STATUTORY RULES AND ORDERS OF A GENERAL CHARACTER ISSUED IN 1949

AGRICULTURAL PRODUCE GRADING AND MARKETING

Conditions of Marketing of Apples

MARKETING OF FRUIT RULES (NORTHERN IRELAND), 1949

RULES, DATED THE 8TH AUGUST, 1949, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 15 OF THE MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931 (21 AND 22 GEO. V. c. 8).

1949. No. 136 Amended 1949 S.R.&O. (N.I.) 198

The Ministry of Agriculture in exercise of the powers conferred upon it by Section Fifteen of the Marketing of Fruit Act (Northern Ireland), 1931, and of every other power enabling it in that behalf hereby makes the following Rules, that is to say :—

Definitions

1. In these Rules unless the context shall require a different construction :—

(1) the expression " Ministry " shall mean the Ministry of Agriculture ;

(2) the expression " prescribed " shall mean prescribed by the Ministry of Agriculture ;

(3) the expression " authorised " shall mean authorised by the Ministry of Agriculture.

Application

2. These Rules shall apply to apples only.

Licences

3.—(1) Application for a licence shall be made in the form or to the effect stated in the First Schedule to these Rules.

(2) A licence shall be in the form or to the effect stated in the Second Schedule to these Rules.

Conditions to be observed by licence-holders when consigning Apples from Northern Ireland under the authority of a licence

4.—(1) A licence-holder shall not send any apples out of Northern Ireland save under the authority of his own licence, the number of which shall be clearly marked on each container, and he shall be responsible for the standard of the contents of each container.

(2) Apples sent by licence-holders from Northern Ireland to Great Britain or the Isle of Man under the authority of a licence shall be—

(*a*) graded and be of the standards of quality as laid down in the Third Schedule to these Rules, and

(*b*) in containers which are of the types specified in the Fourth Schedule to these Rules and which are packed and marked as laid down in that Schedule.

(3) A licence-holder shall, with each consignment of apples dispatched to Great Britain or the Isle of Man, furnish to the carrier or person conveying the apples a Return of Shipment to accompany the consignment in the form or to the effect stated in the Sixth Schedule to these Rules. Where such consignment is loaded in two or more vehicles, the licence-holder shall furnish a separate return of Shipment in respect of each vehicle. Where such consignment, loaded in one vehicle, includes lots consigned to two or more consignees, the licence-holder shall furnish a separate Return of Shipment in respect of each such lot.

Permits

5.—(1) Application for a permit may be made in the form or to the effect stated in the Seventh Schedule (A or B) to these Rules.

(2) A Permit may be in the form or to the effect stated in the Eighth Schedule (A or B) to these Rules.

Consignment of Apples below " C " Standard

6.—(1) Notwithstanding any provisions of these Rules, apples which fail to reach the requirements for Standard " C " as laid down in the Third Schedule to these Rules but which are Seconds (as defined in Part 1 of the Fifth Schedule to these Rules) may be sent for the fresh fruit market to Great Britain or the Isle of Man, subject to the conditions that they shall be packed only in box " X ", the specification for the construction of which is given in the said Schedule, and shall conform to the other requirements laid down in that Schedule.

(2) Each consignment shall be accompanied by a Return or Returns of Shipment as prescribed for licence-holders in Article 4 (3) of these Rules.

Grade Designations

7. The Ministry hereby prescribes the designations " C ", " F " and " E.F." referred to in the Third Schedule to these Rules as Grade designations for the purposes of Section 10 of the Marketing of Fruit Act (Northern Ireland), 1931, and the standards as to quality laid down in the Third Schedule to these Rules shall be the definition of quality referred to in that Act as " the statutory definition ".

Small Consignments

8. The provisions of Part I of the Marketing of Fruit Act (Northern Ireland), 1931, shall not apply to consignments of apples sent to Great Britain or the Isle of Man from Northern Ireland weighing not more than one and half hundredweights.

Containers for Apples sold or offered or exposed for sale within Northern Ireland to a retailer for the purpose of resale by him

9. On a sale or offer or exposure for sale of apples within Northern Ireland by any person to a retailer for the purpose of resale by him, such aforesaid person shall mark or cause to be marked on each package or container in which the apples are sold, offered or exposed for sale or delivered to the retailer, or on a label firmly attached to the package or container, in letters and figures not less than 1 inch high, the net weight of apples contained therein when so sold, offered or exposed for sale or delivered to the retailer.

Revocation

10. Rules specified in the Ninth Schedule to these Rules are hereby revoked provided that such revocation shall not affect :—

(*a*) the previous operation of those Rules or anything duly done or suffered thereunder ; or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under those Rules ; or

(*c*) any penalty incurred in respect of any offence committed against those Rules ; or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability or penalty as aforesaid ; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed as if these Rules had not been made.

Commencement

11. These Rules shall come into operation on the eighth day of August, 1949.

Short Title

12. These Rules may be cited as the Marketing of Fruit Rules (Northern Ireland), 1949.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this eighth day of August, Nineteen hundred and forty-nine, in the presence of

(L.S.) (Signed) *D. A. E. Harkness*,
Secretary.

FIRST SCHEDULE M.F. 1.

FORM OF APPLICATION FOR A LICENCE UNDER THE MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

(1) I/We .....
hereby apply for a Licence under the above-mentioned Act to send fruit to Great Britain or the Isle of Man.

(2) I/We enclose herewith cheque for £1 being the annual fee prescribed by the above-mentioned Act for a Licence.

(3) I/We hereby undertake, in the event of a Licence being granted to me/us, to comply with the provisions of the above-mentioned Act and of the Rules made thereunder and with such Rules and directions as the Ministry may from time to time issue.

Signature of Applicant(s).....

Full Postal Address .....

.....

.....

Date.....

To the Secretary,
Ministry of Agriculture,
Stormont,
Belfast.

SECOND SCHEDULE M.F. 2.

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

Licence Number.....

LICENCE.

This is to certify that.....

of.....

in the County of.....is/are licensed under the above-mentioned Act to send fruit to Great Britain or the Isle of Man, subject to compliance with the provisions of the Act and the Rules made thereunder and with such Rules and directions as the Ministry may from time to time issue.

This licence is valid up to and including the.....day of.....,19.....

Dated this.....day of.....19.....

.....
Authorised Officer.

D. A. E. HARKNESS,
Secretary.

THIRD SCHEDULE

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

STANDARDS OF GRADING AND QUALITY.

"C".

Grading.	*Quality.*
For apples of a reasonable uniform shape. The diameter of any apple shall not be less than 2¼ inches.	Apples shall be free from such blemishes or mechanical injuries as are calculated to impair their keeping qualities. Skin blemishes shall not exceed a total area of ¾ inch square on any one apple.

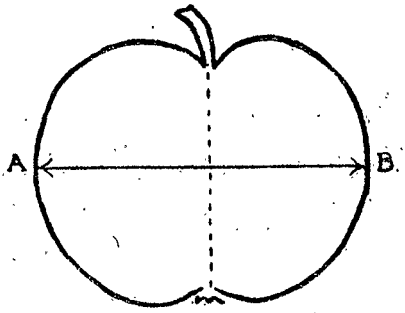
"F"

Grading.	*Quality.*
For apples of a shape and colour characteristic of the variety. The diameter of any apple in this grade shall not be less than 2½ inches.	Apples shall be free from such blemishes or mechanical injuries as are calculated to impair their keeping qualities. Skin blemishes shall not exceed a total area of ½ inch square on any one apple.

"E.F."

Grading.	*Quality.*
For apples of a shape and colour characteristic of the variety. The diameter of any apple in this grade shall not be less than 2¾ inches.	Apples shall be free from such blemishes or mechanical injuries as are calculated to impair their keeping qualities. The skin shall be free from blemishes other than those characteristic of the variety.

N.B.—The diameter as referred to above means the longest transverse dimension taken at right angles to a line running from the eye (blossom) to the stem as shown in the following illustration :—



The diameter of the apple in above sketch is the distance between the points A and B.

Tolerance to be allowed in standards of grading and quality

In order to allow for variations incidental to grading and handling, a consignment of apples in containers marked as being of a particular standard shall be deemed to comply with that standard, both as regards grading and quality, if in each one of such of the containers as an authorised officer shall examine not more than 5 per cent. by count of the contents are found to be below the minimum size specified for that standard and not more than 5 per cent. by count of the contents are found to be below the quality requirements specified for that standard.

FOURTH SCHEDULE

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931

PART I

Packages and Packing Material

1. Apples shall be packed in any of the following containers, specifications for the construction of which are given below :—

(1) Box "Z" for 46 to 54 lb.
(2) Half-barrel (keg) for 56 to 62 lb.
(3) Quarter-barrel (half keg) for 34 to 36 lb.

2. No packing materials may be used other than those specified in Part II of this Schedule, (Packing).

3. All packages and packing materials shall be clean and free from odours likely to affect the flavour of the apples.

Specification for Containers

1. *Box "Z"*

Internal Dimensions	20″ x 13½″ x 10″
Two Sides	21⅛″ x 10″ x 7/16″ in two pieces.
One Bottom	21⅛″ x 13½″ x 7/16″ in three pieces.
Four Posts	10¾″ x 2″ x 2″ diagonally cut.
Two Ends	13½″ x 9″ x 9/16″ in three pieces. The space between any two boards must not exceed ½″. In addition a further opening must be cut at an equal distance from each end at the top of each middle board ½″ deep and approximately 3½″ wide. Alternatively, 1″ space may be left between the middle and top boards at each end provided that a smooth chamfer is made along the whole of the inside edge of each of the four boards (two at each end). The chamfer must leave a thickness at the edge of not more than 5/16″ or less than ¼″ and have a face not more than ⅝″ or less than ⅜″. The space between the middle and bottom boards at each end must not exceed ½″.
One Lid	21⅜″ x 13½″ x 3/16″ in three pieces with corners diagonally cut.
Two Cleats for lid	9½″ x ¾″ x ¼″.
Two Battens on the ends as hand grips	6″ to 10″ x 1½″ x ½″.

All the above measurements must be actual, not nominal.

All timber must be clean, dry and free from bark, wane and feather.

Timber which is not liable to split when nailed must be used in the corner posts, the lid, the cleats and in the top board in each end.

Fourteen gauge 1½″ cement-coated wire nails only must be used throughout, save for fixing battens.

After the apples are packed, the lid must be nailed through the cleats to the ends of the box and further secured by wire round the box at each end.

2. *Half-barrel (Keg)*

(*a*) Grape Barrel

Internal dimensions

Minimum diameter of head	14½″
Minimum length between heads	16½″
Minimum diameter at bulge	16″

(*b*) Standard 112 lb. Butter Cask

Internal dimensions

Minimum diameter of head	13½″
Minimum length between heads	19½″
Minimum diameter at bulge	15¾″

3. *Quarter-barrel (half-keg)*

"Standard 56 lb. Butter Cask"

Internal dimensions

Minimum diameter of head	11½″
Minimum length between heads	19½″
Minimum diameter at bulge	13″

PART II

Packing

1. Only apples of the same variety shall be packed in any one container.

2. Apples packed in any container shall be so packed that any fruit exposed to view, or which would be exposed to view if the container were opened in the ordinary manner, fairly represents in size, maturity and condition the entire contents of the container.

3. *Box "Z"*

(*a*) A sheet of corrugated cardboard, of a quality not less than 30 lb. to the roll, shall be placed smooth side next the fruit below the bottom layer and at each end of the box and another sheet above the top layer of apples, and no substitute for corrugated cardboard shall be used. The sides of the box may be lined with plain paper, if so desired.

(*b*) The apples shall be firmly packed in the box and there shall be sufficient bulge on the top of the box to ensure that when the lid is nailed down the apples are held firmly in position.

4. *Half-barrel (Keg) and quarter-barrel (Half-Keg)*

(*a*) Wooden-headed

A single disc of corrugated cardboard, smooth side to the fruit, or a single sheet of paper shall be placed below the bottom layer and one above the top layer of apples in the barrel. No other packing material shall be used. The first two layers of apples placed in the barrel shall be packed by hand in the manner known to the trade as "ringed in". The remainder of the apples shall be firmly packed so that when the head of the barrel is fixed all the fruit will be securely held in position.

(*b*) Open-headed

The apples shall be packed firmly in the barrel. No other packing save a single disc of corrugated cardboard, smooth side to the fruit, or a sheet of paper shall be placed below the bottom layer. When the barrel has been filled up to at least six inches of the top the inside shall be lined with paper which shall be folded over the rim of the barrel. When the barrel has been filled the overlapping paper shall be used to cover the top of the apples. A layer of wood-wool of sufficient thickness shall be placed on top of this paper to ensure that the cover with which the apples in the barrel shall be secured shall not damage the apples. Alternatively, clean, dry hay or straw or other material that will not taint the fruit may be used, provided it is secured in such manner as not to damage the apples.

PART III

Marking

1. Each box "Z" shall be clearly and indelibly stamped or stencilled on the lid with letters and figures at least 1 inch high and each half-barrel or quarter-barrel shall be marked either on the side or head or on a label firmly attached thereto with :—

(*a*) the number of licence or permit held by the person who sends the apples out of Northern Ireland ;
(*b*) the variety ;
(*c*) the description "C", "F", or "E.F."

2. Each box "Z" shall be clearly and indelibly stamped or stencilled on the lid with the letters "AZ" or "BZ" not less than 1 inch high according as it contains respectively :—

(*a*) not less than 50 lbs. net weight or more than 54 lbs. net weight of apples ; or
(*b*) not less than 46 lbs. net weight or more than 50 lbs. net weight of apples.

Provided that paragraph 2 of this Part of this Schedule shall not apply where the contents of the box are sold by weight and the net weight of such contents is clearly and indelibly stamped or stencilled on the lid, in plain letters and figures not less than 1 inch high.

FIFTH SCHEDULE

MARKETING OF FRUIT (NORTHERN IRELAND), 1931.

PART I

Definition of "Seconds"

Apples referred to in Article 6 (1) of these Rules as "Seconds" shall be regarded as apples which are not less than $2\frac{1}{4}$ inches in diameter, are free from decay, are in sound marketable condition, do not have skin blemishes exceeding a total area of 2 square inches on any one apple, or any cracks greater in depth than $\frac{1}{8}$ inch.

PART II

Packages and Packing Material

1. Apples shall be packed only in box " X ", the specification for the construction of which is given below.

2. No packing materials may be used other than those specified in Part III of this Schedule (Packing).

3. All packages and packing materials shall be clean and free from odours likely to affect the flavour of the apples.

Specification for Container

Box " X "

Internal dimensions		... ...	20″ x 14″ x 13″
Ends	2 pieces	... ...	14″ x 13″ x $\frac{1}{2}$″ *
Battens for Ends	4 pieces	... ...	13″ x 1$\frac{1}{2}$″ x $\frac{1}{2}$″
Sides	4 pieces	... ...	22″ x 6$\frac{1}{2}$″ x $\frac{3}{8}$″ *
Top and bottom	4 pieces	... ...	21″ x 7″ x 7/32″ *
Cleats	4 pieces	... ...	14″ x $\frac{3}{4}$″ x $\frac{1}{4}$″

Fourteen gauge 1$\frac{1}{2}$″ cement-coated wire nails only must be used throughout, save for fixing battens.

* These measurements must be actual, not nominal.

PART III

Packing

1. Only apples of the same variety shall be packed in any one container.

2. Apples packed in Box " X " shall be so packed that any fruit exposed to view, or which would be exposed to view if the container were opened in the ordinary manner, fairly represents in size, maturity and condition the entire contents of the container.

3. (*a*) A sheet of corrugated cardboard shall be placed, smooth side next the fruit, below the bottom layer and another sheet above the top layer of apples. No substitute for corrugated cardboard shall be used. The sides and ends of the box may be lined with plain paper, if so desired.

(*b*) The apples shall be firmly packed in the box and shall have sufficient bulge on the top and bottom of the box so that when the lid is nailed down the apples are held firmly in position.

PART IV

Tolerances

Each box in which " Seconds " are shipped shall contain (*a*) not more than 5 per cent. by count of apples which are less than 2$\frac{1}{4}$ inches in diameter, (*b*) not more than 5 per cent. by count of apples below the quality requirements for " Seconds ", and (*c*) not more than 5 per cent. by count of apples equal to or above the quality requirements for standard " C ".

PART V

Marking

Each box in which " Seconds " are packed for shipment shall be clearly and indelibly stamped or stencilled on one outside end in letters and figures not less than 1 inch high with :—

(i) the word " 2nds " ;
(ii) the number of the licence or permit held by the person who sends the apples out of Northern Ireland ;
(iii) the variety ;
(iv) the letters " AX " or " BX " according as it contains respectively :—

(*a*) not less than 68 lbs. net weight or more than 72 lbs. net weight of apples, or
(*b*) not less than 63 lbs. net weight or more than 68 lbs. net weight of apples.

Provided that sub-paragraph (iv) shall not apply where the contents of the box are sold by weight and the net weight of such contents is clearly and indelibly stamped or stencilled on one outside end, in plain letters and figures not less than 1 inch high.

SIXTH SCHEDULE

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

Return of Shipment

SIR,

I/We have this day despatched by road, or by rail from ..... Station, under $\frac{\text{my licence/permit}}{\text{our licence/permit}}$ No. ..... a consignment of Northern Ireland apples packed as described hereunder :—

Number of Boxes " Z " ..... Number of Boxes "X" .....

Number of Kegs .....

Number of Barrels ..... Number of Bags .....

Destination .....

Signature .....

To the Secretary,
Ministry of Agriculture,
Stormont,
Belfast.

Date .....

This form is to be handed to the person or carrier conveying the apples with the consignment to which it refers.

A separate Return of Shipment is required for each load and for each separate consignee.

SEVENTH SCHEDULE (A) M.F. 3.

Graded Fruit

Application by grower for Permit to send graded fruit to Great Britain or the Isle of Man under Section 4 of the Marketing of Fruit Act (Northern Ireland), 1931.

I hereby apply for a Permit to send to Great Britain or the Isle of Man fruit grown and consigned by myself.

Signature of Applicant .....

Full Postal Address .....

.....

.....

Date .....

To The Secretary,
Ministry of Agriculture,
Stormont,
Belfast.

SEVENTH SCHEDULE (B) M.F. 3 (A)

Ungraded Fruit

Application for Permit to send ungraded fruit to Great Britain or the Isle of Man under Section 4 of the Marketing of Fruit Act (Northern Ireland), 1931.

I hereby apply for a Permit to send to Great Britain or the Isle of Man consignments of fruit in bags for bottling, canning or other manufacturing purposes.

Signature of Applicant .....

Full Postal Address .....

.....

.....

Date.....

To The Secretary,
Ministry of Agriculture,
Stormont,
Belfast.

EIGHTH SCHEDULE (A) M.F. 4.

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

Permit No.....

Permit for Graded Fruit

M.....of .....

.....

is hereby granted permission to send apples from Northern Ireland to Great Britain or the Isle of Man. The conditions of this Permit are that each consignment of fruit sent thereunder shall—

(1) consist only of apples grown by the above-mentioned person ;

(2) be graded, of the standards of quality, packed, marked and accompanied by a Return or Returns of Shipment as prescribed for licence-holders in Article 4 (2) of the Rules made under the above-mentioned Act.

Signed.....
Authorised Officer.

Date.....

EIGHTH SCHEDULE (B) M.F. 4 (A).

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931.

Permit No. .....

Permit for Ungraded Fruit

M ..... of .....

.....

is hereby granted permission to send ungraded apples from Northern Ireland to Great Britain or the Isle of Man on the following conditions :—

(1) that the apples are packed in bags ;

(2) that the weight of apples in each bag shall not exceed 1 cwt. ;

(3) that each bag is clearly and indelibly labelled.

" *Ungraded Apples* "

(4) that the fruit is being sent only for bottling, canning or other manufacturing purposes. ;

(5) that the number of the Permit is written on the label attached to each bag in the consignment ;

* (6) that all the apples in the consignment were grown by the above-mentioned person.

(7) that each consignment is accompanied by a Return or Returns of Shipment as prescribed for licence-holders in Article 4 (2) of the Rules made under the above-mentioned Act.

* This condition applies only in the case of a grower.

Signed.....
Authorised Officer.

Date.....

NINTH SCHEDULE

Orders Revoked

1. The Marketing of Fruit Rules, Northern Ireland, 1947. (Statutory Rules and Orders of Northern Ireland 1947 No. 158).
2. The Marketing of Fruit (Amendment) Rules (Northern Ireland), 1948. (Statutory Rules and Orders of Northern Ireland 1948 No. 18).
3. The Marketing of Fruit (Amendment) (No. 2) Rules (Northern Ireland), 1948. (Statutory Rules and Orders of Northern Ireland 1948 No. 284).

RULES, DATED THE 21ST NOVEMBER, 1949, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 15 OF THE MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931, (21 AND 22 GEO. V. C.8).

1949. No. 198

The Ministry of Agriculture in exercise of the powers conferred upon it by Section Fifteen of the Marketing of Fruit Act (Northern Ireland), 1931, and of every other power enabling it in that behalf hereby makes the following rules by way of amendment of the Marketing of Fruit Rules (Northern Ireland), 1949, (hereinafter referred to as the " Principal Rules ").

1. In the definition of " Grading " under " C " in the Third Schedule to the Principal Rules the words " The diameter of any apple shall not be less than $1\frac{3}{4}$ ins." shall be substituted for the words " The diameter of any apple shall not be less than $2\frac{1}{4}$ ins.".

2. The following shall be substituted for the Fourth Schedule to the Principal Rules :—

FOURTH SCHEDULE

MARKETING OF FRUIT ACT (NORTHERN IRELAND), 1931

PART I

Packages and Packing Material

1. Apples shall be packed in any of the following containers, specifications for the construction of which are given below :—
   (1) Box " Z " for 46 to 54 lb.
   (2) Half-barrel (keg) for 56 to 62 lb.
   (3) Quarter-barrel (half-keg) for 34 to 36 lb.
   (4) Carton for 39 to 41 lb.

2. No packing materials may be used other than those specified in Part II of this Schedule, (Packing).

3. All packages and packing materials shall be clean and free from odours likely to affect the flavour of the apples.