

1963/193



**THE NEW ZEALAND GROWN FRUIT REGULATIONS 1952,
AMENDMENT NO. 5**

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 18th day of November 1963

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Orchard and Garden Diseases Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the New Zealand Grown Fruit Regulations 1952, Amendment No. 5, and shall be read together with and deemed part of the New Zealand Grown Fruit Regulations 1952* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Subclause (1) of regulation 4 of the principal regulations is hereby amended by omitting the definition of the term "fruit", and substituting the following definition:

"'Fruit' means apples, pears, quinces, citrus fruit, stone fruit, berry fruit, Chinese gooseberries, tree tomatoes, and passion fruit:".

3. Regulation 6 of the principal regulations (as amended by regulation 4 of the New Zealand Grown Fruit Regulations 1952, Amendment No. 2, and further amended by regulation 3 of the New Zealand Grown Fruit Regulations 1952, Amendment No. 3) is hereby further amended by inserting in paragraph (g), after the words "First Schedule hereto", the words "and whether made of timber or otherwise".

*S.R. 1952/47
Amendment No. 1: S.R. 1954/243
Amendment No. 2: S.R. 1957/86
Amendment No. 3: S.R. 1959/46
Amendment No. 4: S.R. 1962/4

4. Regulation 46 of the principal regulations (as substituted by regulation 8 of the New Zealand Grown Fruit Regulations 1952, Amendment No. 2) is hereby amended by adding to subclause (1) the following proviso:

“Provided that where, pursuant to subclause (2) of this regulation, the Board at any time determines the minimum size (by count) of Fancy grade apples of the Gravenstein variety, then, during such period as shall be fixed in that behalf by the Board, apples of that variety and grade shall not be required to carry the description of colour prescribed in respect of those apples by the Second Schedule hereto.”

5. (1) Subclause (2) of regulation 48 of the principal regulations is hereby amended as follows:

- (a) By omitting from the table for Apples: Extra Fancy and Fancy Grade, opposite the item *Blemish* and under the heading “Aggregate Area on Individual Fruit”, the words “3 per cent”, and substituting the words “ $\frac{7}{16}$ sq. in.”;
- (b) By omitting from the table for Apples: Good Grade, opposite the item *Blemish* and under the heading “Aggregate Area on Individual Fruit”, the words “5 per cent”, and substituting the words “ $\frac{7}{16}$ sq. in.”.

(2) Subclause (2) of regulation 53 is hereby amended by omitting from the table for Pears: Fancy Grade, opposite the item *Blemish* and under the heading “Aggregate Area on Individual Fruit”, the words “5 per cent”, and substituting the words “ $\frac{7}{16}$ sq. in.”.

6. Subclause (1) of regulation 79 (as substituted by subclause (1) of regulation 15 of the New Zealand Grown Fruit Regulations 1952, Amendment No. 3) is hereby amended by adding the following paragraph:

“(c) Any other fruit that may be packed for export.”

7. Regulation 92 of the principal regulations (as substituted by subclause (1) of regulation 18 of the New Zealand Grown Fruit Regulations 1952, Amendment No. 3) is hereby amended by adding the following paragraph:

“(c) Any other fruit that may be packed for export.”

8. Regulation 100 of the principal regulations (as amended by regulation 5 of the New Zealand Grown Fruit Regulations 1952, Amendment No. 4) is hereby further amended by adding the following additional proviso:

“Provided further that where standard grades are not prescribed by these regulations in respect of any fruit, that fruit shall not be exported unless the Director approves.”

9. The Second Schedule to the principal regulations (as substituted by regulation 16 of the New Zealand Grown Fruit Regulations 1952, Amendment No. 2) is hereby amended as follows:

- (a) By omitting from the column headed “F”, under the heading of “Minimum Colour” and opposite the words “Oratia Beauty”, the numeral “10”, and substituting the numeral “25”;
- (b) By omitting the word “Gravenstein”;
- (c) By omitting from each of the columns under the heading of “Minimum Colour”, and opposite the word “Gravenstein”, the letters “NC”:

- (d) By inserting, after the words "Cox's Early Export", the word "Gravenstein", and by inserting in the appropriate columns under the heading of "Minimum Colour", and opposite the word "Gravenstein", the numeral and letters "75", "CS", "NC", "NC", and "NC".

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.

Regulation 2 extends the definition of the term "fruit", contained in the principal regulations, to include Chinese gooseberries, tree tomatoes, and passion fruit.

Regulation 3 makes it clear that packages containing not less than 2 lb nor more than 15 lb of fruit need not be made of timber.

Regulation 4 empowers the New Zealand Apple and Pear Marketing Board to relax the requirement of the principal regulations that Fancy grade Gravenstein apples must carry the description of colour prescribed for apples of that grade and variety in the Second Schedule to the principal regulations.

Regulation 5 alters the specifications prescribed for blemish on all apples of the Extra Fancy, Fancy, and Good grades, and on all pears of Fancy grade, by fixing the maximum amount of allowable blemish by reference to the aggregate area of blemish on the fruit instead of by reference to the percentage of blemish, in the aggregate, that there is on the total surface of the fruit.

Regulations 6, 7, and 8 amend regulations 79, 92, and 100 respectively of the principal regulations consequential on the extension, by regulation 2, of the definition of the term "fruit" to include Chinese gooseberries, tree tomatoes, and passion fruit.

Regulation 9 alters the colour specifications set out in the grading standards prescribed by the principal regulations for Oratia Beauty and Gravenstein apples.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 November 1963.

These regulations are administered in the Department of Agriculture.