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DEC 1914

Publications Branch.

Department of Agriculture.

OFFICE OF THE

DAIRY AND COLD STORAGE COMMISSIONER.

OTTAWA, July 1, 1913.

AMENDMENT TO THE INSPECTION AND SALE ACT, 1913, AS AFFECTING FRUIT AND REGULATIONS THEREUNDER.

Attention is hereby directed to the Amendment of Part IX of the Inspection and Sale Act (Fruit Marks Act) passed at the last session of Parliament, and the Regulations thereunder.

AN ACT TO AMEND THE INSPECTION AND SALE ACT.

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Paragraph (a) of subsection 1 of section 320 of THE INSPECTION AND SALE ACT, chapter 85 of the Revised Statutes, 1906, is amended by inserting at the beginning of the said paragraph the words “ with the words ‘packed by’ and.”

2. The said Act is amended by inserting the following section immediately after section 320 :—

“ 320 A. The Governor in Council, by regulation, may :—

“(a) Prescribe the kinds of imported fruit the packages containing which must be branded or marked ;

“(b) Prescribe the brands or marks to be used thereon ;

“(c) Prescribe the manner and places in and at which such fruit is to be inspected and such packages branded or marked.

“ 2. All regulations made under the provisions of this section shall be published in THE CANADA GAZETTE.

“ 3. All packages of fruit not branded or marked in accordance with such regulations shall be forfeited to His Majesty, and may be destroyed or otherwise disposed of as the Minister may direct.

“ 4. Any person violating any regulation made under the provisions of this section shall be liable, on summary conviction, to a fine of not more than fifty dollars and costs, or, in default of payment, to imprisonment for a term not exceeding one month.”

3. Section 333 of the said Act is amended by striking out the words ‘PRIMA FACIE,’ in the third line thereof.

4. The said Act is amended by inserting the following section immediately after section 333 B :—

“ 333 C. The person whose name is marked on any closed package of fruit as the packer thereof shall be deemed to be the packer thereof.”

5. Section 334 of the said Act is amended by adding, at the end thereof, the words ‘or at the residence or usual place of residence of the accused.’

In virtue of the provisions of the above amendment the following Regulations have been passed and the same were published in THE CANADA GAZETTE on the 28th day of June, 1913.

REGULATIONS.

1. In these Regulations :—

(a) ‘Importer’ means the person, firm or corporation in Canada to whom fruit from outside of Canada is sold, shipped, consigned or delivered.

(b) ‘Fruit’ means apples, crab apples, pears, plums, and peaches when shipped in closed packages.

(c) ‘Inspector’ means an inspector employed by the Department of Agriculture of Canada to enforce the Provisions of Part IX of the Inspection and Sale Act, Chap. 85, Revised Statutes of Canada, 1906, and the regulations made thereunder.

2. No fruit shall be imported into Canada except as hereinafter provided.

3. Every importer of fruit, or his representative, shall cause all grade marks as found on closed packages containing imported fruit to be completely removed, erased or obliterated, when such grade marks are different to, or inconsistent with the marking or branding required by Sections 320 and 321 of the Inspection and Sale Act, or Section 4 of these regulations.

4. Every importer of fruit, or his representative, shall cause all closed packages containing such imported fruit to be marked or branded in a plain and legible manner, in letter and figures not less than half an inch long, and in the following form:—

{ Place here the proper grade }
marks.

{ Place here the correct name }
of the variety.

Imported by

{ Insert here the name and address of }
the Importer.

5. The removal, erasure or obliteration of original grade marks or brands on closed packages containing imported fruit and the re-marking or branding of said closed packages to conform with the provisions of The Inspection and Sale Act as required by these regulations, shall be done at the time when the said packages are being taken from the railway car or steamship or other conveyance in which they have been brought into Canada.

6. The marks or brands specified in Section 4 of these regulations shall be placed on the end of the packages.

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