and Barbuda;

"fruit" means any variety of fresh fruit, nut, vegetable or other unmanufactured product of any tree, plant, shrub or root to which this Act shall be made to apply by proclamation of the Governor-General published in the Gazette;

"Fruit Inspector" means any person or persons appointed by the Governor-General to exercise the powers of inspection of fruit under this Act;

"Government Depot" means the Government Fruit and Vegetable Marketing Depot and Cold Storage Plant, established for the development of the fruit trade and appointed for the purposes of this Act;

"packing station" includes the Government Depot and any place for the packing of fruit appointed under section 4.

**Appointment of  
Fruit Inspectors.**

**3.** The Governor-General may, by notice in the Gazette, appoint fit and proper persons to be fruit inspectors under this Act, one of whom shall be designated as the Chief Fruit Inspector.

**Licensing of  
packing station.**

**4.** The Governor-General may by licence under his hand appoint such place or places as he shall think fit to be packing stations for the purposes of this Act.

**Inspection and  
certification of  
fruit.**

**5.** All fruit intended for export shall be packed—

- (a) under the supervision of a fruit inspector;
- (b) at a packing station; and
- (c) in standard containers marked legibly and in plain letters on the outside thereof with—
  - (i) the name or identification mark of the shipper,
  - (ii) the name of the variety of the fruit,
  - (iii) the number or weight of the fruit, and

(iv) the grade of the fruit contained therein

(2) Any person intending to pack any fruit for export shall give reasonable notice to the Chief Fruit Inspector of such intention and of the place and time at which he proposes to pack such fruit; and no fruit shall be wrapped, packed or shipped until such fruit and the containers in which the same is shipped shall have been inspected and approved by a fruit inspector.

(3) If the fruit inspector is satisfied that such fruit is in all respects fit for export, and that all the requirements of this Act and of any regulations made thereunder have been complied with, he shall—

(a) affix to each package of fruit a label in the prescribed form denoting that the fruit contained therein has passed inspection; and

(b) issue to the owner or shipper of the fruit a certificate of fitness for export in the form prescribed by the Schedule.

Schedule.

(4) Where the exigencies of any particular trade or special demand require that any variety of fruit shall be prepared for export or shipped in any particular manner, the provisions of this section, shall, in relation to such requirements, have effect subject to such modifications and adaptations as regards the preparation of such fruit for export and the conditions of shipment thereof as may be prescribed:

Provided always that no fruit shall be exported unless and until a fruit inspector shall have examined the same and certified it as in all respects fit for export.

**6.** If at any time after certification by a fruit inspector it appears that a certified package of fruit has become in any respect unfit for export, the Chief Fruit Inspector shall cancel the certificate of fitness for export in respect of that package and shall forthwith give notice in writing of such cancellation to the owner or shipper as the case may require.

Cancellation of certificate.

**7.** It shall be lawful for a fruit inspector at all reasonable times—

Power of entry.

(a) to board any ship, launch, lighter, boat or other vessel on which fruit may be stored for the purpose of being exported, and

(b) to have access to and enter upon any packing station, building or land where fruit is stored, kept or otherwise dealt with, for the purpose of ascertaining whether the provisions of this Act or of any regulations made thereunder have been complied with.

**Cold storage.**

**8.** Unless the Chief Fruit Inspector otherwise permits, all fruit certified as fit for export, if not shipped within twelve hours after the issue of such certificate, shall immediately be placed in cold storage until the date of shipment.

**Destruction of diseased fruit.**

**9.** The Chief Fruit Inspector may order any fruit submitted to any fruit inspector for examination and found to be affected by disease or insect or fungus pest to be destroyed, and such fruit shall be deemed to be forfeited and shall be destroyed accordingly.

**Offences.**

**10.** Any person who—

(a) packs or attempts to pack for export any fruit in a place other than a packing station;

(b) packs or attempts to pack for export any fruit which has been rejected by a fruit inspector;

(c) removes from any packing station any package of fruit without the sanction of a fruit inspector;

(d) exports or attempts to export any fruit which has not been examined and certified by a fruit inspector as fit for export, or any fruit in respect of which the certificate of fitness for export has been cancelled;

(e) wilfully tampers with any container or the contents thereof after inspection or certification of the same by a fruit inspector;

(f) hinders, molests or obstructs any fruit inspector in the execution of any duty imposed on him by this Act;

(g) acts in contravention of or fails to comply with any of the provisions of this Act or of any regulations made thereunder,

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shall be guilty of an offence and shall on summary conviction be liable in the case of a first offence to a penalty not exceeding fifteen hundred dollars and in the case of a second or subsequent offence to a penalty not exceeding three thousand dollars.

**11.** The Governor-General may make regulations in **Regulations.** respect of all or any of the following matters, that is to say—

- (a) the powers and duties of fruit inspectors;
- (b) the wrapping, packing and grading of fruit;
- (c) the standardization, marking and labelling of containers;
- (d) the method of inspection of fruit to be employed;
- (e) inspection fees and packing charges;
- (f) the conveyance of fruit intended for export;
- (g) the regulation and control of packing stations;
- (h) the disposal of rejected fruit;
- (i) the terms and conditions under which fruit may be received by the Government Depot for marketing;
- (j) the fees and charges payable in respect of marketing of fruit by the Government Depot;
- (k) prescribing anything which by this Act may or is to be prescribed; and
- (l) generally for carrying out the provisions of this Act.

**12.** All fees payable under the provisions of this Act **Payment and application of fees.** and any regulations made under this Act shall be paid into the Treasury to the credit of the general revenue of Antigua and Barbuda.

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LAWS OF ANTIGUA AND BARBUDA

SCHEDULE

S.5 (3) (b).

THE EXPORTATION OF FRUIT ACT

*Certificate of Fitness for Export.*

Name of owner or shipper.	Number and identification mark of package or packages.	Description and Grade of Fruit.

I hereby certify that the fruit specified above has been packed under my supervision at a licensed packing station, and is in my opinion free from unnecessary foliage, trash and soil, and in all respects fit for export.

Dated .....

.....  
*Government Fruit Inspector.*

