

STATUTORY RULES.

1953. No. .

REGULATIONS UNDER THE CUSTOMS ACT 1901-1953 AND
THE COMMERCE (TRADE DESCRIPTIONS) ACT 1905-1950.*

I THE GOVERNOR-GENERAL in and over the Commonwealth of
Australia, acting with the advice of the Federal Executive Council,
hereby make the following Regulations under the *Customs Act* 1901-1953
and the *Commerce (Trade Descriptions) Act* 1905-1950.

Dated this *Twenty-Second*
day of *December*, 1953.

W. J. SLIM

Governor-General.

By His Excellency's Command,

For and on behalf of
(Sgd) George McLeay
Minister of State for Commerce and Agriculture and
for and on behalf of the Minister of State for
Trade and Customs.

EXPORTS (GENERAL) REGULATIONS.

PART I.—PRELIMINARY.

1. These Regulations may be cited as the Exports (General) Citation.
Regulations.
2. The Exports (General) Regulations (comprising the Statutory Repeal.
Rules specified in the First Schedule) are repealed.
3. These Regulations are divided into Parts, as follows:—

Parts.

Part I.—Preliminary (Regulations 1-6).

Part II.—General Provisions as to Exportation of Goods
(Regulations 7-8).

Part III.—Trade Descriptions (Regulations 9-12).

Part IV.—Supervision, Inspection and Examination (Regu-
lations 13-20).

Part V.—Registration of Brands (Regulations 21-26).

Part VI.—Miscellaneous (Regulations 27-30).
- 4.—(1.) In these Regulations, unless the contrary intention Definitions.
appears—

“analyst” means a person appointed as an analyst under
regulation 27 of these Regulations;

“appointed place” means—

(a) a place appointed under regulation 14 of these
Regulations;

* Notified in the *Commonwealth Gazette* on
3819.—PRICE 1s.

, 1953.
9/27.10.1953.

(b) a wharf at which goods to which these Regulations apply and which are intended for export are to be shipped; or

(c) a ship used, or intended to be used, for the conveyance for export of goods to which these Regulations apply;

"disease" means any abnormal condition of or in goods, and includes any condition caused by or due to the presence, operation, development, growth or decay of any insect, fungus, bacterium, virus or parasite;

"goods to which these Regulations apply" means goods of a kind named or described in the first column of the Second Schedule;

"officer" has the same meaning as in the *Commerce (Trade Descriptions) Act 1905-1950*;

"registered brand" means a brand registered in pursuance of Part V. of these Regulations or having effect as a registered brand for the purposes of the Regulations repealed by these Regulations;

"the Department" means the Department of Commerce and Agriculture;

"the Minister" means the Minister of State for Commerce and Agriculture;

"the Secretary" means the person for the time being holding, or performing the duties of, the office of Secretary of the Department.

(2.) In these Regulations, a reference to a Schedule by number shall be read as a reference to the Schedule so numbered to these Regulations, and a reference to a form by number shall be read as a reference to the form so numbered in the Third Schedule to these Regulations.

(3.) Strict compliance with the Forms contained in the Third Schedule is not necessary and substantial compliance is sufficient.

5. These Regulations do not apply to ships' stores brought to or Regulations do not apply to ships' stores.
shipped in Australia.

6.—(1.) The Secretary may, in relation to a particular matter or class of matters, by writing under his hand, delegate to an officer all or any of his powers and functions under these Regulations, except this power of delegation, so that the delegated powers or functions may be exercised by the delegate with respect to the matter or class of matters specified in the instrument of delegation as fully and effectually as by the Secretary. Delegation.

(2.) A delegation under this regulation is revocable at will and does not prevent the exercise of a power or function by the Secretary.

PART II.—GENERAL PROVISIONS AS TO EXPORTATION OF GOODS.

7.—(1.) The exportation of any goods to which these Regulations apply is prohibited unless— Exportation of certain goods prohibited except subject to conditions.

(a) the Secretary is satisfied that the goods have been prepared or manufactured for export in an establishment which is constructed, equipped and operated in an efficient and hygienic manner;

- (b) the goods are, in the opinion of an officer, packed in such a manner as to ensure their arrival at their destination in a sound condition;
- (c) the conditions and restrictions, if any, specified in the second column of the Second Schedule opposite to the name or description of those goods are complied with; and
- (d) the exporter has obtained an export permit in accordance with these Regulations in respect of the goods.

(2.) Paragraph (c) of the last preceding sub-regulation does not apply to goods in respect of which the Secretary has certified in writing that, for the purposes of experiment or on account of exceptional circumstances, it is desirable that that paragraph should not apply to those goods.

8. An officer may at any time enter an establishment in which goods to which these Regulations apply are being prepared or manufactured for export, and may open packages, take samples and do all other things necessary to enable him to ascertain whether the establishment is constructed, equipped and operated in an efficient and hygienic manner.

Officers may enter establishments, take samples, &c.

PART III.—TRADE DESCRIPTIONS.

9.—(1.) Subject to this regulation, the exportation of any goods to which these Regulations apply is prohibited unless there is applied to the goods a trade description which complies with the requirements of the next succeeding regulation and the requirements, if any, specified in the third column of the Second Schedule opposite to the name or description of those goods.

Exportation of certain goods prohibited unless trade description applied.

(2.) This regulation does not apply—

- (a) to goods which are imported into Australia and which the Secretary is satisfied are not the produce or manufacture of Australia; or
- (b) to a parcel of seeds not exceeding three pounds in weight exported by post or by air.

10.—(1.) A trade description required to be applied to goods under the last preceding regulation—

Requirements as to trade description.

- (a) shall be in the form of a label or brand fixed to the outer covering of the goods in a prominent position and in a conspicuous and reasonably permanent manner;
- (b) shall contain, in prominent and legible characters, a true description of the goods together with the word "Australia";
- (c) where the manufacturer or producer of the goods is the exporter, shall include his name or registered brand or his name and registered brand;
- (d) where the manufacturer or producer of the goods is not the exporter, shall include—
 - (i) the name or registered brand, or the name and registered brand, of the exporter and, unless the exporter has set out the name and address of the manufacturer or producer of the goods

in the notice furnished by him in respect of the goods under regulation 17 of these Regulations, the name or registered brand, or the name and registered brand, of the producer or manufacturer of the goods; or

(ii) the name or registered brand, or the name and registered brand, of the producer or manufacturer of the goods;

(e) shall specify, except in the case of plants, the net weight or quantity of the goods;

(f) in the case of goods which contain a deleterious substance shall include a statement that the goods contain that deleterious substance; and

(g) shall have relation to the condition of the goods at the time of shipment.

(2.) Notwithstanding the last preceding sub-regulation, the Secretary may, subject to such conditions as he thinks fit, permit the name or brand of the consignee of goods to be included in the trade description in lieu of the name or registered brand of the manufacturer, producer or exporter.

11. A trade description required to be applied to goods under regulation 9 of these Regulations may include the name of the State or Territory in which the goods were manufactured or produced.

Trade description may include name of State or Territory of manufacture.

12. Where goods to which these Regulations apply and which are intended for export have been inspected by an officer, a person shall not, except with the approval of an officer, remove, alter or interfere with a trade description applied to those goods or a stamp or mark placed on or applied to those goods by an officer.

Trade descriptions and official marks not to be interfered with.

Penalty: Fifty pounds.

PART IV.—SUPERVISION, INSPECTION AND EXAMINATION.

13.—(1.) Upon the application of a person engaged in the preparation of goods to which these Regulations apply and which are intended for export, the Secretary may make available the services of an officer to supervise the preparation of the goods.

Preparation of export goods under supervision.

(2.) When goods are prepared under the supervision of an officer made available under the last preceding sub-regulation, the person engaged in the preparation of the goods may attach or affix to the goods, or to the coverings of the goods, a label stating that the goods have been prepared under the supervision of an officer.

(3.) The officer may sign or stamp his name upon the label.

(4.) Where the services of an officer are made available in pursuance of an application under sub-regulation (1.) of this regulation, the applicant shall pay to the Department for those services—

(a) a fee calculated at the rate of Three shillings for each hour, or part of an hour, during which the officer is engaged in supervising the preparation of goods; or

- (b) where the amount so calculated is less than the expenses incurred by the Department in making the services of the officer available and the Minister directs that payment be made under this paragraph—a fee equal to the amount of those expenses.

(5.) A fee is not payable for the services of an officer under the last preceding sub-regulation in respect of a period for which a fee is paid under regulation 30 of these Regulations for the services of that officer.

14.—(1.) The Secretary may, by writing under his hand, appoint a place to be a place where goods to which these Regulations apply and which are intended for export may be inspected and examined. Secretary may appoint places for inspection of exports.

(2.) A place may be appointed for the inspection and examination of a particular kind of goods, or of goods included in a particular class of goods, and the appointment may be made subject to such conditions and restrictions as the Secretary thinks fit.

15. If goods to which these Regulations apply and which are intended for export are not sent to an appointed place for inspection and examination within a reasonable period before the goods are proposed to be shipped, an officer may refuse to inspect and examine them. Goods to be sent to appointed places.

16. The Secretary may, in an exceptional case, permit the inspection and examination of goods to be made at a place other than an appointed place. Examination at places other than appointed places.

17.—(1.) A person who intends to export any goods to which these Regulations apply shall furnish to the Department a notice and declaration in writing in accordance with Form 1. Notice of intention to export, and declaration.

(2.) The notice and declaration shall be furnished—

(a) in the case of chutneys, pickles, sauces, fruit juice, fruit pulp, honey, jam, marmalade, dried and preserved vegetables—at least three days before the proposed date of shipment; and

(b) in any other case—at least one day before the proposed date of shipment.

(3.) A declaration relating to lucerne seed shall, in addition to the matters specified in the form of a declaration in Form 1, state the name of the State or Territory, and district, where, and the year in which, the seed was produced.

18.—(1.) A person shall not make a false or misleading statement in a declaration furnished in pursuance of the last preceding regulation. False declarations.

Penalty: Fifty pounds.

(2.) In proceedings for an offence against the last preceding sub-regulation, a certificate signed by the Secretary certifying that the declaration was furnished in pursuance of the last preceding regulation, and was made by the person by whom it purports to have been made, is evidence of the matters stated in the certificate.

(3.) Judicial notice shall be taken of the signature of the Secretary appearing on a certificate under the last preceding sub-regulation and of the fact that the person by whom the certificate purports to have been signed is, or was at the time he signed the certificate, the Secretary.

19.—(1.) Where—

- (a) goods to which these Regulations apply and which are intended for export are marked with a trade description in accordance with these Regulations; and
- (b) an officer who has examined those goods is satisfied that the conditions and restrictions applicable under these Regulations in respect of the goods have been complied with,

Export permit
and certificate
as to
examination
of goods.

the officer shall sign the certificate at the foot of the notice and declaration furnished in respect of the goods under regulation 17 of these Regulations, and the exporter is thereupon entitled to receive an export permit in accordance with Form 2 and a certificate as to the condition of the goods in accordance with Form 3.

(2.) When goods to which these Regulations apply and which are intended for export are brought to a wharf for shipment, the exporter shall deliver the export permit referred to in the last preceding sub-regulation to the officer of Customs on duty at the ship by which the goods are to be exported.

20.—(1.) If an officer has reasonable cause to think that, since the examination by an officer of any goods to which these Regulations apply and which are intended for export, the condition, quality, grade or class of the goods has changed, he may re-examine the goods and if, having regard to the condition, quality, grade or class of the goods as disclosed by the re-examination, he is satisfied that—

Goods may be
re-examined
and permit
cancelled.

- (a) the goods are not marked with a trade description in accordance with these Regulations; or
- (b) any condition or restriction applicable to the goods under these Regulations has not been complied with,

he may cancel the export permit and any certificate as to the condition of the goods issued under the last preceding regulation in respect of those goods.

(2.) Where an export permit or a certificate as to the condition of goods has been cancelled under the last preceding sub-regulation, the exporter shall, if so required by an officer, forthwith surrender the permit or certificate, as the case may be, to the officer.

Penalty: Fifty pounds.

PART V.—REGISTRATION OF BRANDS.

21.—(1.) Subject to the two next succeeding regulations, the Secretary may register a brand as a brand which may be included in the trade description of goods to which these Regulations apply and which are intended for export.

Register of
brands.

(2.) The Secretary shall keep a register of brands registered by him under this regulation.

(3.) The register of brands kept by the Secretary under the Regulations repealed by these Regulations shall be incorporated with and form part of the register of brands required to be kept under these Regulations.

22. A brand shall not be registered under this Part unless it is accompanied by seven copies of the brand.

Application to be accompanied by copies of brand.

23. A brand shall not be registered under this Part unless it is registered as a trade mark under the *Trade Marks Act 1905-1948* and the applicant is the registered proprietor of the trade mark.

Registration as trade mark necessary.

24. The Secretary shall allot a number to each registered brand and that number may be applied to goods in conjunction with the brand.

Registration number.

25. Where a trade mark which is a registered brand is assigned or transmitted, the person to whom it is assigned or transmitted shall forthwith give notice of the assignment or transmission to the Secretary.

Assignments and transmissions of trade marks to be notified.

Penalty: Twenty-five pounds.

26. Where a trade mark which is a registered brand ceases to be registered as a trade mark, the Secretary shall cancel the registration of the brand.

Cancellation of brand where no longer registered as a trade mark.

PART VI.—MISCELLANEOUS.

27.—(1.) The Minister may appoint persons whom he is satisfied have the necessary qualifications to be analysts for the purpose of these Regulations.

Analysts.

(2.) An analyst may analyse samples of goods to which these Regulations apply which are taken by an officer under the *Commerce (Trade Descriptions) Act 1905-1950*.

28.—(1.) In proceedings arising under the *Customs Act 1901-1953*, under the *Commerce (Trade Descriptions) Act 1905-1950* or under these Regulations in relation to goods to which these Regulations apply and which are intended for export, a certificate given by an analyst as to the result of an analysis of a sample of those goods is *prima facie* evidence of the matters stated in the certificate.

Certificates of analysis.

(2.) Judicial notice shall be taken of the signature of an analyst appearing on a certificate under the last preceding sub-regulation and of the fact that the person by whom the certificate purports to have been signed is an analyst.

29. A copy of a certificate of analysis given in respect of an analysis made under these Regulations may be supplied by the Secretary to the manufacturer, producer or exporter of the goods in respect of which the analysis was made—

Fees for certificates.

(a) where the analysis was made at the instance of an officer for purposes of the Department—upon payment of the sum of One shilling; and

(b) where the analysis was made at the request of the manufacturer, producer or exporter—upon payment of the sum of Ten shillings and sixpence.

30.—(1.) When the services of an officer are, at the request of a person, made available to the person for a purpose of these Regulations before or after official hours or on a Sunday or holiday, that person shall, except as provided by sub-regulation (2.) of this regulation, pay to the Department for those services a fee calculated at the rate of Twelve shillings and sixpence for each hour, or part of an hour, during which the services of the officer are supplied and the officer is reasonably occupied in proceeding to and returning from the place where his attendance is required.

Fees for
inspections out
of ordinary
hours.

(2.) Where an officer is required to proceed on duty away from his ordinary station, the fee to be paid in respect of his services is such fee as is fixed by the Minister.

(3.) In this regulation, "holiday" means a day observed as a holiday in the Public Service of the Commonwealth by virtue of section 76 of the *Public Service Act 1922-1953*.

THE SCHEDULES.

FIRST SCHEDULE.

Reg. 2.

STATUTORY RULES REPEALED.

Statutory Rules 1937, No. 68.
 Statutory Rules 1942, No. 286.
 Statutory Rules 1943, No. 192.
 Statutory Rules 1944, No. 139.
 Statutory Rules 1948, No. 11.
 Statutory Rules 1948, No. 28.
 Statutory Rules 1948, No. 166.
 Statutory Rules 1949, No. 53.
 Statutory Rules 1950, No. 36.
 Statutory Rules 1950, No. 54.
 Statutory Rules 1951, No. 47.
 Statutory Rules 1951, No. 126.
 Statutory Rules 1952, No. 111.

SECOND SCHEDULE.

FIRST COLUMN. Name or Description of Goods.	SECOND COLUMN. Conditions and Restrictions.	THIRD COLUMN. Additional Requirements as to Trade Descriptions.
1. Chutneys, pickles and sauces	1. The goods shall not contain— (a) more than 0.025 per centum of benzoic acid ; or (b) any other preservative substance 2. The goods shall be free from disease, damage and decay	
2. Fruit juice— (a) Lemon juice ..	1. The juice shall be sound and wholesome 2. The juice shall consist of pure unfermented juice obtained from properly matured fresh clean fruit of the lemon tree (<i>Citrus medica lemonum</i>) 3. The juice shall contain not more than 15 per centum of free and suspended pulp as determined by the standard method (A.C.1) 4. The juice shall not be sweetened and shall have a density due to its natural content of soluble solids of not less than 7.0 degrees Brix 5. The juice shall contain not less than 5.5 per centum and not more than 7.5 per centum of natural fruit acids expressed as anhydrous citric acid by weight 6. The juice shall be free, or almost free, from particles of membrane, and entirely free from core, skin, seeds, " rag " and other residue 7. The juice shall possess a distinct lemon flavour free from traces of scorching, caramelization, oxidation or terpene 8. The juice shall be sufficiently pasteurized to ensure preservation in hermetically sealed containers and bottled lemon juice may contain sulphur dioxide in a proportion not exceeding two grains of sulphur dioxide to the pint of juice 9. The immediate containers of the juice shall not be packed in a case or other outside container until a period of ten days has elapsed after the completion of the canning or bottling process	The trade description shall include the name of the fruit from which the fruit juice was obtained and, where preservatives are used, the name of the preservative and the number of grains of preservative per pint of juice
(b) Orange juice ..	1. The juice shall be sound and wholesome 2. The juice shall consist of pure unfermented juice obtained from properly matured fresh clean fruit of the orange tree (<i>Citrus sinensis</i>)	The trade description shall include the name of the fruit from which the fruit juice was obtained and,

SECOND SCHEDULE—continued.

FIRST COLUMN. Name or Description of Goods.	SECOND COLUMN. Conditions and Restrictions.	THIRD COLUMN. Additional Requirements as to Trade Description.
2. Fruit juice—continued. (c) Grape-fruit juice —continued.	<ol style="list-style-type: none">7. The juice shall be free, or almost free, from particles of membrane, and entirely free from core, skin, seeds, “rag” and other residue8. The juice shall possess a distinct grape-fruit flavour free from traces of scorching, caramelization, oxidation or terpene9. The juice shall be sufficiently pasteurized to ensure preservation in hermetically sealed containers and bottled grape-fruit juice may contain sulphur dioxide in a proportion not exceeding two grains of sulphur dioxide to the pint of juice10. The immediate containers of the juice shall not be packed in a case or other outside container until a period of ten days has elapsed after the completion of the canning or bottling process	
(d) Orange juice and grape-fruit juice (blended)	<ol style="list-style-type: none">1. The blended juice shall be sound and wholesome2. The blended juice shall consist of a combination of pure unfermented juices obtained from properly matured fresh, clean fruits of the orange tree (<i>Citrus sinensis</i>) and of the grape-fruit tree (<i>Citrus grandus Osbeck</i>) and shall contain not less than 75 per centum of orange juice3. The blended juice shall contain not more than 15 per centum of free and suspended pulp as determined by the standard method (A.C.1)4. The blended juice shall not be sweetened and shall have a density due to its natural content of soluble solids of not less than 9.5 degrees Brix5. The blended juice shall contain not less than 0.75 per centum and not more than 1.65 per centum of natural fruit acids expressed as anhydrous citric acid by weight6. The amount of recoverable oil shall be not more than 0.050 per centum by volume when determined by the standard method (A.C.1)7. The blended juice shall be free, or almost free, from particles of membrane, and entirely free from core, skin, seeds, “rag” and other residue8. The blended juice shall possess a normal flavour free from traces of scorching, caramelization, oxidation or terpene	The trade description shall include the name of the fruits from which the fruit juice was obtained and, where preservatives are used, the name of the preservative and the number of grains of preservative per pint of juice

SECOND SCHEDULE—continued.

FIRST COLUMN. Name or Description of Goods.	SECOND COLUMN. Conditions and Restrictions.	THIRD COLUMN. Additional Requirements as to Trade Descriptions.
2. Fruit Juice—continued. <i>(d) Orange juice and grape-fruit juice (blended)—contd.</i>	<p>9. The blended juice shall be sufficiently pasteurized to ensure preservation in hermetically sealed containers and bottled blended orange and grape-fruit juice may contain sulphur dioxide in a proportion not exceeding two grains of sulphur dioxide to the pint of juice</p> <p>10. The immediate containers of the juice shall not be packed in a case or other outside container until a period of ten days has elapsed after the completion of the canning or bottling process</p>	
<i>(e) Other fruit juice</i>	<p>1. The juice shall be the clear, unfermented liquid product obtained by the first pressing of fresh, ripe fruit and shall not contain more than 0.2 per centum by volume of alcohol</p> <p>2. The immediate containers of the juice shall not be packed in a case or other outside container until a period of ten days has elapsed after the completion of the canning or bottling process</p>	The trade description shall include the name of the fruit from which the fruit juice was obtained and, where preservatives are used, the name of the preservative and the number of grains of preservative per pint of juice
3. Fruit mincemeat	<p>1. No ingredients other than those approved by an officer shall be used in the manufacture of fruit mincemeat</p> <p>2. The dried fruits used shall have been packed in premises registered under the Exports (Dried Fruits) Regulations</p> <p>3. Where animal fats are used, they shall have been prepared in premises registered under the Commerce (Meat Export) Regulations</p> <p>4. A label shall not be applied to containers of fruit mincemeat unless the design, nature and dimensions of the label have been approved by the Secretary</p> <p>5. The immediate containers of fruit mincemeat shall be clean and strongly and efficiently constructed</p> <p>6. The immediate containers shall be enclosed in cases or other outside containers of a type approved by the Secretary</p>	The trade description shall include— (a) the words “FRUIT MINCEMEAT”; or (b) the word “MINCEMEAT” and a list of ingredients set forth in the order corresponding with the proportions in which they are present in the mincemeat

THE SECOND SCHEDULE—continued.

FIRST COLUMN. Name or Description of Goods.	SECOND COLUMN. Conditions and Restrictions.	THIRD COLUMN. Additional Requirements as to Trade Descriptions.
3. Fruit mincemeat—con- tinued.	<p>7. If the outside containers are constructed of wood—</p> <p>(a) they shall be clean and new, strapped with metal strapping or wire and sufficiently strong to be able, in the opinion of the Secretary, to withstand such handling as is ordinarily incidental to transportation to places beyond the Commonwealth; and</p> <p>(b) the wood shall be smoothly sawn or dressed in a manner approved by the Secretary</p> <p>8. If the outside containers are constructed of fibre board—</p> <p>(a) each side of each container shall consist of one piece of solid fibre board of not less than 100 point thickness constructed with outer face of 0.016, 100 lb. Mullen test;</p> <p>(b) the fibre board shall be coloured and water proof and the combined board shall have a Mullen test of not less than 275 lb. per square inch; and</p> <p>(c) the side flaps shall be securely riveted with coppered flat wire and the containers shall, if so required by the Secretary, be strapped with metal strapping or wire</p>	
4. Honey	<p>1. The honey shall be the ripened nectar and saccharine exudations of plants which have been gathered, modified and stored by the honey bee</p> <p>2. The honey—</p> <p>(a) shall contain not more than 26 per centum of water and not less than 60 per centum of reducing sugars;</p> <p>(b) shall yield not more than 0.75 per centum of ash;</p> <p>(c) shall not contain any added sugar or glucose, artificial sweetening substance, added colouring matter or other foreign substance; and</p> <p>(d) shall be uniform in flavour, density and colour</p> <p>3. Unless in a particular case the Secretary agrees otherwise on the ground that it would be impracticable to comply with the conditions specified in this paragraph—</p> <p>(a) the immediate containers of the honey shall be clean, new and strongly constructed:</p>	<p>The trade description shall include a statement that the honey is white, light amber, medium amber or dark, as the case may be</p>

THE SECOND SCHEDULE—continued.

FIRST COLUMN. Name or Description of Goods.	SECOND COLUMN. Conditions and Restrictions.	THIRD COLUMN. Additional Requirements as to Trade Description.
4. Honey—continued.	<p>3.—continued.</p> <p>(b) if the immediate containers are made of tin plate—the containers shall be lacquered on the outside and shall not be soldered internally and the substance and quality of the tin plate shall be not lower than—</p> <p>(i) in the case of containers of less than 2 lb. net capacity—95 lb. substance I.C.L. quality ; and</p> <p>(ii) in the case of containers of 2 lb. or more net capacity—108 lb. substance I.C. quality ; and</p> <p>(c) the immediate containers shall be enclosed in cases, which—</p> <p>(i) shall be clean and new ;</p> <p>(ii) shall be strapped with metal strapping or wire and be sufficiently strong to be able, in the opinion of the Secretary, to withstand such handling as is ordinarily incidental to transportation to places within the Commonwealth ; and</p> <p>(iii) shall be constructed of well-seasoned wood which has been smoothly sawn or dressed in a manner approved by the Secretary</p> <p>4. Where the immediate containers are of tin plate, the weight of honey in a container shall not exceed 56 lb. and the weight of honey in a case in which the containers are packed shall not exceed 120 lb.</p>	
5. Jam (including mixed jam, marmalade and fruit pulp)	<p>1. The goods shall, in the opinion of an officer—</p> <p>(a) be sound and not diseased or otherwise in an abnormal condition ;</p> <p>(b) be contained in packages or containers which are suitable in respect of size, nature, durability and cleanliness ; and</p> <p>(c) be not likely, for any other reason, to arrive at their destination in a deteriorated condition</p> <p>2. The jam (except in the case of mixed jam, marmalade and fruit pulp) shall be the product obtained by boiling one kind of sound fruit with cane sugar or beet sugar, or with both</p>	<p>1. The trade description shall include in bold legible characters of not less than one-quarter of an inch in length the word “Jam” “Conserve”, “Marmalade” or “Fruit Jelly” and the name of the fruit or fruits from which the jam has been made</p>

SECOND SCHEDULE—continued.

FIRST COLUMN. Name or Description of Goods.	SECOND COLUMN. Conditions and Restrictions.	THIRD COLUMN. Additional Requirements as to Trade Descriptions.
5. Jam (including mixed jam, marmalade and fruit pulp)—con- tinued.	<p>3. Mixed jam shall be the product obtained by boiling two or more varieties of sound fruit with cane sugar or beet sugar, or with both, and shall not contain any added substance other than 5 per centum or less of apple juice and, in the case of raspberry, strawberry or plum jam, harmless colouring matter</p> <p>4. Marmalade shall be the product obtained by boiling sound citrus fruit or fruits with cane sugar or beet sugar, or with both and shall not contain any added substance except glucose made from maize starch</p> <p>5. Fruit pulp shall be the product obtained by boiling any one variety of sound fruit and shall not contain any added substance</p> <p>6. The water soluble extract of jam (other than fruit pulp) shall be—</p> <p>(a) not less than—</p> <p>(i) in the case of gooseberry or quince jam—64 per centum of the jam by weight ; and</p> <p>(ii) in any other case—66 per centum of the jam by weight ; and</p> <p>(b) not more than 71 per centum of the jam by weight</p> <p>7. The jam (other than fruit pulp) shall contain not less than 50 per centum of added sugar</p> <p>8. The immediate containers of the jam shall be made of tin plate or glass and shall be clean and sufficiently strong to be able, in the opinion of the Secretary, to withstand such handling as is ordinarily incidental to transportation to places beyond the Commonwealth</p> <p>9. If the immediate containers are made of tin plate—</p> <p>(a) the containers shall not be soldered internally and the substance and quality of the tin plate shall be not lower than—</p> <p>(i) in the case of containers of less than 2 lb. net capacity—95 lb. substance I.C.L. quality ; and</p> <p>(ii) in the case of containers of 2 lb. or more net capacity—108 lb. substance I.C. quality ;</p> <p>(b) in the case of goods intended for export to a place situated between the 80th and 180th degrees of east longitude—the containers shall be lacquered on the whole of the outer surfaces in a manner approved by an officer ;</p>	<p>2. The trade description of mixed jam shall include the names of the constituent fruits set forth in order corresponding with the proportions in which they are present in the jam, the name of the fruit used in greatest proportion in the manufacture of the jam being placed first</p> <p>3. Where more than one variety of fruit is used in making jam (other than jam sold under the description of mixed jam or mixed fruit jam), the trade description shall include the name of each variety* (other than a variety added to the jam in the form of fruit juice only in a quantity not exceeding 5 per centum of the total fruit content of the jam) preceded by, in a case where the quantity of a variety contained in the jam is less than 25 per centum of the total fruit content of the jam, the words “ flavoured with ” in an easily readable form</p>

SECOND SCHEDULE—continued.

FIRST COLUMN. Name or Description of Goods.	SECOND COLUMN. Conditions and Restrictions.	THIRD COLUMN. Additional Requirements as to Trade Descriptions.
5. Jam (including mixed jam, marmalade and fruit pulp)— <i>contd.</i> <i>continued.</i>	9.— <i>continued.</i> (c) in the case of goods intended for export to a place other than a place to which the last preceding sub-paragraph applies—the containers shall, if considered necessary by the Secretary, be lacquered on the whole of the outer surfaces in a manner approved by an officer; and (d) in the case of pulps manufactured from berry fruits—the whole of the inner surfaces of the containers shall be lacquered in a manner approved by the Secretary 10. The immediate containers shall be enclosed in cases constructed of wood or of fibre board and the gross weight of the cases, when packed, shall not exceed 75 lb. 11. The immediate containers of the jam shall not be packed in a case until a period of ten days has elapsed after the completion of the canning or bottling process 12. If the cases are constructed of wood— (a) they shall be clean and new, strapped with metal strapping or wire and sufficiently strong to be able, in the opinion of the Secretary, to withstand such handling as is ordinarily incidental to transportation to places beyond the Commonwealth; and (b) the wood shall be smoothly sawn or dressed in a manner approved by the Secretary. 13. If the cases are constructed of fibre board— (a) each side of each case shall consist of one piece of solid fibre board of not less than 100 point thickness constructed with outer face of 0.016, 100 lb. Mullen test; (b) the fibre board shall be coloured and waterproof and the combined board shall have a Mullen test of not less than 275 lb. per square inch; and (c) the side flaps shall be securely riveted with coppered flat wire and the containers shall, if so required by the Secretary, be strapped with metal strapping or wire 14. If the Secretary is of opinion that there is such free movement of the immediate containers within a case as to be likely to cause breakage or other damage to, or to the labels on, the containers during transport, the containers shall be securely packed with wood wool or other suitable packing material	4. In the case of fruit pulp, the trade description shall comply with the following additional provisions :— (a) The label shall be clearly and legibly printed and affixed in a prominent position to the container, and the trade description shall include, in bold and legible characters of not less than three-eighths of an inch in length, the word “pulp” and the name of the fruit from which the pulp has been prepared; (b) On the immediate container, if made of tin plate, there shall be impressed, in a form approved by the Secretary, an indication of the year and month of manufacture

SECOND SCHEDULE—continued.

FIRST COLUMN.	SECOND COLUMN.	THIRD COLUMN.														
Name or Description of Goods.	Conditions and Restrictions.	Additional Requirements as to Trade Description.														
5. Jam (including mixed jam, marmalade and fruit pulp)— <i>contd.</i> <i>continued</i>	<p>15. The design, nature and dimensions of labels applied to containers of jam shall be approved by the Secretary</p> <p>16. A label applied to a container of jam shall not include a pictorial representation of a kind of fruit other than the fruit from which the jam is made unless the label also includes pictorial representations of several other kinds of fruit</p> <p>17. Where jam is packed in tins—</p> <p>(a) one label only shall be applied to each tin and that label shall completely cover the outside of the tin other than the top and bottom; and</p> <p>(b) an additional label shall not be super-imposed without the permission of the Secretary</p> <p>18. Where jam (other than fruit pulp) is packed in tins, the minimum net contents of each tin and the maximum number of tins which may be packed in a case shall be as follows :—</p> <table><tr><th>Minimum net contents of tins.</th><th>Maximum number of tins which may be packed in a case.</th></tr><tr><td>12 or 13 ounces</td><td>72</td></tr><tr><td>16 ounces</td><td>60</td></tr><tr><td>24 ounces</td><td>48</td></tr><tr><td>32 ounces</td><td>30</td></tr><tr><td>36 ounces</td><td>30</td></tr><tr><td>80 ounces</td><td>12</td></tr></table> <p>(In the case of jam exported to a country where the metric system of weights has been adopted to the exclusion of other systems, the net contents of a tin may be expressed in the terminology of the metric system)</p> <p>19. Where fruit pulp is packed in immediate containers made of tin plate, the weight of pulp in a container shall not exceed 30 lb. and the weight of pulp in a case in which the containers are packed shall not exceed 64 lb.</p>	Minimum net contents of tins.	Maximum number of tins which may be packed in a case.	12 or 13 ounces	72	16 ounces	60	24 ounces	48	32 ounces	30	36 ounces	30	80 ounces	12	
Minimum net contents of tins.	Maximum number of tins which may be packed in a case.															
12 or 13 ounces	72															
16 ounces	60															
24 ounces	48															
32 ounces	30															
36 ounces	30															
80 ounces	12															

SECOND SCHEDULE—continued.

FIRST COLUMN. Name or Description of Goods.	SECOND COLUMN. Conditions and Restrictions.	THIRD COLUMN. Additional Requirements as to Trade Descriptions.
6. Nuts	<ol style="list-style-type: none">1. Ninety per centum of the nuts in each consignment shall be fresh, reasonably uniform in colour, dry and free from damage caused by stains and from adhering or loose hulls or other foreign material2. The kernels of 90 per centum of the nuts in each consignment shall be well formed and cured and free from rancidity and damage caused by lack of development, insects, mould, discolouration or other causes3. The nuts shall be reasonably uniform in size	
7. Plants, including parts of plants (except the seed) intended for planting or for pur- poses of propogation	The plants shall be free from disease, damage and decay	
8. Seeds	<ol style="list-style-type: none">1. The seeds shall be free from seeds other than those specified in the trade description and from stalks, soil and other foreign substances2. The seeds shall be free from disease, damage and decay3. The germinating power of the seeds (other than lucerne seeds) shall not be impaired by age or other cause4. The seeds shall not be contained in second-hand bags5. Lucerne seed shall possess germinating power to the extent of 80 per centum	The trade description shall include a statement that the seeds are sound, clean and fresh and, in the case of lucerne seed, shall specify the name of the State or Territory, and district where, and the year in which, the seeds were produced
9. Vegetables (dried and preserved)	<ol style="list-style-type: none">1. The vegetables shall be free from stalks, dirt, sand and other foreign substances2. The vegetables shall be the produce of the latest crop3. The vegetables shall be free from disease, damage and decay4. The vegetables shall not contain any added preservative substance5. The immediate containers of preserved vegetables shall not be packed in a case or other outside container until a period of fourteen days has elapsed after the completion of the canning or bottling process	In the case of dried vegetables, the trade description shall include a statement that the vegetables are sound, clean and fresh

THIRD SCHEDULE.

FORM 1.

COMMONWEALTH OF AUSTRALIA.

Regulation 17.

Customs Act 1901-1952 and Commerce (Trade Descriptions) Act 1905-1950.

NOTICE OF INTENTION TO EXPORT.

To the Department of Commerce and Agriculture,

19 .

Port of

Notice is hereby given that I intend to export the goods specified in the statement hereunder. The goods have been delivered to the appointed place at and may be inspected on

I hereby declare—

- (a) that I am *the duly authorized agent of* owner of the goods;

(b) that the conditions and restrictions applicable in respect of the goods under the Exports (General) Regulations have been complied with; and

(c) that the goods are marked in the prescribed manner with the prescribed trade description.
- * the

* Strike out words in italics if not applicable.

STATEMENT OF GOODS TO BE EXPORTED.

Goods (Kind and Grade).	Brand and Shipping Marks.	Destination.	Number of Packages.	Number and Size (by Weight or Measure) of Contents of Packages.

Export Ship

Date of Sailing

(Signature of agent or owner.)

CERTIFICATE BY INSPECTING OFFICER.

I hereby certify—

- (a) that the goods specified in the above statement are marked in the prescribed manner with the prescribed trade description; and

(b) that I am satisfied that the conditions and restrictions applicable in respect of the goods under the Exports (General) Regulations have been complied with.

Inspecting Officer.

/ /19 .

FORM 2.

COMMONWEALTH OF AUSTRALIA.

Regulation 19.

Exports (General) Regulations.

EXPORT PERMIT.

Port of
Date

, 19 .

To the Officer of Customs,
Wharf.

The undermentioned goods to be shipped per _____ are marked in the prescribed manner with the prescribed trade description and the conditions and restrictions applicable under the Exports (General) Regulations in respect of the goods have been complied with.

Marks.	Exporter.	Character of Goods.	Quantity.

(Signature of Officer.)

Shipped the above goods. _____
Date _____, 19 ____ Officer of Customs.

FORM 3.

COMMONWEALTH OF AUSTRALIA.
Exports (General) Regulations.

Regulation 19.

CERTIFICATE AS TO CONDITION OF _____.*
I hereby certify that _____ of _____ branded
and shipped per _____ to _____ on _____, 19 ____ ,
have been examined and found to be in the condition specified hereunder.†

Dated at _____ in the State of _____ the _____ day of _____,
19 ____ .

(Signature of Officer.)

* Insert name of goods.
† Here set out condition, for example, "free from adulteration", "sound and clean", "sound, clean and fresh", or the grade, if any, of the goods, as the case requires.