

## CHAPTER 346

## THE PRODUCE PROTECTION ACT

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## PRODUCE PROTECTION

(25th September, 1922.)

16/1929.

S.I. 3911989.

1. This Act may be cited as the Produce Protection Act. Short title.

2. In this Act—

Interpretation.

"produce" means cacao, maize, coconuts, limes and wood the growth produce or manufacture of Antigua and Barbuda.

"cacao" includes growing cacao plants, the growing tree or any part thereof, cacao pods and cacao beans;

"charcoal" means the residual product obtained by the dry distillation of stems, branches or roots of trees under partial exclusion of the air in pits, kilns and stacks;

"coconuts" includes growing coconut plants, coconut trees, or any part thereof, coconuts husked, or otherwise, coconut oil, copra, coir, or any preparation or product manufactured therefrom;

"limes" includes limes, the extracted juice of limes and lime pulp and any preparation or manufactured product thereof, and any oil or essence derived or extracted therefrom;

"maize" includes growing maize, or any part thereof and maize ears husked, or otherwise, maize cobs, shelled maize, crushed maize, maize meal, and any preparation or product manufactured therefrom;

"onions" includes onion seed, onion slips or sets of the growing plant in any stage and the bulb whether mature or otherwise;

"pineapples" includes growing pineapple plants or any part thereof (pineapple ratoons, slips, suckers, crown slips and crown) and the fruit whether mature or otherwise;

"wood" means wood of every description the growth of Antigua and Barbuda.

Growers of  
produce to be  
licensed.

**3.** Any person who grows any produce in Antigua and Barbuda without being licensed under the provisions of this Act so to do, shall be guilty of an offence.

**4.** (1) Any person who is desirous of obtaining a licence to grow produce shall fill in and sign an application for such a licence in accordance with Form A in the Schedule and shall deliver the same to the Officer in charge of the Police Station of the District wherein the land in respect of which the application is made is situate. **Application for and grant of grower's licence.**

(2) Such Officer shall upon any such application transmit the same to an Assistant Superintendent of Police who shall grant a licence without charge therefor in accordance with Form B in the Schedule.

(3) Such licence shall remain in force for a period of twelve months.

**5.** The Officer in charge of the Police Station of the District wherein the land in respect of which the licence is granted is situate, shall enter in a Book or Growers' Register— **Growers' Register.**

- (a) the situation, description and extent of the land,
- (b) the nature of the produce to be grown,
- (c) the name and address of the person to whom the licence is granted and the date of the grant thereof.

**6.** Every grower of produce shall on demand produce his grower's licence for the inspection of any member of the Police Force or any Local Constable. **Grower's licence to be produced for inspection of Police.**

**7.** Any person who sells any produce in Antigua and Barbuda, without being licensed under the provisions of this Act so to do, shall be guilty of an offence. **Sellers of produce to be licensed.**

**8.** (1) Any person who is desirous of obtaining a licence to sell produce shall fill in and sign an application for such a licence in accordance with Form C in the Schedule and shall deliver the same to the Officer in charge of the Police Station of the District wherein such person resides. **Application for and grant of seller's licence.**

(2) Such Officer shall upon any such application transmit the same to an Assistant Superintendent of Police who shall grant a licence in accordance with Form D in the Schedule.

(3) Such licence shall remain in force for a period of twelve months.

**Sellers' Register.**

**9.** The Officer in charge of the Police Station of the District wherein the person to whom a seller's licence is granted resides shall enter in a Book or Sellers' Register—

(a) the nature of produce to be sold,

(b) the situation of the place where the produce is to be sold, or if such is the case, that the seller is an itinerant vendor,

(c) the name and address of the person to whom the licence is granted.

**Inspection of seller's licence.**

**10.** Every seller of produce shall on demand produce his seller's licence for the inspection of any member of the Police Force or any Local Constable.

**Person found upon or coming from land.**

**11.** Where any person shall be found upon, or coming from, any land upon which produce is grown and shall then and there have in his possession any produce, it shall be lawful for any person having the right of gathering the same upon such land, or the occupier of such land or for the servant of either of them, or for any person acting by the order and in aid of the said several persons, to demand from the person so found such produce in his possession, and in case such person shall not immediately deliver up the same, to take the same from him for the use of the person entitled to the produce upon such land.

**Questions to be put to person found on land. Power to apprehend.**

**12.** Where any person shall be found on any land upon which produce is cultivated, it shall be lawful for any person having the right to such produce upon such land, or for the occupier of the land, or for any servant of either of them, or for any person authorized by either of them, to require the person so found forthwith to quit the land and also to tell his name and address, and in case such person shall refuse to, or shall give a false name or address, he shall be guilty of an offence under this Act and may be detained or apprehended for the purpose of being charged before a Magistrate.

**13.** Any person who is guilty of an offence or who **Penalty.** contravenes any of the provisions of this Act shall be liable on summary conviction to a penalty not exceeding two hundred and fifty dollars for the first offence and to a penalty not exceeding one thousand dollars on the second or any subsequent conviction and in either case the Magistrate in his discretion shall have power to revoke or suspend any licence granted under this Act.

**14.** The Minister may at any time add the produce **Definition of "produce" may be extended.** of any industry to the definitions given in section 2, and the provisions of this Act shall thereupon apply to the same as if they had been originally mentioned in this Act.

SCHEDULE

FORM A

S. 4

APPLICATION FOR GROWER'S LICENCE

I hereby apply for the grant to me of a licence to grow produce, that is to say ..... (fill in with description of produce to be grown).

The land in respect of which this application is made is comprised of ..... acres and is situate at .....

Dated the ..... day of ..... 19.....

.....  
*Signature.*

FORM B

S. 4

GROWER'S LICENCE

Licence is hereby granted to .....  
of ..... to grow produce, that is to say  
..... (fill in with description of  
produce to be grown) on ..... acres of land situate at  
.....

This licence remains in force until the .....  
day of ..... 19.....

Dated the ..... day of ..... 19.....

.....  
*Assistant Superintendent of Police.*

FORM C

S. 8

APPLICATION FOR SELLER'S LICENCE

I hereby apply for the grant to me of a licence to sell pro-  
duce, that is to say ..... (fill in with  
description of produce to be sold) at .....  
(fill in with description of place at which produce is to be sold  
or where, if such is the case, state "as an Itinerant Vendor").

Dated the ..... day of ..... 19.....

.....  
*Signature.*

FORM D

S. 8

SELLER'S LICENCE

Licence is hereby granted to .....  
of ..... to sell produce, that is to say  
..... (fill in with description of produce  
to be sold) at ..... (fill in with  
description of place where produce is to be sold, or where, if such  
is the case, state "as an Itinerant Vendor").

This licence remains in force until the .....  
day of ..... 19.....

Dated the ..... day of ..... 19.....

.....  
*Assistant Superintendent of Police.*