DESTRUCTIVE INSECT AND PEST

[*See* also Class 10 of the Classified List of Local Instruments printed at the end of this volume.]

IMPORTATION OF RAW CHERRIES

1. *England.* | 2. *Scotland*, p. 683.

1. ENGLAND

The Importation of Raw Cherries Order of 1948

1948 No. 926

Made - - - -	*29th April*, 1948
Laid before Parliament	*3rd May*, 1948
Coming into Operation	*19th May*, 1948

(D.I.P. 621.)

The Minister of Agriculture and Fisheries, by virtue and in exercise of the powers vested in him under the Destructive Insects and Pests Acts, 1877 to 1927(a), and of every other power enabling him in this behalf, orders as follows:—

Restriction on Importation of Raw Cherries

1. For the prevention of the introduction of the Cherry Fruit Fly, the landing in England or Wales after the eighteenth day of May, nineteen hundred and forty-eight, of any raw cherries grown in any European country other than Spain, France, Italy, Germany, Hungary, Switzerland, Austria, Bulgaria, and Portugal, is hereby prohibited unless each consignment is accompanied by a certificate of origin.

Restriction on Importation of Raw Cherries grown in Spain

2. Raw cherries grown in Spain shall not be landed in England or Wales after the eighteenth day of May, nineteen hundred and forty-eight.

Restriction on Importation of Raw Cherries grown in France

3. Raw cherries grown in France shall not be landed in England or Wales

(*a*) during the period beginning on the nineteenth day of May, nineteen hundred and forty-eight, and ending on the thirty-first day of May, nineteen hundred and forty-eight, unless each consignment is accompanied by a certificate of origin;

(*b*) after the thirty-first day of May, nineteen hundred and forty-eight, unless accompanied by a certificate issued by an officer of the French Services d'Inspection Phytopathologique in the form A set forth in the Schedule to this Order.

Restriction on Importation of Raw Cherries grown in Italy

4. Raw cherries grown in Italy shall not be landed in England or Wales

(*a*) during the period beginning on the nineteenth day of May, nineteen hundred and forty-eight, and ending on the twelfth day of June, nineteen hundred and forty-eight, unless each consignment is accompanied by a certificate of origin;

(a) 40 & 41 Vict. c. 68; 7 Edw. 7. c. 4; and 17 & 18 Geo. 5. c. 32.

(*b*) during the period beginning on the thirteenth day of June, nineteen hundred and forty-eight, and ending on the twenty-third day of June, nineteen hundred and forty-eight, unless accompanied by a certificate issued by an officer of the Italian Phytopathological Service in the form B set forth in the Schedule to this Order;

(*c*) after the twenty-third day of June, nineteen hundred and forty-eight.

Restriction on Importation of Raw Cherries grown in Germany

5. Raw cherries grown in Germany shall not be landed in England or Wales

(*a*) during the period beginning on the nineteenth day of May, nineteen hundred and forty-eight, and ending on the twenty-sixth day of June, nineteen hundred and forty-eight, unless each consignment is accompanied by a certificate of origin;

(*b*) after the twenty-sixth day of June, nineteen hundred and forty-eight, unless accompanied by a certificate issued by an officer of the German Phytopathological Service in the form C set forth in the Schedule to this Order.

Restriction on Importation of Raw Cherries grown in Austria, Bulgaria, Hungary and Switzerland

6. Raw cherries grown in Austria, Bulgaria, Hungary or Switzerland shall not be landed in England or Wales

(*a*) during the period beginning on the nineteenth day of May, nineteen hundred and forty-eight, and ending on the ninth day of June, nineteen hundred and forty-eight, unless each consignment is accompanied by a certificate of origin;

(*b*) after the ninth day of June, nineteen hundred and forty-eight.

Restriction on Importation of Raw Cherries grown in Portugal

7. Raw cherries grown in Portugal shall not be landed in England or Wales

(*a*) during the period beginning on the nineteenth day of May, nineteen hundred and forty-eight, and ending on the thirty-first day of May, nineteen hundred and forty-eight, unless each consignment is accompanied by a certificate of origin;

(*b*) after the thirty-first day of May, nineteen hundred and forty-eight.

Delivery and Competence of Certificates

8. Every certificate prescribed by this Order shall be delivered to the proper officer of Customs and Excise at the same time as, and together with the entry relating to the consignment, and all the consignments in one cargo may, where the circumstances so admit, be covered by one such certificate.

Disposal of Raw Cherries landed in Contravention of Order

9. Any raw cherries landed in England or Wales in contravention of this Order shall be forthwith destroyed by and at the expense of the importer unless they are re-exported or are disposed of in accordance with the terms of a licence issued by an Inspector.

Powers of Inspection and Entry

10. An Inspector may, upon production, if so required, of his appointment or authority, open and examine and take samples of the contents of any

consignment or package containing or suspected to contain, raw cherries which have been shipped, or are suspected to have been shipped, from any country beyond the seas, and enter any premises upon which any such raw cherries are or are suspected to be.

Licences

11. Notwithstanding any provisions of this Order any raw cherries may be landed in England or Wales under and in accordance with the conditions of a licence issued by the Minister or by an Inspector.

Offences

12. Any person wilfully obstructing or impeding an Inspector in the exercise of his powers under this Order, or failing to comply with the provisions of Article 9 of this Order, or with the terms of any licence granted under that Article or under Article 11 of this Order, shall be liable to a penalty not exceeding ten pounds, or, in respect of a second or subsequent offence, to a penalty not exceeding fifty pounds.

Definitions

13. In this Order:—

" Minister " means the Minister of Agriculture and Fisheries.

" Inspector " means an Inspector or other authorised officer of the Ministry of Agriculture and Fisheries.

" Importer " includes any person who, whether as owner, consignor or consignee, agent or broker, is in possession of, or in any wise entitled to the custody or control of the article.

" Certificate of origin " means a certificate visé by a duly authorised officer of the government of the country of origin stating the country and place where the raw cherries were grown.

Application of Order

14. Nothing in this Order shall apply to raw cherries imported from Scotland, Northern Ireland, Eire, the Channel Islands or the Isle of Man.

Commencement of Order

15. This Order shall come into operation on the nineteenth day of May, nineteen hundred and forty-eight, and shall remain in force until the thirtieth day of September, nineteen hundred and forty-eight.

Short Title

16. This Order may be cited as the Importation of Raw Cherries Order of 1948.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twenty-ninth day of April, nineteen hundred and forty-eight.

(L.S.) *Donald E. Vandepeer,*
Secretary.

SCHEDULE

FORM A

CERTIFICATE TO ACCOMPANY RAW CHERRIES GROWN IN FRANCE AND LANDED AFTER 31ST MAY

This is to certify that the raw cherries included in the shipment described below were grown within the Zone described in the Schedule to this Certificate.

Number and description of packages in shipment.....

.....

Date and Port of Shipment.....

Name of Vessel.....

Signature .....

Official Status .....

Date .....

SCHEDULE

DESCRIPTION OF ZONE

The Department of Calvados, and the Cantons of Quilleboeuf, Pont-Audemer, Beuzeville, Routot, Montfort-sur-Risle, Cormeilles, St. Georges-du-Vièvre, Bourgtheroulde, Amfreville, Brionne, and Thiberville, in the Department of Eure.

FORM B

CERTIFICATE TO ACCOMPANY RAW CHERRIES GROWN IN ITALY AND LANDED BETWEEN 13TH AND 23RD JUNE

This is to certify that the raw cherries included in the shipment described below were grown either within the Region of Emilia or within the Province of Verona.

Number and description of packages in shipment.....

.....

Distinguishing Marks.....

Date of Dispatch.....

Port of Shipment.....

Signature .....

Official Status .....

Date .....

FORM C

CERTIFICATE TO ACCOMPANY RAW CHERRIES GROWN IN GERMANY AND LANDED AFTER 26TH JUNE

This is to certify that the raw cherries included in the shipment described below were not grown south of Latitude 53° N.

Number and description of packages in shipment.....

.....

Distinguishing Marks.....

Date of Dispatch.....

Port of Shipment.....

Signature .....

Official Status .....

Date .....

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order imposes restrictions on the importation of raw cherries in 1948 during that period of the year when there is danger of the introduction of the Cherry Fruit Fly.