1975/57



THE NEW ZEALAND GROWN FRUIT AND VEGETABLES REGULATIONS 1975

DENIS BLUNDELL, Governor-General ORDER IN COUNCIL

At the Government Buildings at Wellington this 24th day of March 1975

Present:

THE HON. R. J. TIZARD PRESIDING IN COUNCIL

PURSUANT to the Plants Act 1970, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

- 1. Title and commencement—(1) These regulations may be cited as the New Zealand Grown Fruit and Vegetables Regulations 1975.
- (2) These regulations shall come into force on the 1st day of April 1975.
- 2. Application of regulations—Subject to regulation 31 of these regulations, these regulations shall apply only to fruit and vegetables grown in New Zealand.
- 3. Interpretation—(1) In these regulations, unless the context otherwise requires,—

"The Act" means the Plants Act 1970:

- "Approved" means approved in writing by the Director-General: "Board" means the New Zealand Apple and Pear Marketing Board established under the Apple and Pear Marketing Act 1971:
- "Brand" means to stencil, emboss, or imprint clearly by means of a metal die or stencil plate, or a metal or rubber stamp, or a combination of any of those means:

"Clean" means free from dirt, dust, insect stains, or other foreign

substance or material:

"Commercial orchardist" means an occupier of an orchard within the meaning of the Orchard Levy Act 1953:

"Count" means the number of fruit or vegetables contained in any

package:

- "Deceptive pack" means any package of fruit or vegetables in which the fruit or vegetables are so arranged that any fruit or vegetables exposed to view, or which would be exposed to view if the package were opened in a normal manner, do not fairly and substantially represent the size, maturity, quality, and condition of the whole contents of the package, or are so arranged that extraneous soil or plant material is concealed in such a way as to materially misrepresent the contents of the package; and "to be deceptively packed" has a corresponding meaning:
- "Deceptive stack" means any bulk lot, load, line, display, or arrangement of packages of fruit or vegetables which is so

arranged that the packages and their contents on the exposed or accessible surface do not represent the size, quality, and condition of the packages that are concealed or not exposed, or do not represent the size, maturity, quality, and condition of the contents of the packages that are concealed or not exposed, so as to materially misrepresent any part of the bulk lot, load, line, or display; and "to be deceptively stacked" has a corresponding meaning:

"Dessert grapefruit" means any grapefruit so matured as to be

suitable for dessert purposes:

"Director-General" means the Director-General of Agriculture and Fisheries:

"Factory" means any premises where any fruit or vegetable is manufactured or processed into any fruit or vegetable product for sale; and includes any premises where the canning, drying, preserving, fermenting, and freezing of any fruit or vegetable is carried out for sale:

"Fruit" means pip fruit, citrus fruit, stone fruit, berryfruit, Chinese gooseberries, passion fruit, tamarillos, grapes, avocados,

and feijoas:

"Grade" means any grade or grading standard for fruit or vegetables determined by the Director-General for the purposes of these regulations; and "graded" means graded in accordance with any of those grades or grading standards:

"Inspector" means an inspector appointed under the Act:

"Institution" means a school, hospital, orphanage, or prison, or any benevolent society or association for the relief of sick, aged, or distressed persons:

"Marketing organisation" means any board, committee, authority, or any other body or organisation, established for the purpose

of marketing or exporting fruit or vegetables:

"Mature", in relation to fruit, means that in the opinion of an inspector the fruit will properly complete the ripening process, and is suitable for local marketing or for export as the case may require:

"Minister" means the Minister of Agriculture and Fisheries:

"Owner" means any owner, shipper, or consignor of fruit or vegetables; and includes the agent or servant of the owner, shipper, and consignor:

"To pack" or "to repack" means to arrange fruit or vegetables regularly and compactly in a package so that they are not loose or compressed to an extent likely to cause damage to the fruit or vegetables during handling or transport:

"Package" includes any portable receptacle in which fruit or vegetables are cased, covered, enclosed, contained, or packed:

"Packing establishment" means a business established by a wholesale vendor, marketing organisation, or co-operative body for the grading, packing, or storage of fruit or vegetables:

"Producer" means a person engaged in the business of producing

fruit or vegetables for sale:

"Sale" includes barter or exchange, offering, advertising, or exposing for sale, sending or delivering for sale, or allowing to be sold; and "to sell" has a corresponding meaning:

"Size" means, as the instance may require, the greatest diameter, the greatest length, or the requisite bulk, of any fruit or vegetable which will pack with other fruit or vegetables of a uniform diameter, length, or bulk to produce a specified number in a specified package:

"To size" means to sort according to size:
"Sound" means free from decay, rots, overmaturity, breakdown, freezing injury, damage, and similar defects which may cause rapid loss of condition or rapid decay:

"Storage defects" means decay, storage scald, fungal rots, wilt, or other injury to fruit or vegetables as the result of storage:

"Uniform" means that the variation in size of fruit or vegetables sized according to any grade prescribed by or determined for the purposes of these regulations is not greater than the allowance for variations prescribed or determined for that grade:

"Vegetable" means any vegetable for the time being specified in the First Schedule to these regulations unless grown and intended solely for purposes other than human consumption:

"Wholesale vendor" means any person other than a producer who sells fruit or vegetables by way of wholesale.

(2) Unless the context otherwise requires, terms and expressions used in these regulations that are defined in the Act but are not otherwise defined in these regulations shall have the same meaning as in the Act.

PART I

REGISTRATION OF MARKS

- 4. Meaning of term "fruit" in this Part of these regulations-Notwithstanding anything in regulation 3 of these regulations, for the purposes of this Part of these regulations the term "fruit" has the same meaning as in the Orchard Levy Act 1953.
- 5. Application for allotment of registered marks—(1) Every commercial orchardist shall apply to the Director-General for the allocation of a registered mark. The Director-General shall allot a distinctive registered mark to each of those commercial orchardists.

(2) The Director-General may from time to time allot a distinctive registered mark to any person other than a commercial orchardist, who proposes to sell fruit and who applies to the Director-General for the

allocation of a registered mark.

- (3) Every registered mark shall, in the discretion of the Director-General, consist of letters or numerals or a combination of letters and numerals.
- 6. Register of marks—(1) The Director-General shall maintain a register of marks in which there shall be recorded in respect of each mark the name and address, so far as it is known to the Director-General, of the person to whom the mark is allotted. The register of marks shall contain an index of the names of those persons.
 - (2) The register shall be open for inspection by any person at

the office of the Director-General during ordinary office hours.

- 7. Alteration or cancellation of entries in the register—(1) The Director-General shall, on the written application of any person to whom a mark is allotted, and on being satisfied of the correctness of that application, make any necessary alteration of address in the register.
- (2) The Director-General may, by entry in the register to that effect, cancel the registration of a mark at the request in writing of the person to whom it is allotted, or of his personal representative or assignee in bankruptcy, and may thereafter allot the same mark to another applicant.
- 8. Notice of cancellation of registration—(1) The Director-General may at any time, by registered letter sent to the address recorded in the register, give to any person to whom a mark is allotted notice of his intention to cancel the registration of the mark on any ground specified in regulation 9 of these regulations and stated in the notice.
- (2) Unless within 3 weeks after the notice is given sufficient reason is shown to the contrary to the satisfaction of the Director-General he shall cancel the registration.
- (3) For the purposes of this regulation, the notice shall be deemed to be given at the time at which it would be delivered or available for delivery in the ordinary course of registered post.
- 9. Grounds for cancellation—The specified grounds referred to in regulation 8 of these regulations are the following:

(a) The registration was effected in error:

- (b) The person to whom the mark is allotted has not used it during the period of 2 years immediately previous to the date of the notice being given:
- (c) The person to whom the mark is allotted is deceased or has ceased to carry on business.
- 10. Director-General may require periodic re-registration—(1) Not-withstanding anything in these regulations, the Director-General may, at intervals of not less than 5 years, cancel all registered marks by giving notice in writing to each person to whom a mark has been allotted. The notice shall inform each person of the need to reapply for allocation of a registered mark.
- (2) Every commercial orchardist who receives a notice under subclause (1) of this regulation shall, and every other person who receives a notice may, reapply for allocation of a registered mark in accordance with regulation 5 of these regulations.
- 11. Cancellation not to affect right of application—The cancellation of registration of a mark shall not affect the right of any person to apply for a mark under regulation 5 of these regulations.
- 12. One mark per person—The Director-General shall not allot more than one registered mark to the same person unless there are circumstances which in the opinion of the Director-General warrant such a course of action.

PART II

Grade Standards for Fruit and Vegetables

13. Grade standards to be determined by notice in Gazette—(1) The Director-General may from time to time by notice in the Gazette determine grade standards for any fruit or vegetable for marketing in New Zealand or for export.

(2) Any grade standard determined for any fruit or vegetable by the Director-General shall be known as a standard grade, and any name assigned to any standard grade shall be known as a standard

grade mark.

- 14. Fruit or vegetables to be in conformity with their grading—Any fruit or vegetable for which a standard grade is determined, and which is in a package which bears thereon a standard grade mark, shall conform to the specifications of the grade to which the grade mark relates.
- 15. Fruit or vegetables in grade marked packages—There shall not be placed in any package bearing a standard grade mark, without first removing or causing the grade mark to be removed,—

(a) Any other fruit or vegetable than that to which the grade

mark relates; or

(b) More than one grade of fruit or vegetable to which that standard grade mark relates unless the grade mark placed on the package is that of the lowest grade of fruit or vegetable in that package.

PART III

PACKAGES FOR FRUIT AND VEGETABLES

- 16. Types of package to be determined by Director-General—The Director-General may from time to time by notice in the Gazette determine the types of packages to be used for any fruit or any vegetable and any such package may be determined to be the only type of package in which that fruit or that vegetable may be exported from New Zealand, or marketed in New Zealand by way of wholesale; but the Director-General may approve the use of other types of package for experimental purposes, or for such other purposes as he sees fit.
- 17. Packages to be clean, sound, etc.—All packages used for fruit and vegetables shall be clean, sound, and well made.

PART IV

EXPORT OF FRUIT AND VEGETABLES

18. Export subject to conditions—No fruit or vegetables shall be exported from New Zealand unless they have been certified fit for export by an inspector and unless all the provisions of this Part of these regulations have been complied with; but nothing in regulations 21 to 23 of these regulations shall apply to any consignment consisting of less than 50 kg of fruit or vegetables not consigned to be sold.

19. Diseased fruit or vegetables not to be exported—(1) No person shall export from New Zealand any fruit or vegetable that is diseased,

pestiferous, or contaminated with a toxic material.

(2) Notwithstanding subclause (1) of this regulation, the Director-General may permit the export of any diseased, pestiferous, or contaminated fruit or vegetable for the purposes of scientific research or experiment and subject to such terms and conditions as he thinks fit.

- 20. Inspected fruit or vegetables suspected of disease may be re-examined—If any fruit or vegetable which has been examined by an inspector and certified fit for export, before export from New Zealand has become or is found to be, or in the opinion of an inspector is, damaged, diseased, pestiferous, or contaminated with a toxic material, or in the opinion of an inspector has deteriorated so that it is not sound, the owner of the fruit or vegetable shall when directed by an inspector to do so, submit the fruit or vegetable for re-examination and shall on demand surrender to the inspector any export certificate issued for them.
- 21. Fruit or vegetables for export to be of export grade—No fruit or vegetables shall be exported from New Zealand unless graded in accordance with or superior to the grade determined to be the minimum grade for export for that fruit or vegetable for the purposes of Part II of these regulations.
- 22. Export of fruit or vegetable if no minimum grade determined—If no grade has been determined for the purposes of Part II of these regulations as the minimum grade for export for any fruit or vegetable, that fruit or vegetable shall not be exported unless the Director-General approves:

Provided that—

- (a) A general approval for the export of any specified kind of fruit or any specified kind of vegetable to any specified country or place may be given by the Director-General subject to such terms and conditions as he in his discretion may impose:
- (b) A general approval for the export of any specified kind of fruit or any specified kind of vegetable for the purposes of processing, or for purposes other than human consumption, may be given by the Director-General.
- 23. Packaging and branding requirements for export—(1) All fruit and vegetables intended for export shall be packed in clean, new, well-made packages suitable for the conditions of transport and handling so that the fruit or vegetables will not be damaged in transit.

(2) Each package of fruit and vegetables for export shall be branded in accordance with Part V of these regulations.

PART V

Branding of Fruit and Vegetable Packages

24. Branding requirements for export—(1) The particulars to be branded on every package of fruit or vegetables for export shall be the following:

(a) On a package that contains fruit within the meaning of the Orchard Levy Act 1953, the registered mark of the commercial

orchardist who grew the fruit:

Provided that the Board, or any packing establishment which has been allotted a registered mark pursuant to regulation 5 (2) of these regulations, may use the registered mark allotted

(b) On a package that contains fruit or vegetables graded in accordance with Part II of these regulations, the grade of the fruit or vegetables:

(c) The country of origin of the fruit or vegetables:

- (d) On a package containing packed apples, pears, or citrus fruits, the count of the fruit in the package:
- (e) On a package containing apples, pears, stonefruit, sweet oranges, or lemons of the Meyer variety, the name of the variety of the fruit.
- (2) The particulars branded on any package of fruit or vegetables for export in regard to grade, kind, variety, count, or registered mark shall describe accurately the contents of the package.
- 25. Branding requirements for local sales—(1) The particulars to be branded on every package of fruit or vegetables for sale on local markets shall be the following:
 - (a) On a package containing fruit within the meaning of the Orchard Levy Act 1953, either the registered mark of the owner of the fruit at the time of sale or the name and address of that

Provided that the Board, or any packing establishment which has been allotted a registered mark pursuant to regulation 5 (2) of these regulations, may use the registered mark allotted

- (b) On a package that contains fruit or vegetables graded in accordance with Part II of these regulations, the grade of the fruit or vegetables:
- (c) On a package containing packed apples, pears, lemons, sweet oranges, marmalade oranges, dessert grapefruit, or marmalade grapefruit, the count of the fruit in the package:
- (d) On a package containing apples, pears, sweet oranges, or lemons of the Meyer variety, the name of the variety of the fruit; but if the name of the variety is unknown to the owner the words "variety unknown" shall be branded on the package.
- (2) The particulars branded on any package of fruit or vegetables for sale on local markets in regard to grade, kind, variety, count, or registered mark shall describe accurately the contents of the package.
- 26. Form of branding—(1) All particulars required to be branded on any package by this Part of these regulations shall be branded on at least one end of the package; but if more than one end is branded at least one end of the package shall be branded with all the particulars required.
- (2) All particulars required to be branded on any package by this Part of these regulations shall be branded in sans-serif capital characters of a height not less than—

- 3 mm (a) For the name and address of owner (b) All other particulars $9 \, \mathrm{mm}$
- (3) The particulars required to be branded on any package of fruit and vegetables by this Part of these regulations shall be so placed on the end of the package as not to obscure or conceal or be confused with any other particular.
- 27. Labels may be used—Notwithstanding anything in these regulations, it shall be sufficient compliance with the requirements of this Part of these regulations relating to branding if suitable labels on which are printed or stamped the particulars required by this Part of these regulations are securely affixed to one end of each package of fruit or vegetables instead of the brands prescribed in these regulations.

PART VI

SALE OF FRUIT AND VEGETABLES GENERALLY

28. Conditions to be complied with in respect of fruit or vegetables for sale—(1) No person shall sell for human consumption or for the purpose of being subjected to any process of manufacture any fruit or vegetables which are diseased or pestiferous; but any fruit or vegetable that is not infected with a serious pest or disease may be sold for human consumption or for the purpose of being subjected to any process of manufacture if sold pursuant to the approval of the Director-General, and in accordance with such terms and conditions as the Director-General in his discretion may impose.

(2) Unless with the prior approval of the Director-General and then only in accordance with such conditions as he sees fit, no person shall sell any fruit or vegetable in a package which does not conform to one of the types determined for the purposes of Part III of these regulations as a package to be used for that fruit or that

vegetable.

(3) No person shall sell any fruit or vegetable on a wholesale market unless graded in accordance with the standard grade for that fruit or that vegetable determined for the purposes of Part II of these regulations.

29. Fruit or vegetable packages to be branded before sale—(1) Before selling or allowing to be sold any package of fruit or vegetables the owner of the fruit or vegetables shall brand the package or cause the package to be branded as required by Part V of these regulations.

- (2) A wholesale vendor selling fruit on wholesale markets in the same package in which he received the fruit shall before sale brand or cause the package to be branded with his own registered mark or name and address; but this subclause shall not apply to fruit being exported, or being sold by or on behalf of the Board, or other marketing organisation approved by the Director-General.
- 30. Packages not to be re-used without misleading particulars being removed—No person shall sell fruit or vegetables on wholesale markets in any package which has been used by any other person as a package for fruit or vegetables until he removes or obliterates, or causes to be removed or obliterated, any particulars on the package which, in the circumstances of the sale, are likely to mislead the purchaser as to the owner of the contents and the nature and count of those contents.

31. Fruit or vegetables not to be deceptively packed or stacked—(1) No person shall sell any fruit or vegetables which have been decep-

tively packed or deceptively stacked.

(2) This regulation shall apply both to fruit and vegetables grown in New Zealand and to fruit and vegetables introduced or imported into New Zealand.

- 32. Method of packing—No fruit or vegetables shall be placed in a package in such a way that they are loose or compressed to an extent likely to cause damage to the fruit or vegetables during handling or transport.
- 33. Exemptions from requirements in certain circumstances—Nothing in Part V of these regulations, and nothing in this Part of these regulations, except regulations 28 (1), 31, and 34, shall apply to any fruit or vegetable which-

(a) Is sold for purposes other than for human consumption; or

- (b) Is sold direct to a factory for the purpose of being used in the manufacture of any fruit or vegetable product, or for freezing;
- (c) Is sold direct to a packing establishment to be packed, graded, or stored; or
- (d) Is sold for immediate delivery into a cool store to be there packed before resale; or

(e) Is sold by a producer to the Board; or

- (f) Is sold by a producer direct to a consumer and delivery is made by the producer to the consumer at the premises of the producer or consumer; or
- (g) Is sold direct to a public institution for use by the institution and not for resale; or
- (h) Is sold in a package to which a lid has not been affixed; or
- (i) Is sold by way of retail.
- 34. Procedure where any fruit or vegetables are found to be diseased or otherwise fail to comply with requirements—(1) If an inspector finds that any package, or any bulk lot, load, or line of fruit or vegetables for sale does not comply with the requirements of this Part of these regulations, or contains diseased or pestiferous fruit or vegetables, he may require the owner or person in charge to withdraw the package, bulk lot, load, or line of fruit or vegetables from sale until such time as the fruit or vegetables are regraded, repacked, or otherwise treated to comply with this Part of these regulations. No requirement issued by an inspector under this regulation, or compliance with that requirement by any person, will prejudice the liability of any person for an offence against the Act by virtue of a breach of these regulations.
- (2) No person shall fail to comply with a written direction given by an inspector under this regulation.

PART VII

Examination and Inspection of Fruit and Vegetables

35. Examination of fruit or vegetables—(1) Subject to section 19 of the Act, an inspector may for the purposes of these regulations at any time and in any place examine any fruit or vegetables or any package

of fruit or vegetables. If the inspector considers that in order to examine the fruit or vegetables for defects not visible externally it is necessary to cut up any fruit or vegetables he may cut up such portion of the fruit or vegetables as he thinks fit. The cutting of the fruit or vegetables shall be entirely at the expense of the owner.

(2) If any fruit or vegetables being examined by an inspector consists of a number of packages of the same variety and grade belonging to the same owner, the decision of the inspector in respect of action under regulations 20 and 34 of these regulations shall be based on an examination of the contents or such portion of the contents

as he thinks fit.

- 36. Examination to be at the expense of the owner—All facilities and labour required for the examination of fruit and vegetables pursuant to this Part of these regulations, or for the rebranding or regrading of fruit and vegetables if the grade of those fruit or vegetables is altered by an inspector, shall be provided by the owner, and carried out entirely at the expense in all things of the owner of the fruit or vegetables.
- 37. Fees—(1) For all apples and pears sold by producers to the Board, and all fruit or vegetables sold by producers to any marketing organisation, that are subject to inspection under these regulations, there shall be paid by the Board and such organisation into the Public Account by remitting to the Director-General of Agriculture and Fisheries an inspection fee of such amount for fruit or vegetables handled through the recognised inspection points, as is prescribed in the Second Schedule to these regulations.
- (2) In respect of any kind of fruit or vegetables subject to inspection under these regulations before export, there shall be payable by the owner into the Public Account by remission to the Director-General of Agriculture and Fisheries an inspection fee of such amount on all fruit and vegetables subject to inspection as is prescribed in the Second

Schedule to these regulations.

- 38. Offences—Every person commits a breach of these regulations who-
 - (a) Except as authorised by these regulations, alters or obliterates wholly or partially, or causes to be altered or obliterated any registered mark, any grade mark, or other particulars branded on any package pursuant to these regulations; or
 - (b) Improperly brands or otherwise impresses on any package of fruit or vegetables any registered mark or other mark or stamp purporting to be the mark or stamp of an inspector or other authorised officer or any registered owner of fruit; or

(c) Counterfeits any mark or stamp used in pursuance of these

regulations; or

(d) Affixes to any package of fruit or vegetables any counterfeit

mark or stamp; or

(e) Empties, or partially empties or otherwise interferes with, the contents of any package of fruit or vegetables branded pursuant to these regulations in order to put therein or substitute therefor any other fruit or vegetables; or

- (f) Gives false or misleading information in answer to any inquiry made by an inspector or other authorised officer in the performance of his duty under the Act or these regulations.
- 39. Revocations—The regulations specified in the Third Schedule to these regulations are hereby revoked.

SCHEDULES

FIRST SCHEDULE

Reg. 3 (1)

Artichoke (Jerusalem and Globe), asparagus, bean, beetroot, Brussels sprouts, cabbage, carrot, cauliflower (including broccoli), celeriac, celery, chicory, cucumber, eggplant, garlic, gherkins, herbs (parsley, mint, sage, thyme, and chives), horse-radish, kohlrabi, kumara, leek, lettuce, marrow, melon (musk or rock or water), mushrooms, mustard and cress, onions, parsnip, pea, peppers, potato, pumpkin, radish, rhubarb, salsify, scorzonera, seakale, shallots, silver beet, spinach, squash, sweet corn, swede, tomato, turnip, watercress, yam.

SECOND SCHEDULE

Reg. 37

Inspection Fees

Apples and pears inspected 67.28c per tonne Chinese gooseberries inspected 69.00c per tonne

Reg. 39

THIRD SCHEDULE

REGULATIONS REVOKED

Title	Serial Number
The New Zealand Grown Fruit Regulations 1952	1952/47
The New Zealand Grown Vegetables Regulations 1952	1952/66
The New Zealand Grown Fruit Regulations 1952, Amendment No. 1	1954/243
The New Zealand Grown Fruit Regulations 1952, Amendment No. 2	1957/86
The New Zealand Grown Fruit Regulations 1952, Amendment No. 3	1959/46
The New Zealand Grown Vegetables Regulations 1952, Amendment No. 1	1959/86
The New Zealand Grown Fruit Regulations 1952, Amendment No. 4	1962/4
The New Zealand Grown Fruit Regulations 1952, Amendment No. 5	1963/193
The New Zealand Grown Fruit Regulations 1952, Amendment No. 6	1965/57
The New Zealand Grown Fruit Regulations 1952, Amendment No. 7	1968/7
The New Zealand Grown Fruit Regulations 1952, Amendment No. 8	1969/39

P. G. MILLEN. Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general

These regulations consolidate and amend the New Zealand Grown Fruit Regulations 1952 (as reprinted together with Amendments Nos. 1 to 7: S.R. 1968/95), and the New Zealand Grown Vegetables Regulations 1952 (S.R.

1968/95), and the New Zealand Grown Vegetables Regulations 1952 (S.R. 1952/66). The regulations come into force on 1 April 1975. Unless the context otherwise requires, these regulations apply only to fruit and vegetables grown in New Zealand; but regulation 31 of the regulations, for example, is expressed to apply to the sale of fruit and vegetables generally. The principal change made by these regulations is that, pursuant to section 16 (a) of the Plants Act 1970, the regulations provide for grades and methods and types of packing to be determined from time to time by the Director-General of Agriculture and Fisheries. These determinations are to be published by notice in the Gazette. Fees are prescribed for the inspection of Chinese gooseberries, and the rates of fees for the inspection of apples and pears have been consolidated into 1 fee based on weight, rather than on volume.

Issued under the authority of the Regulations Act 1936.

Date of notification in Gazette: 26 March 1975.

These regulations are administered in the Ministry of Agriculture and Fisheries.