

Serial Number 1950/142

THE HONEY EXPORT REGULATIONS 1950

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 23rd day of
August, 1950

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Apiaries Act, 1927, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Honey Export Regulations 1950.

(2) These regulations shall come into force on the 1st day of September, 1950.

2. In these regulations, unless the context otherwise requires,—

“ The Act ” means the Apiaries Act, 1927 :

“ Director ” means the Director of the Horticulture Division of the Department of Agriculture :

“ Grader ” means any honey grader appointed under the Act :

“ Owner ” means any owner, shipper, or consignor of honey, and includes the agent of any such owner, shipper, or consignor ; and also includes, in the case of a company, the managing director, manager, secretary, or other principal officer of the company in New Zealand.

3. (1) No person shall knowingly export from New Zealand any honey of a specific gravity of less than 1.420.

(2) Except as hereinafter provided, no person shall export any honey from New Zealand until it has been graded in accordance with these regulations and until the other provisions of these regulations have been complied with.

4. The Director shall from time to time, by public notice—

(a) Appoint specified ports to be the only ports at which honey may be exported from New Zealand :

(b) Appoint suitable buildings to be stores for the inspection and grading therein of honey :

(c) Appoint the days and times during which the grading of honey for export shall be undertaken at any store so appointed.

5. (1) Every owner of honey intended for export shall forward it to one of the appointed grading stores at least three days before the commencement of the grading period during which it is desired that the honey should be graded.

(2) He shall at the same time give to the Grader at the grading store to which the honey has been sent a notice in the form numbered 1 in the Schedule hereto or to the effect thereof.

6. (1) Where there is any noticeable difference in the class or standard of honey intended to be forwarded to an appointed grading store in one lot and under one brand, the owner shall submit that honey in separate parcels. Each of those parcels shall contain honey of a uniform class and standard and shall be marked on the top right-hand corner with a mark (in this regulation referred to as the extraction mark) which shall consist of a letter or numeral not being less than 1 in. in height.

(2) The notice to the Grader shall specify the extraction mark of each parcel.

(3) The same extraction mark shall not be used on any other parcel of honey subsequently submitted for grading in the same production season.

(4) If any such honey as aforesaid is submitted for grading otherwise than in separate parcels and marked as aforesaid the Grader may reject it for grading until the provisions of this regulation have been complied with, or he may cause the honey to be sorted and marked, and any charges incurred in so doing shall be paid by the owner on demand.

7. Every person commits an offence against these regulations who wilfully supplies false information in any such notice to the Grader as aforesaid.

8. Every owner sending honey to any appointed grading store shall, at his own expense, make all arrangements for the transit of the honey to and from the store, and also for its receipt, storage, opening up for grading, repacking, delivery, shipment, and any other service, including insurance and protection from damage and loss of any kind.

9. Subject to the provisions of regulation 24 hereof, no honey submitted to a grading store shall be graded—

(a) Unless or until it is in a granulated form :

(b) Unless it is free from objectionable aromas and flavours due to overheating, fermentation, smoke, or carbolic acid, and from natural taint :

(c) If it is contaminated with honey-dew or other foreign material.

10. Subject to the provisions of regulation 24 hereof, it shall be the duty of the owner of any honey intended for export to comply with the following provisions with respect to the packing of the honey, namely :—

(a) The honey shall be packed in clean and strongly made tins which, when packed, shall weigh not less than 56 lb. and not more than 60 lb. :

(b) No tin shall be used which has previously been used for any other purpose :

(c) Every tin shall be oiled on the outside with boiled linseed oil in order to prevent rusting :

(d) Every tin shall have a leak-proof lid, capable of being easily removed and replaced, and not being more than 3 in. in diameter :

- (e) After the honey has been graded, and before it is exported, the lids of all the tins, except those of the kind known as screw tops, shall be secured by soldering or such other method as may be approved by the Director or by the Grader acting with the authority of the Director :
- (f) The tins shall be packed in clean cases made of well seasoned timber with planed ends, or of such other substance or material as may be approved by the Director or by the Grader acting with the authority of the Director :
- (g) The cases shall be strapped with metal strapping or wire :
- (h) The weight of the honey in each case shall not exceed 120 lb.

11. It shall be the duty of the owner of any honey intended for export to comply with the following provisions with respect to the branding of the packages containing the honey, namely :—

- (a) Before the honey is sent to an appointed grading store each package shall be clearly and legibly branded, on one end only, with an export brand approved and registered by the Director as hereinafter provided :
- (b) The brand shall contain the words “ New Zealand Produce—Pure Honey ”, and the owner’s name :
 Provided that instead of or in combination with the owner’s name there may be used such other words or such designs as the Director may approve for the purpose :
- (c) The net weight of the honey shall be branded on each package :
- (d) A shipper’s brand may also be branded on the packages :
- (e) One end of each package shall be kept clear for the grade mark to be placed thereon by the Grader.

12. (1) Every person intending to ship honey for export shall make application to the Director, in the form numbered 2 in the Schedule hereto, or to the effect thereof, for the registration of the export brand prescribed by regulation 11 hereof.

(2) The Director may, if in his opinion the use of the brand to which the application relates is not likely to lead to mistakes or confusion, approve and register the brand, and shall forthwith notify the applicant of the result of his application.

(3) No person shall use any export brand until he has been notified by the Director that it has been registered.

(4) The Director may at any time, after giving one month’s notice in writing to the owner, cancel the registration of any export brand if satisfied that it has not been used during the preceding two years in connection with the export of honey.

13. (1) For the purposes of grading, honey shall be divided into five classes according to colour—namely, white, extra light amber, light amber, medium amber, and dark amber.

(2) The colour classification of any honey shall be determined according to whether the honey is found by the use of an instrument known as the Pfund honey grader to fall within the range of the following percentages of the maximum points obtainable for colour, namely :—

Colour Class.	Percentage.
White	91 to 100
Extra light amber	76 to 90
Light amber	50 to 75
Medium amber	25 to 49
Dark amber	0 to 24

14. (1) Honey shall be graded for flavour, colour, and condition, and the maximum number of points that may be allotted in respect of each such quality shall be the following :—

Quality.	Points.
Flavour	45
Colour	35
Condition	20
<hr style="width: 10%; margin-left: auto; margin-right: 0;"/>	
Total	100

(2) The points to be allotted for any quality shall first be determined as a percentage of the maximum points obtainable for that quality, and the actual points allotted shall be computed accordingly.

(3) In allotting points for condition regard shall be had to the body of the honey, the presence of any defects in the body of the honey, and its cleanliness, including the presence of specks of foreign matter in or on the surface of the honey.

15. (1) A charge of one-tenth of a penny per pound shall be made in respect of all honey withdrawn from the grading store after it has been graded and approved for export.

(2) Except as provided in subclause (1) of this regulation, no charge shall be made for the grading of honey during any period specified from time to time pursuant to paragraph (c) of regulation 4 hereof.

(3) Where, at the request of the owner, any honey is graded at a time not specified as aforesaid, the Director may, as a condition of complying with the request, require the owner of that honey to pay an amount equivalent to the travelling expenses of the Grader, together with £1 a day for the time spent by the Grader in connection with the grading, including the time spent in travelling to the grading store and back to the town in which his office is situated, with a minimum charge of £1.

16. (1) As soon as may be practicable after grading any honey the Grader shall stamp or cause to be stamped on the packages containing the honey a mark (in this regulation referred to as the grade mark) indicating the colour class of the honey determined in accordance with these regulations, and shall also sign and deliver to the owner a certificate of the grade (in this regulation referred to as the grade certificate) in the form numbered 3 in the Schedule hereto.

(2) The grade certificate shall include a general description of the honey to which it relates, stating—

- (a) Its floral source, if ascertainable according to the presence or otherwise of any predominating flavour :
- (b) Its flavour, specified as “ delicate ”, “ mild ”, “ medium ”, or “ extra strong ” :
- (c) Its condition, specifying whether the grain is smooth, fine, medium, or coarse, and specifying the presence of any defects, including scum and froth.

(3) Notwithstanding anything contained in the foregoing provisions of this regulation, no grade certificate shall be issued in respect of honey intended for export to which is allotted less than 70 per cent. of the maximum points obtainable for flavour, or 25 per cent. of the maximum points obtainable for colour, or 85 per cent. of the maximum points obtainable for condition ; and no grade mark shall be placed

on any package containing any such honey as aforesaid. In any such case a notification of the result of the grading shall be sent to the owner of the honey.

17. (1) Any honey in respect of which a grade certificate is issued shall be regraded if, within twenty-one days after the date of the certificate, the owner of that honey makes application to the Director for the regrading thereof, and if it is practicable for the Director to arrange for the regrading.

(2) If upon regrading it is found that the grade should be altered, the Grader shall remove or cause to be removed the existing grade marks on the packages containing the honey and shall stamp those packages or cause them to be stamped in accordance with the grade as altered. In any such case the original grade certificate shall be returned by the owner to the Grader to be cancelled, and the Grader shall issue a fresh certificate in accordance with the regrading.

(3) If upon regrading any honey under this regulation the Grader finds that the total points allotted on the original grading of that honey should be sustained or reduced but not increased, the owner of that honey shall be liable to pay, as a regrading charge, a sum equivalent to the travelling expenses and salary of the Grader for the time spent by him in connection with the regrading, including the time spent in travelling to the grading store and back to the town in which the Grader's office is situated, with a minimum charge of £1.

18. Where a grade certificate is issued for any honey no person shall remove the honey from any appointed grading store, except for the purpose of immediately shipping it for export beyond New Zealand, unless the grade certificate is surrendered to the Grader and the grade mark upon the package is erased.

19. If any honey, after being graded, is held in store for sixty or more days before export, or is damaged, or in the opinion of the Grader has deteriorated, the owner of the honey shall, if and when directed by the Grader so to do, submit the honey for re-examination and shall surrender to the Grader the grade certificate issued in respect thereof.

20. No person shall export any honey in respect of which the grade certificate has been or ought to have been surrendered in accordance with regulation 18 or regulation 19 hereof until the honey is again submitted for grading and a new certificate is issued in respect thereof.

21. No person shall export any honey if—

(a) On being graded, it is allotted less than the minimum number of points for flavour, colour, or condition specified in subclause (3) of regulation 16 hereof :

(b) The containers or cases in which it is packed show any signs of damage.

22. The decision of any Grader as to the quality, condition, or grade of any honey shall be conclusive, and no action or other proceeding shall lie against any Grader or against any other officer of the Crown, or against the Crown, in respect of any erroneous decision of a Grader as to the quality, condition, or grade of any honey.

23. No person shall—

(a) Except as otherwise provided in these regulations, alter or obliterate or cause to be altered or obliterated, wholly or partially, any grade mark :

(b) Counterfeit or improperly impress any grade mark on any package containing honey or intended to contain honey.

24. With the approval of the Director or of the Grader acting with the authority of the Director, liquid honey packed in glass containers holding not more than 2 lb. of honey, and granulated honey packed in glass or tin containers, may be exported in circumstances where satisfactory control of the honey in respect of grading and packing can be arranged, so long as all such honey is packed in such a manner and under such conditions, as to blending for the purpose of ensuring uniformity in colour, flavour, and condition, as are approved by the Director or by the Grader acting with the authority of the Director.

25. (1) Every person commits an offence against these regulations who knowingly contravenes or fails to comply in any respect with any of the provisions of regulations 3, 5, 6, 10, 11, 12, 18 to 21, and 23 of these regulations or any requirement of the Director or of the Grader under regulation 24 of these regulations.

(2) Every person who commits an offence against these regulations shall be liable on summary conviction to a fine not exceeding £20.

26. (1) The regulations relating to the export of honey from New Zealand made under the Act on the 9th day of June, 1928, and published in the *Gazette* on the 21st day of the same month at page 2051, and the regulations in amendment thereof made on the 13th day of March, 1934, and published in the *Gazette* on the 22nd day of the same month, at page 609, are hereby revoked.

(2) All appointments, approvals, brands, certificates, marks, notices, registrations, and generally all acts of authority, and all other documents, matters, acts, and things which originated or had effect under the regulations hereby revoked and are of continuing effect at the commencement of these regulations shall enure for the purposes of these regulations as if they had originated under these regulations and shall, where necessary, be deemed to have so originated.

SCHEDULE

[Reg. 5 (2)
[Form No. 1

NOTICE OF SUBMISSION OF HONEY FOR GRADING

The Honey Grader, Department of Agriculture,

PURSUANT to the Honey Export Regulations 1950, I hereby submit for grading the undermentioned honey, which I have forwarded this day by to the grading store belonging to at the Port of

Please send the certificate to

Number of Packages :

Net weight :

Brand :

Extraction Mark :

.....
Signature of Owner.

Date :

SCHEDULE—continued

[Reg. 12 (1)
[Form No. 2

APPLICATION FOR REGISTRATION OF EXPORT BRAND FOR HONEY

The Director of the Horticulture Division, Department of Agriculture, Wellington.

I, (We),, of, shipper(s) of honey for export, hereby request you to register the brand of which a copy is attached for use by me (us) in branding packages containing honey intended for export, as required by the Honey Export Regulations 1950.

Address :
Date :

.
Signature.

[Reg. 16 (1)
[Form No. 3

GRADE CERTIFICATE FOR EXPORT HONEY

I HEREBY certify that I have this day classed and graded packages of the undermentioned honey as follows, and at the same time have stamped the packages according to the colour class shown below :—

Brand :

Producer's No. :

PURE HONEY

	Maximum Points Obtainable.	Percentage Points Obtainable.	Colour Class.					Points Allotted.
			100-91.	90-76.	75-50.	49-25.	24-0.	
			White.	Extra Light Amber.	Light Amber.	Medium Amber.	Dark Amber.	
Flavour ..	45	100						
Colour ..	35	100						
Condition ..	20	100						

Total Grading Points :

General description of honey :—

Source :
Flavour :
Condition :
.
.

Description of Packages.

Remarks :
Port :
Date :

. Grader,
Department of Agriculture.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

THESE regulations consolidate, with some amendments, the existing regulations governing the grading of honey for export. The main alterations made are set out below :—

(1) Regulations 13, 14, and 16 set out a uniform procedure for the grading of honey for export, whether belonging to the Marketing Department or privately owned. The honey must be graded for flavour, colour, and condition, and the grade certificate must, in addition to showing the colour class of the honey and the points allotted for each quality, include a general description of the source, flavour, and condition. No grade certificate is to be issued for honey scoring less than 70 per cent. of the maximum points obtainable for flavour, or 25 per cent. of the maximum points for colour, or 85 per cent. of the maximum points for condition, and no such honey may be exported.

(2) Regulation 17 gives the owner the right to have any particular lot of honey regraded subject to the conditions set out, including a condition requiring the owner to pay the reasonable costs of regrading if the original grading is sustained or reduced.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 24th day of August, 1950.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 4905.)