

Reprint

as at 6 November 2008

New Zealand Grown Fruit and Vegetables Regulations 1975

(SR 1975/57)

New Zealand Grown Fruit and Vegetables Regulations 1975: revoked, on 6 November 2008, by clause 3 of the Regulations Revocation Order 2008 (SR 2008/367).

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.

Contents

	Page
1 Title and commencement	3
2 Application of regulations	3
3 Interpretation	3

Part 1

Registration of marks

4 Meaning of term fruit in this Part of these regulations	6
5 Application for allotment of commercial marks	7
6 Register of marks	7
7 Alteration or cancellation of entries in the register	7

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

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

8	Notice of cancellation of registration	8
9	Grounds for cancellation	8
10	Director-General may require periodic re-registration	9
11	Cancellation not to affect right of application	9
12	One mark per person	9

Part 2

Grade standards for fruit and vegetables

13	Grade standards to be determined by notice in <i>Gazette</i> —	9
14	Fruit or vegetables to be in conformity with their grading	10
15	Fruit or vegetables in grade marked packages	10

Part 3

Packages for fruit and vegetables

16	Types of package to be determined by Director-General	10
17	Packages to be clean, sound, etc.	11

Part 4

Export of fruit and vegetables

18A	Inspector may certify produce [<i>Revoked</i>]	11
19	Diseased fruit or vegetables not to be exported	11
21	Fruit or vegetables for export to be of export grade	11
22	Export of fruit or vegetable if no minimum grade determined	12
23	Packaging and branding requirements for export	12
23A	Application of regulations to certain consignments	12

Part 5

Branding of fruit and vegetable packages

24	Branding requirements for export	13
25	Branding requirements for local sales	13
26	Form of branding	14
27	Labels may be used	14

Part 6

Sale of fruit and vegetables generally

28	Conditions to be complied with in respect of fruit or vegetables for sale	15
29	Fruit or vegetable packages to be branded before sale	15
30	Packages not to be re-used without misleading particulars being removed	16
31	Deceptive packing and stacking	16
32	Method of packing	16

33	Exemptions from requirements in certain circumstances	16
34	Procedure where any fruit or vegetables are found to be diseased or otherwise fail to comply with requirements	17

Part 7

Examination and inspection of fruit and vegetables

35	Examination of fruit or vegetables	18
36	Examination to be at the expense of the owner	18
38	Offences	18
39	Revocations	19

Schedule 1	19
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Schedule 2	20
Fees (including GST)	

Schedule 3	20
Regulations revoked	

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, Kiwifruit, passion fruit, tamarillos, grapes, avocados, and feijoas

Fruit: this definition was amended, as from 14 October 1985, by regulation 2(a) New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 5 (SR 1985/266) by substituting the word “Kiwifruit” for the words “Chinese gooseberries”.

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

Minister: this definition was amended, as from 14 October 1985, by regulation 2(b) New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 5 (SR 1985/266) by omitting the words “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 Schedule 1 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 1 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 commercial marks

- (1) Any person may apply to the Director-General for the allocation of a registered mark.
- (2) Every application—
 - (a) Shall be—
 - (i) In writing; and
 - (ii) Accompanied by the fee prescribed in that behalf in Schedule 2 to these regulations; and
 - (b) May be accompanied by a description or example of a mark the applicant would like the Director-General to allocate.
- (3) Subject to subclause (4) of this regulation, the Director-General shall—
 - (a) Shall allocate a registered mark to every applicant whose application complies with subclause (2) of this regulation; and
 - (b) In doing so, shall have regard to any description or example of mark that accompanied the application.
- (4) Every registered mark allocated by the Director-General shall, at the discretion of the Director-General, consist of—
 - (a) Letters; or
 - (b) Numerals; or
 - (c) A combination of both.

Regulation 5 was substituted, as from 25 July 1991, by regulation 2 New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 8 (SR 1991/115).

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.
- (3) Every person to whom a mark is allotted shall, as soon as possible after—
 - (a) Changing address; or
 - (b) Ceasing to be a commercial orchardist,—give the Director-General written notice of the change or cessation.

Subclause (3) was inserted, as from 25 July 1991, by regulation 3 New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 8 (SR 1991/115).

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) Notwithstanding 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 2

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 or for any fruit or vegetable to be exported to any particular destination specified in the notice.
- (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.

Subclause (1) was amended, as from 19 August 1977, by regulation 2 New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 8 (SR

1977/209) by adding the words “or for any fruit or vegetable to be exported to any particular destination specified in the notice”.

- 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 3

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 export purposes to such particular destination as he may specify, or for such other purposes as he sees fit.

Regulation 16 was amended, as from 19 August 1977, by regulation 3 New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 8 (SR 1977/209) by adding the words “or for export purposes to such particular destination as he may specify”.

17 Packages to be clean, sound, etc.

All packages used for fruit and vegetables shall be clean, sound, and well made.

Part 4
Export of fruit and vegetables

18

Regulation 18 was revoked, as from 14 October 1985, by regulation 3 New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 5 (SR 1985/266).

18A Inspector may certify produce

[Revoked]

Regulation 18A was inserted, as from 14 October 1985, by regulation 3(1) New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 5 (SR 1985/266) and was substituted, as from 25 July 1991, by regulation 4 New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 8 (SR 1991/115).

Regulation 18A was revoked, as from 26 November 1997, by section 112(3)(a) Biosecurity Amendment Act 1997 (1997 No 89).

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 not sound, or contaminated with a toxic material.
- (2) Notwithstanding subclause (1) of this regulation, the Director-General may permit the export of any diseased, pestiferous not sound, or contaminated fruit or vegetable for the purposes of scientific research or experiment and subject to such terms and conditions as he thinks fit.

Subclauses (1) and (2) were amended, as from 19 August 1977, by regulation 4(a) and (b) New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 3 (SR 1977/209) by inserting the words “not sound”.

20

Regulation 20 was revoked, as from 14 October 1985, by regulation 3(2) New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 5 (SR 1985/266).

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 de-

terminated to be the minimum grade for export for that fruit or vegetable for the purposes of Part 2 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 2 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 5 of these regulations.

23A Application of regulations to certain consignments

Nothing in regulations 21 to 23 of these regulations shall apply to any consignment of fruit or vegetables—

- (a) Weighing less than 50kg; and
- (b) Not intended to be exported for sale.

Regulation 23A was inserted, as from 14 October 1985, by regulation 3(3) New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 5 (SR 1985/266).

Part 5

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 to it:
 - (b) On a package that contains fruit or vegetables graded in accordance with Part 2 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 owner:

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 to it:

- (b) On a package that contains fruit or vegetables graded in accordance with Part 2 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—
- (a) For the name and address of owner..... 3 mm
 - (b) All other particulars9 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 6

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 3 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 2 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 5 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 Deceptive packing and stacking

(1) No person shall—

- (a) Deceptively pack or stack any fruit or vegetables intended for sale in or export from New Zealand; or
- (b) Sell in or export from New Zealand any deceptively packed or stacked fruit or vegetables.

(2) Subclause (1) of this regulation applies to all fruit and vegetables, whether grown in New Zealand or not.

Regulation 31 was substituted, as from 25 July 1991, by regulation 5(1) New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 8 (SR 1991/115).

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 5 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; or
- (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 7

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

Regulation 37 was substituted, as from 14 October 1985, by regulation 4(1) New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 5 (SR 1985/266).

This regulation was revoked, as from 26 November 1997, by section 112(3)(c) Biosecurity Amendment Act 1997 (1997 No 89).

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 Schedule 3 to these regulations are hereby revoked.

Schedule 1

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.

Schedule 2

Fees (including GST)

Schedule 2 was substituted, as from 3 September 1992, by regulation 2 New Zealand Grown Fruit and Vegetables Regulations 1975, Amendment No 9 (SR 1992/218).

This Schedule was amended, as from 26 November 1997, by section 112(3)(e) Biosecurity Amendment Act 1997 (1997 No 89) by revoking so much as relates to certification fees.

Application Fee

	\$
Fee for application for allocation of registered mark	73.15

Certification fees

[Revoked]

Schedule 3

Regulations revoked

Reg 39

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

Title	Serial Number
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 effect.

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

tions 1952 (SR 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.

Contents

- 1 General
 - 2 About this eprint
 - 3 List of amendments incorporated in this eprint (most recent first)
-

Notes

1 *General*

This is an eprint of the New Zealand Grown Fruit and Vegetables Regulations 1975. It incorporates all the amendments to the regulations as at 6 November 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

3 *List of amendments incorporated in this eprint (most recent first)*

Regulations Revocation Order 2008 (SR 2008/367): clause 3
