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[1977

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974, has been pleased to—

- (a) revoke the Agricultural Products Regulations, published in the *Government Gazette* on the 21st January, 1938, and all amendments thereto; and
- (b) make the regulations set forth in the Schedule to the attached notice, so that the revocation of the regulations referred to in paragraph (a) and the regulations referred to in paragraph (b) takes effect on the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

AGRICULTURAL PRODUCTS (GENERAL) REGULATIONS, 1977.

1. These regulations may be cited as the Agricultural Products (General) Regulations, 1977.
2. In these regulations unless the context otherwise requires—
“Form” means a form in the Schedule to these regulations;
“the Act” means the Agricultural Products Act, 1929.
3. (1) Where an inspector makes an order under section 4 of the Act that any lot or package of products is not in conformity with the Act or any regulations made thereunder, he shall issue to the owner a certificate in the form of Form 1.
(2) Where an order has been issued by an inspector pursuant to section 4 of the Act, the owner or agent shall not sell the lot or package in respect of which the order has been made unless and until the inspector has issued a certificate in the form of Form 2 in respect of that lot or package.
(3) Nothing in this regulation affects anything in section 3 of the Act.
4. Where the size or grade of any fruit or vegetable is marked on the case or container in which the fruit or vegetable is contained the contents shall conform to the markings on the case or container.
5. Where an inspector seizes or detains any package of fruit he shall issue to the owner or person in charge thereof a notice in accordance with Part A of Form 3, and a person shall not thereupon sell or remove or cause or permit

to be sold or removed the fruit or any part of it, without the written authority of an inspector, given in accordance with Part B of Form 3 or of one of the orders or permits prescribed by the succeeding provisions of these regulations.

6. Where an inspector orders fruit to be repacked by the owner or person in charge thereof or to be taken to a suitable place to be repacked, at the expense of the owner, or directs the owner or person in charge thereof to take other measures or do other acts necessary for the proper observance of the Act or these regulations, he shall issue an order in accordance with Part A of Form 4 and a person shall not sell or cause or permit to be sold the fruit or any part of it, without the written authority of an inspector, given in accordance with Part B of Form 4.

7. Where an inspector is of the opinion that any package of fruit should be destroyed, he shall make a report in accordance with Part A of Form 5, and, if the destruction is approved by the Minister or by any person thereunto authorised by him, the Minister or the person so authorised shall issue an order for destruction in accordance with Part B of Form 5.

8. For the purposes of these regulations, "destruction", in relation to packages, means burning, and in relation to fruit, means burning, boiling, burying, dumping in a municipal tip or any other method of disposal that, in the opinion of an inspector, effectually does away with the fruit.

9. Where the owner of any fruit that does not comply with the Act or these regulations informs the inspector, prior to the execution of any order issued in accordance with either of regulations 6 or 7 of these regulations, that he desires to dispose of the fruit other than by sale or destruction, the inspector shall, if satisfied that the method of disposal specified by the owner does not contravene the Act or these regulations, issue a permit in accordance with Form 6.

10. Where an order is made under regulation 7, or a permit is issued under regulation 9 of these regulations the inspector may require the owner to satisfy him, by means of documentary evidence or otherwise, that the fruit described in the order or permit was disposed of as required by the order or allowed by the permit.

11. Where any notice, direction, order or permit is given, made or issued under these regulations, the inspector may attach to the package of fruit a warning ticket in accordance with Form 7 and a person shall not detach that ticket or cause or permit it to be detached, without the written authority of an inspector.

12. Under the provisions of subsection (4a) of section 4 of the Act, apples and pears are each prescribed as agricultural products for the purpose of that subsection.

SCHEDULE.

Form 1.

AGRICULTURAL PRODUCTS ACT, 1929.

Having this day inspected..... and found them to beI, in pursuance of the regulations made under section 9 of the Agricultural Products Act, 1929, hereby require them to be..... and submitted for re-inspection before release for sale.

Dated this day of 19 .

Inspector.

Agricultural Products Act, 1929.
 Form 4. No.
REMOVAL ORDER.

Part A.
 To _____, of _____,
 I, _____, an Inspector
 appointed under the above Act, am of the opinion that the items described
 hereunder do not comply with the Act and regulations:—

Items	Quantity	Marks	Name and Address of Packer or Owner	Agent

I consider that the said items contravene
 in that _____
 I order that you take the said items, or cause them to be taken, to

 for the purpose of _____
 Date _____ Time _____
Inspector.

Part B.
 Of the items described in Part A hereof
 have under my supervision been made to comply with the Act and regulations,
 and are hereby released for sale. The remainder (if any) are the subject of
 disposal/destruction order No. _____
 Date _____ Time _____
Inspector.

Agricultural Products Act, 1929.
 Form 5. No.
DESTRUCTION REPORT AND ORDER.

Part A.
 The Hon. the Minister,
 I, _____, an Inspector
 appointed under the above Act, am of the opinion that the items described
 hereunder do not and cannot be made to comply with the Act and regula-
 tions:—

Items	Quantity	Marks	Name and Address of Packer or Owner	Agent

I consider that the said items contravene
 in that _____
 I recommend that the destruction of the said items be approved.
 Date _____
 (Checked by Senior Inspector _____) Inspector.

Part B.
 To _____, of _____
 The Hon. the Minister having approved the recommendation in Part A
 hereof, I hereby order the destruction of the said items by means of _____
 The accompanying Destruction Receipt is to be duly completed by the person
 supervising the destruction and to be returned to me not later than / / .
 Date _____
Inspector.

Agricultural Products Act, 1929.

Form 6. No.

DISPOSAL PERMIT.

To _____, of _____

I, _____, an Inspector

appointed under the above Act, am of the opinion that the items described hereunder do not comply with the Act and regulations:—

Items	Quantity	Marks	Name and Address of Packer or Owner	Agent

I consider that the said items contravene
in that

As you have informed me that you desire to dispose of the said items other than by sale or destruction, namely by _____ and as I am satisfied that such disposal would not contravene the Act or regulations, I hereby authorise such disposal.

The attached Disposal Receipt is to be duly completed by the person supervising the disposal and to be returned to me not later than / / .

Date

Inspector.

Agricultural Products Act, 1929.

Form 7.

WARNING.

The packages of fruit to which this ticket is attached are the subject of a notice, direction or order under the above Act. Any person selling or removing same or detaching this ticket without the written authority of an inspector commits an offence against the Act.

Items

Inspector.

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974, has been pleased to—

- (a) revoke the Agricultural Products (Apple and Pear Grading) Regulations, 1968, published in the *Government Gazette* on the 26th February, 1968, and all amendments thereto; and
- (b) make the regulations set forth in the Schedule to the attached notice, so that the revocation of the regulations referred to in paragraph (a) and the regulations referred to in paragraph (b) takes effect on the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

**AGRICULTURAL PRODUCTS (APPLE AND PEAR GRADING)
REGULATIONS, 1977.**

1. These regulations may be cited as the Agricultural Products (Apple and Pear Grading) Regulations, 1977.
2. In these regulations unless the context otherwise requires—
 - “Act” means the Agricultural Products Act, 1929;
 - “blemish” in relation to an apple or a pear, means any superficial disfigurement of the fruit that is unlikely to affect its keeping, in sound condition, and includes scratch marks, rub marks, brown sunburn marks, frost marks, russeting, healed injuries, healed insect bites or stings and spray burns;
 - “diameter”, in relation to the size of an apple or pear, means the greatest transverse measurement of an apple or pear taken at right angles to its axis;
 - “disease”, in relation to an apple or a pear, means any abnormal condition of, or in, a fresh apple or pear and includes any condition arising from functional disorders caused by, or due to, any insect, fungus, bacterium or virus;
 - “percentage of colour characteristic”, in relation to apples means the aggregate percentage of the surface of the fruit which has red colour of intensity characteristic of the variety when mature;
 - “regulation” means one of these regulations;
 - “sound”, in relation to an apple or a pear, means, not overripe, not soft, not wilted, free from disease, free from excessive bruising and free from physical injuries that would affect the keeping of the apple or pear;
 - “systematically packed”, in relation to apples and pears means that the fruit in any one case shall be so placed as to form distinct layers and the fruit in each layer shall be arranged in well defined rows.
3. In these regulations fruit is graded for size as follows:—
 - (a) undersize, comprising fruit of less than 50 millimetres in diameter;
 - (b) 50 mm, comprising fruit of 50 millimetres, but less than 55 millimetres in diameter;
 - (c) 55 mm, comprising fruit of 55 millimetres but less than 60 millimetres in diameter;
 - (d) 60 mm, comprising fruit of 60 millimetres but less than 65 millimetres in diameter;
 - (e) 65 mm, comprising fruit of 65 millimetres but less than 70 millimetres in diameter;
 - (f) 70 mm, comprising fruit of 70 millimetres but less than 75 millimetres in diameter;
 - (g) 75 mm, comprising fruit of 75 millimetres but less than 80 millimetres in diameter;
 - (h) 80 mm, comprising fruit of 80 millimetres but less than 85 millimetres in diameter;
 - (i) 85 mm, comprising fruit of 85 millimetres but less than 90 millimetres in diameter;
 - (j) 90 mm, comprising fruit of 90 millimetres or more in diameter.
4. (1) Apples of the varieties set out in the table to this subregulation and grown in the State shall be graded for quality and packed in accordance with the several grades therein appearing, and shall conform to the minimum size, and have the minimum colour characteristic for each grade, set out in the table, namely—

THE TABLE

GRADE	Trade description	EXTRA FANCY		FANCY		LOOSE		PLAIN		COOKERS		FACTORY 1st Grade		FACTORY 2nd Grade	
		Minimum Size*	Minimum % of colour characteristic necessary†	Minimum Size*	Minimum % of colour characteristic necessary†	Minimum Size*	Minimum % of colour characteristic necessary†	Minimum Size*	Minimum % of colour characteristic necessary†	Minimum Size*	Minimum % of colour characteristic necessary†	Minimum Size*	Minimum % of colour characteristic necessary†	Minimum Size*	Minimum % of colour characteristic necessary†
Cleopatra	Cleo.	55	....	55	....	55	....	55	....	65	....	60	....	....	....
Delicious	Del.	55	50	55	20	55	20	55	....	65	....	60	....	....	....
Democrat	Dem.	55	70	55	35	55	35	55	....	65	....	60	....	....	....
Dougherty	Dhty.	55	40	55	20	55	20	55	....	65	....	60	....	....	....
Golden Delicious	G. Del.	55	....	55	....	55	....	55	....	65	....	60	....	....	....
Granny Smith	G.S.	55	....	55	....	55	....	55	....	65	....	60	....	....	....
Jonathan	Jon.	55	50	55	25	55	25	55	....	65	....	60	....	....	....
Lady Williams	L.W.	55	50	55	25	55	25	55	....	65	....	60	....	....	....
Lord Nelson	L.N.	55	....	55	....	55	....	55	....	65	....	60	....	....	....
Red Gem	R. Gem	55	70	55	35	55	35	55	....	65	....	60	....	....	....
Rokewood	Roke	55	40	55	20	55	20	55	....	65	....	60	....	....	....
Stark Earliblaze	Sk. Earli	55	50	55	25	55	25	55	....	65	....	60	....	....	....
Willie Sharp	W.S.	55	....	55	....	55	....	55	....	65	....	60	....	....	....
Yates	Yates	55	50	55	25	55	25	55	20	65	....	60	....	....	....
Any other Red Variety	Name of Variety	55	50	55	10	55	10	55	....	65	....	60	....	....	....
Any other Green Variety	Name of Variety	55	....	55	....	55	....	55	....	65	....	60	....	....	....

* Millimetres in diameter.

† For each apple.

(2) For the purpose of the grading of apples for quality and the packing of apples—

“Extra Fancy” means a grade comprising apples of one variety that are well formed, mature, clean, sound and of which the skin is unbroken; and includes apples that have—

- (a) subject to regulation 6, slight surface blemishes and hail marks showing no material discoloration of the skin, where the total area of the blemishes and hail marks does not exceed the area of a circle of 5 millimetres diameter; and
- (b) smooth, but not unsightly, russet, where the area so affected does not exceed 10% of the surface of the fruit;

“Fancy” means a grade comprising apples of one variety that are fairly well formed, mature, clean, sound and of which the skin is unbroken; and includes apples that have—

- (a) subject to regulation 6, slight surface blemishes, where the total area of the blemishes does not exceed the area of a circle of—
 - (i) 5 millimetres diameter, in the case of fruit that is 65 millimetres or less in diameter; or
 - (ii) 10 millimetres diameter, in the case of fruit that is greater than 65 millimetres in diameter;
- (b) yellow sunburn marks, where those marks—
 - (i) are not unsightly; and
 - (ii) do not cover more than 20% of the surface of the fruit;
- (c) hail marks showing no material discoloration of the skin, where the total area of all defects (excluding sunburn marks) does not exceed a circle of—
 - (i) 5 millimetres diameter, in the case of fruit that is 65 millimetres or less in diameter; and
 - (ii) 10 millimetres diameter, in the case of fruit that is greater than 65 millimetres in diameter; and
- (d) smooth but not unsightly russet, where the area of the surface affected does not exceed 30% or, in the case of apples of the Sturmer variety, 50%;

“Loose” means a grade comprising apples of one variety that are fairly well formed, mature, clean, sound and of which the skin is unbroken, and includes apples that have—

- (a) subject to regulation 6, slight surface blemishes where the total area of the blemishes does not exceed the area of a circle of—
 - (i) 5 millimetres diameter, in the case of fruit that is 65 millimetres or less in diameter; or
 - (ii) 10 millimetres diameter, in the case of fruit that is greater than 65 millimetres in diameter;
- (b) yellow sunburn marks where those marks—
 - (i) are not unsightly; and
 - (ii) do not cover more than 20% of the surface of the fruit;
- (c) hail marks showing no material discoloration of the skin, where the total area of all defects (excluding sunburn marks) does not exceed a circle of—
 - (i) 5 millimetres diameter, in the case of fruit that is 65 millimetres or less in diameter; and
 - (ii) 10 millimetres diameter in the case of fruit that is greater than 65 millimetres in diameter; and
- (d) smooth but not unsightly russet, where the area of the surface affected does not exceed 30% or, in the case of apples of the Sturmer variety, 50%;

“Plain” means a grade comprising apples of one variety that are reasonably well formed, mature, clean, sound and of which the skin is unbroken; and includes apples that have—

- (a) slight surface blemishes, where the surface so affected does not exceed the area of a circle of—
 - (i) 5 millimetres diameter, in the case of fruit that is 65 millimetres or less in diameter; or

- (ii) 10 millimetres diameter, in the case of fruit that is greater than 65 millimetres in diameter;
- (b) yellow sunburn marks of any dimension;
- (c) hail marks showing no material discoloration of the skin, where the total area of all defects (excluding yellow sunburn marks) does not exceed the area of a circle of—
 - (i) 10 millimetres diameter, in the case of fruit that is 65 millimetres or less in diameter;
 - (ii) 25 millimetres diameter, in the case of fruit that is greater than 65 millimetres in diameter; and
- (d) russet of any dimension;

“Cookers” means a grade comprising apples of one variety and conforming to the requirements of the plain grade or any higher grade of apple, other than the requirements as to maturity;

“Factory 1st Grade” means a grade comprising apples of one variety that are of reasonably normal shape, free of excessive bruising, mature, clean, sound and of which the skins are unbroken;

“Factory 2nd Grade” means a grade comprising apples that comply with the requirements of Factory 1st Grade Apples other than the requirements as to size and cleanliness.

5. (1) For the purpose of grading of pears for quality and the packing of pears—

“Extra Fancy” means a grade comprising pears of one variety that are well formed, mature, clean, sound and of which the skin is unbroken; and includes pears that have—

- (a) subject to regulation 6. slight surface blemishes and hail marks showing no material discoloration of the skin, where the total area of the blemishes and hail marks does not exceed the area of a circle of 5 millimetres diameter; and
- (b) smooth, but not unsightly russet, where the area so affected does not exceed 20% of the surface of the fruit; in the case of the varieties known as Bartlett (Williams), Packham’s Triumph and Comice;

“Fancy” means a grade comprising pears of one variety that are fairly well formed, mature, clean, sound and of which the skin is unbroken and includes pears that have—

- (a) slight surface blemishes and dead Black Spot infections, where the total area of the surface so affected does not exceed the area of a circle of—
 - (i) 5 millimetres diameter, in the case of pears that are 60 millimetres or less in size; or
 - (ii) 10 millimetres diameter, in the case of pears that are greater than 60 millimetres in diameter;
- (b) hail marks showing no material discoloration of the skin, where the total area of all defects on any fruit does not exceed a circle of 10 millimetres in diameter;
- (c) smooth but not unsightly russet, where the area so affected does not exceed 40% of the surface of the fruit; in the case of the varieties known as Bartlett (Williams), Packham’s Triumph and Comice;

“Loose” means a grade comprising pears of one variety that are fairly well formed, mature, clean, sound and of which the skin is unbroken and includes pears that have—

- (a) slight surface blemishes and dead Black Spot infections, where the total area of the surface affected does not exceed the area of a circle of—
 - (i) 5 millimetres in diameter, in the case of pears that are 60 millimetres or less in diameter; or
 - (ii) 10 millimetres diameter, in the case of pears that are greater than 60 millimetres in diameter;
- (b) hail marks showing no material discoloration of the skin where the total area of all defects on any fruit does not exceed a circle of 10 millimetres diameter; and

- (c) smooth but not unsightly russet, where the area affected does not exceed 40% of the surface of the fruit; in the case of the varieties known as Bartlett (Williams), Packham's Triumph and Comice;

"Plain" means a grade comprising pears of one variety that are reasonably well formed, mature, clean, sound and of which the skin is unbroken; and includes pears that have—

- (a) slight surface blemishes, where the surface so affected does not exceed the area of a circle of 10 millimetres diameter;
- (b) hail marks showing no material discoloration of the skin, where the total area of all defects, including hail marks, does not exceed the area of a circle of 25 millimetres diameter; and
- (c) russet of any dimension;

"Cookers" means a grade comprising pears of one variety and consisting of pears that are not less than 60 millimetres in diameter and that conform to the requirements of the plain grade or any higher grade of pear, other than the requirement as to maturity.

(2) Pears that are less than 50 millimetres in diameter shall not be included in Extra Fancy, Fancy, Loose or Plain.

6. (1) For the purpose of grading and packing apples or pears into the grade "Extra Fancy", the number of apples or pears that are affected by slight surface blemishes or hail marks shall not exceed 10% of the number of apples or pears so graded and packed in the one container.

(2) For the purpose of grading and packing apples into the grade "Fancy", the number of apples that are affected by slight surface blemishes shall not exceed 10% of the number of apples so graded and packed in the one container.

(3) For the purpose of grading and packing apples into the grade "Loose" the number of apples affected by slight surface blemishes shall not exceed 20% of the number of apples so graded and packed in the one container.

7. (1) A person shall not pack fruit for sale, or sell fruit in any package, unless it conforms to one of the grades of quality referred to in these regulations.

(2) All apples other than those graded as Factory 1st Grade or Factory 2nd Grade and all pears that are packed for sale in the State shall be firmly and fully packed, in a case or container that is approved under the Fruit Cases Act, 1919.

(3) A case or container of fruit shall contain only one variety of apples or one variety of pears and, other than those graded Loose, Factory 1st Grade, or Factory 2nd Grade, the fruit in the case or container shall not vary in diameter by more than 5 millimetres from the smallest to the largest.

(4) The uppermost layer of fruit in a case or container shall be such as to give a true indication of the grade of quality and size of the fruit in the other layers.

(5) Every case or container that contains fruit intended for sale in the State shall bear, on one end, particulars of—

- (a) the variety;
- (b) the grade of quality; and
- (c) except for fruit graded as Loose, Factory 1st Grade, or Factory 2nd Grade, the size or count of the fruit,

it contains.

(6) The particulars required under subregulation (5) of this regulation shall be in letters and figures of not less than—

- (a) 5 millimetres in height, where those particulars are printed on a label attached to the case or container; or
- (b) 20 millimetres in height, where those particulars are stencilled on the case or container.

(7) Subject to subregulation (2) of this regulation—

- (a) all cases or containers of apples or pears graded as Extra Fancy, Fancy, Plain or Cookers, shall be systematically packed; and
- (b) all cases or containers of apples or pears graded as Loose shall not be systematically packed.

8. A person exposing apples or pears of the grade, Cookers, for sale by retail, shall display with the fruit a readily visible sign or label to enable the fruit to be identified by a purchaser as being of that grade.

9. These regulations shall be read and construed in conjunction with the regulations made under the Fruit Cases Act, 1919.

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974, has been pleased to—

- (a) revoke the Agricultural Products (Stone Fruit Grading) Regulations, 1969, published in the *Government Gazette* on the 27th November, 1969, and all amendments thereto; and
- (b) make the regulations set forth in the Schedule to the attached notice, so that the revocation of the regulations referred to in paragraph (a) and the regulations referred to in paragraph (b) takes effect on the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

**AGRICULTURAL PRODUCTS (STONE FRUIT GRADING)
REGULATIONS, 1977.**

1. These regulations may be cited as the Agricultural Products (Stone Fruit Grading) Regulations, 1977.
2. For the purposes of these regulations—
 - “blemish”, in relation to stone fruit, means any superficial disfigurement of the fruit that is unlikely to affect its keeping in sound condition, and includes scratch marks, rub marks, brown sunburn marks, healed injuries, healed insect bites or stings and spray burns;
 - “diameter” in relation to the size of an apricot, plum, peach or nectarine, means the greatest transverse measurement of the fruit taken at right angles to its axis;
 - “mature”, in relation to stone fruit, means having reached the stage of development which will ensure a proper completion of the ripening process;
 - “sound”, in relation to stone fruit, means not over-ripe, not affected by storage disorders, not shrivelled, free from disease, excessive bruising and physical injuries which would affect the keeping quality of the stone fruit; and
 - “mixed”, in relation to stone fruit means that all sizes of stone fruit as specified in regulation 3 of these regulations may be packed in one case or container.
3. For the purposes of these regulations stone fruit shall be graded for size as follows:—
 - “Undersize” comprising fruit less than 30 millimetres in diameter.
 - “30 mm” comprising fruit of 30 millimetres but less than 35 millimetres in diameter.
 - “35 mm” comprising fruit of 35 millimetres but less than 40 millimetres in diameter.
 - “40 mm” comprising fruit of 40 millimetres but less than 45 millimetres in diameter.
 - “45 mm” comprising fruit of 45 millimetres but less than 50 millimetres in diameter.
 - “50 mm” comprising fruit of 50 millimetres but less than 55 millimetres in diameter.
 - “55 mm” comprising fruit of 55 millimetres but less than 60 millimetres in diameter.
 - “60 mm” comprising fruit of 60 millimetres but less than 65 millimetres in diameter.
 - “Large” comprising fruit of 65 millimetres or more in diameter.
4. For the purpose of grading stone fruits for quality—
 - (a) Apricots shall be of one variety, sound, clean, well formed, mature, free from broken skins, free from unsightly blemish or cracking and not less than 30 millimetres in diameter;

- (b) Peaches shall be of one variety, sound, clean, well formed, mature, free from broken skins or unsightly blemish and not less than 50 millimetres in diameter;
- (c) Plums shall be of one variety, sound, clean, well formed, mature, free from broken skins, free from unsightly blemish, and with the exception of the varieties known as Cherry Plum, Wilson and Gem which may be less than 40 millimetres in diameter, shall not be less than 40 millimetres in diameter;
- (d) Nectarines shall be of one variety, sound, clean, well formed, mature, free from broken skins or unsightly blemish and not less than 45 millimetres in diameter.

5. (1) A person shall not pack stone fruit for sale or sell stone fruit in any package unless it conforms to the grade of quality referred to in these regulations.

(2) All stone fruits that are offered for sale in this State shall be in a case or container that is approved under the Fruit Cases Act, 1919.

(3) A case or container of fruit shall contain only one variety of stone fruit.

(4) The uppermost layer of fruit in a case or container shall be such as to give a true indication of the grade of quality and size of the fruit in the other layers.

(5) Every case or container that contains stone fruit intended for sale in the State shall bear, on one end, particulars of—

- (a) kind or variety; and
- (b) the size or count of the fruit it contains or the word "mixed" on cases containing mixed sizes.

(6) The particulars required under subregulation (5) of this regulation shall be in letters and figures of not less than—

- (a) 5 millimetres in height, where those particulars are printed on a label attached to the case or container; or
- (b) 20 millimetres in height, where those particulars are stencilled on the case or container.

6. These regulations shall be read and construed in conjunction with the regulations made under the Fruit Cases Act, 1919.

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974, has been pleased to—

- (a) revoke the Agricultural Products (Citrus Fruit Grading) Regulations 1968, published in the *Government Gazette* on the 2nd April, 1968, and all amendments thereto; and
- (b) make the regulations set forth in the Schedule to the attached notice, so that the revocation of the regulations referred to in paragraph (a) and the regulations referred to in paragraph (b) takes effect on the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

**AGRICULTURAL PRODUCTS (CITRUS FRUIT GRADING)
REGULATIONS, 1977.**

1. These regulations may be cited as the Agricultural Products (Citrus Fruit Grading) Regulations, 1977.
2. In these regulations unless the context otherwise requires—
 - “Act” means the Agricultural Products Act, 1929;
 - “clipped” means the citrus fruit has been cut from the tree, with the stalk trimmed and smoothed to the level of the button, by means of a sharp, blunt nosed clipper or by such other methods as will produce the same effect;
 - “diameter”, in relation to the size of citrus fruit, means the greatest transverse measurement of the fruit taken at right angles to its axis;
 - “disease” means any abnormal condition of or in citrus fruit arising from functional disorders, or caused by, or due to, the presence, operation, development or growth of any insect, fungus, bacterium or virus;
 - “disfigured”, as applied to citrus fruit, means a condition of the fruit caused by scars, scratches of the skin, cavities, punctures or blemishes, due to insect or fungus pest, hail marks or oil stains and, in the case of oranges, includes excessive navel segments;
 - “dry”, as applied to citrus fruit, means a condition of the fruit whereby the weight of its juice is less than 33 per cent of the total weight of the fruit when extracted by means of rotating the halves of a freshly divided orange, lemon, grapefruit or mandarin, under moderate hand pressure only, on a conical glass lemon squeezer, and squeezed through a strainer of not less than 12 meshes per centimetre;
 - “mature”, in relation to oranges, means fruit that has developed an orange flavour in the juice or is in such a condition that the quantity N/IO soda solution required to neutralise the acidity content of ten cubic centimetres of juice, drawn from the mixed juice of not less than five oranges, taken at random from any box or boxes of the same grade of quality of oranges, is not more than 30 cubic centimetres and, in the case of other citrus fruit, the term has its ordinary meaning;
 - “sound”, in relation to citrus fruit, means fruit that is not over ripe, not soft, not wilted and that is free from excessive bruising or physical injuries affecting the keeping quality of the fruit.
3. For the purposes of these regulations citrus fruit shall be graded for size as follows:—
 - “Undersize” comprising fruit of less than 40 millimetres in diameter;
 - 40 mm, comprising fruit of 40 millimetres but less than 45 millimetres in diameter;
 - 45 mm, comprising fruit of 45 millimetres but less than 50 millimetres in diameter;
 - 50 mm, comprising fruit of 50 millimetres but less than 55 millimetres in diameter;

- 55 mm, comprising fruit of 55 millimetres but less than 60 millimetres in diameter;
- 60 mm, comprising fruit of 60 millimetres but less than 65 millimetres in diameter;
- 65 mm, comprising fruit of 65 millimetres but less than 70 millimetres in diameter;
- 70 mm, comprising fruit of 70 millimetres but less than 75 millimetres in diameter;
- 75 mm, comprising fruit of 75 millimetres but less than 80 millimetres in diameter;
- 80 mm, comprising fruit of 80 millimetres but less than 85 millimetres in diameter;
- 85 mm, comprising fruit of 85 millimetres but less than 90 millimetres in diameter;
- 90 mm, comprising fruit of 90 millimetres but less than 95 millimetres in diameter;
- 95 mm, comprising fruit of 95 millimetres but less than 100 millimetres in diameter;
- 100 mm, comprising fruit of 100 millimetres but less than 105 millimetres in diameter;
- 105 mm, comprising fruit of 105 millimetres but less than 110 millimetres in diameter;
- 110 mm, comprising fruit of 110 millimetres but less than 115 millimetres in diameter;
- 115 mm, comprising fruit of 115 millimetres or more in diameter.

4. For the purpose of the grading of oranges for quality and packing—

“Special” means a grade comprising oranges that are not dry and that are clean, sound, mature, clipped, of normal shape and appearance for their variety, of an even orange colour, free from disease, not disfigured in excess of $2\frac{1}{2}$ per cent of the total surface area of the fruit and of which the diameter is not less than 60 millimetres.

“Standard” means a grade comprising oranges that are not dry and that are clean, sound, mature, clipped or so picked from the tree as to be undamaged, of normal shape and appearance for their variety, of reasonably even orange colour, free from disease, not disfigured in excess of 10 per cent of the total surface area of the fruit and of which the diameter is not less than 55 millimetres;

“Plain” means a grade comprising oranges that are not dry and that are clean, sound, mature, clipped or so picked from the tree as to be undamaged, of reasonably normal shape and appearance for their variety, free from disease, not disfigured in excess of 25 per cent of the total surface area of the fruit and of which the diameter is not less than 50 millimetres;

“Factory” means a grade comprising oranges that are not dry and that are sound, mature, of reasonably normal shape for their variety, reasonably clean and of which the diameter is not less than 50 millimetres.

5. For the purpose of the grading of lemons for quality and packing—

“Special” means a grade comprising lemons that are not dry and that are clean, sound, reasonably mature, clipped, of normal shape and appearance for their variety, free from malformation and more than slight corrugation or ridging, free from disease, of even colour, not disfigured in excess of $2\frac{1}{2}$ per cent of the total surface area of the fruit and of which the skin is of good texture and the rind is not of more than medium thickness and of which the diameter is not less than 50 millimetres;

“Standard” means a grade comprising lemons that are not dry and that are clean, sound, reasonably mature, clipped or so picked from the tree as to be undamaged, of normal shape and appearance for their variety, free from more than slight malformation and marked corruga-

tion or ridging, free from disease, of reasonably even colour, not disfigured in excess of 10 per cent of the total surface area of the fruit and of which the skin is of good texture and the rind is not of more than medium thickness and of which the diameter is not less than 50 millimetres;

"Plain" means a grade comprising lemons that are not dry and that are clean, sound, of reasonably normal shape and appearance for their variety, free from disease and that are not disfigured in excess of 25 per cent of the total surface area of the lemon and of which the diameter is not less than 45 millimetres;

"Factory" means a grade comprising lemons that are not dry and are sound, reasonably clean and are of reasonably normal shape for their variety.

6. For the purpose of the grading of grapefruit for quality and packing—

"Special" means a grade comprising grapefruit that are not dry and that are clean, sound, mature, clipped, of normal shape and appearance for their variety, free from malformation and more than slight corrugation or ridging, free from disease, of even yellow colour, not disfigured in excess of 2½ per cent of the total surface area of the fruit, and of which the skin is of good texture, the rind is not of more than medium thickness and the diameter is not less than 80 millimetres;

"Standard" means a grade comprising grapefruit that are not dry and that are clean, sound, mature, clipped or so picked from the tree as to be undamaged, of normal shape and appearance for their variety, free from malformation and marked corrugation or ridging, free from disease, of reasonably yellow colour, not disfigured in excess of 10 per cent of the total surface area of the fruit and of which the skin is of good texture, the rind is not thick and the diameter is not less than 75 millimetres;

"Plain" means a grade comprising grapefruit that are not dry and that are clean, sound, mature, of reasonably normal shape and appearance for their variety, free from disease, not disfigured in excess of 25 per cent of the total surface area of the fruit and of which the diameter is not less than 65 millimetres;

"Factory" means a grade comprising grapefruit that are not dry and that are sound, reasonably clean, of reasonably normal shape for their variety and of which the diameter is not less than 65 millimetres.

7. For the purpose of the grading of mandarins for quality and packing—

"Special" means a grade comprising mandarins that are not dry and that are clean, sound, mature, clipped, of normal shape and appearance for their variety, of an even colour, free from disease and not disfigured in excess of 2½ per cent of the total surface area of the fruit and of which the diameter is not less than 50 millimetres;

"Standard" means a grade comprising mandarins that are not dry and that are clean, sound, mature, clipped or so picked from the tree as to be undamaged, of normal shape and appearance for their variety, of reasonably even colour, free from disease and not disfigured in excess of 10 per cent of the total surface area of the fruit and of which the diameter is not less than 40 millimetres.

"Plain" means a grade comprising mandarins that are not dry and that are clean, sound, mature, clipped or so picked from the tree as to be undamaged, of reasonably normal shape and appearance for their variety, free from disease and not disfigured in excess of 25 per cent of the total surface area of the fruit and of which the diameter is not less than 40 millimetres.

8. (1) A person shall not pack fruit for sale, or sell fruit in any package, unless it conforms to one of the grades of quality prescribed by these regulations.

(2) All citrus fruit that is either grown in or imported into the State, other than fruit graded as Factory, shall be sold in cases or containers that are approved under the Fruit Cases Act, 1919.

(3) A case or container of fruit shall contain only one variety and the fruit in the case or container shall not vary in diameter by more than 5 millimetres from the smallest to the largest, except in the case of grapefruit exceeding 80 millimetres in diameter where the variation in diameter may be 10 millimetres.

(4) The uppermost layer of fruit in a case or container shall be such as to give a true indication of the grade of the quality and size of the fruit in the other layers.

(5) Every case or container that contains fruit intended for sale in the State shall bear, on one end, particulars of the variety, grade of quality and count of fruit it contains.

(6) The particulars required under subregulation (5) of this regulation shall be in letters and figures of not less than—

- (a) 5 millimetres in height, where those particulars are printed on a label attached to the case or container; or
- (b) 20 millimetres in height, where those particulars are stencilled on the case or container.

9. These regulations shall be read and construed in conjunction with the regulations made under the Fruit Cases Act, 1919.

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974, has been pleased to—

- (a) revoke the Agricultural Products (Banana Grading) Regulations, 1968, published in the *Government Gazette* on the 28th November, 1968; and
 - (b) make the regulations set forth in the Schedule below,
- so that the revocation of the regulations referred to in paragraph (a) and the regulations referred to in paragraph (b) takes effect on the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

AGRICULTURAL PRODUCTS (BANANA GRADING) REGULATIONS, 1977.

1. These regulations may be cited as the Agricultural Products (Banana Grading) Regulations, 1977.

2. For the purposes of these regulations—

“blemish” in relation to a banana, means any superficial disfigurement of the fruit that is unlikely to affect its keeping in a sound condition, and includes scratch marks, rub marks, russeting, healed injuries, healed insect bites or stings and spray burns;

“cluster” means groups of at least three bananas attached to one piece of stem;

“girth” in relation to the size of a banana, means the greatest circumference measured at right angles to the longitudinal axis of the fruit;

“hands” means groups of at least ten bananas attached to one piece of stem;

“length”, in relation to a banana, means the measurement of the outside of the curve of the fruit, from its junction, at the stem end, to its apex;

“singles” means single bananas;

“sound”, in relation to a banana, means not over ripe, not soft and free from disease or insect damage or bruising or physical injury affecting the keeping quality of the fruit.

3. For the purpose of grading bananas for quality, size and packing, the bananas shall be of one variety, well formed, mature, clean, sound and reasonably free from blemish and shall be packed in accordance with one of the following grades:—

(a) singles—

“very small” which shall comprise bananas that have a minimum girth of 100 millimetres and are not less than 125 millimetres but less than 150 millimetres in length;

“small” which shall comprise bananas that have a minimum girth of 100 millimetres and are not less than 150 millimetres but less than 165 millimetres in length;

“medium” which shall comprise bananas that have a minimum girth of 100 millimetres and are not less than 165 millimetres but less than 190 millimetres in length;

“large” which shall comprise bananas that have a minimum girth of 110 millimetres and are not less than 190 millimetres but less than 215 millimetres in length;

“extra large” which shall comprise bananas that have a minimum girth of 110 millimetres and are 215 millimetres or more in length;

(b) hands—

“medium” which shall comprise bananas that have a minimum girth of 100 millimetres and are not less than 140 millimetres but less than 175 millimetres in length;

“large” which shall comprise bananas that have a minimum girth of 110 millimetres and are not less than 175 millimetres but less than 215 millimetres in length;

“extra large” which shall comprise bananas that have a minimum girth of 110 millimetres and are 215 millimetres or more in length.

4. A person shall not pack bananas that are intended for sale in the State unless—

- (a) the bananas conform to one of the grades of quality and size referred to in regulation 3 of these regulations;
- (b) the bananas are packed in a case or container that is approved under the Fruit Cases Act, 1919;
- (c) the uppermost layer or shown surface of fruit in a case or container is such as to give a true indication of the average size and quality of the fruit in the case or container;
- (d) the container is marked or labelled with a true description of the bananas contained therein in accordance with one of the grades referred to in regulation 3 of these regulations; and
- (e) when bananas are packed as “hands”, not less than 80% by weight of the fruit in the container consists of “hands” and the remainder shall consist of bananas which are in “clusters”.

5. These regulations shall be read in conjunction with the Fruit Cases Act, 1919, and regulations under that Act.

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974 has been pleased to make the regulations set forth in the Schedule below to take effect on and from the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

**AGRICULTURAL PRODUCTS (GRADING OF GRAPES)
REGULATIONS, 1977.**

1. These regulations may be cited as the Agricultural Products (Grading of Grapes) Regulations, 1977.
2. Grapes intended for sale in Western Australia shall be graded, according to the following grades, namely:—
 - (a) Special.
 - (b) Standard.
 - (c) Special Assorted.
 - (d) Standard Assorted.
3. In this regulation, for the purpose of grading grapes,—
 - (a) "Special" grade shall consist of sound, clean grapes of one variety, of uniformly good colour for the variety, and the berries shall be firmly attached to the bunch; the grapes shall be free from diseased, split, cut, wilted, shrivelled, immature, malformed, blemished, raisined, dried or small berries and shall be of a uniformly good size for the variety;
 - (b) "Standard" grade shall consist of sound, clean grapes of one variety, fairly good colour for the variety and the berries shall be firmly attached to the bunch; the grapes shall be free from diseased, split, cut, wilted, shrivelled, immature, dried or small berries and from serious malformation or unsightly blemish;
 - (c) "Special Assorted" grade shall consist of sound, clean grapes of not more than four varieties in any package and shall be of uniformly good colour for each variety and the berries shall be firmly attached to the bunch; the grapes shall be free from diseased, split, cut, wilted, shrivelled, immature, malformed, blemished, raisined, dried or small berries and shall be of a uniformly good size for the variety; and
 - (d) "Standard Assorted" grade shall consist of sound, clean grapes of not more than four varieties in any package and shall be of fairly good colour for each variety and the berries shall be firmly attached to the bunch; the grapes shall be free from diseased, split, cut, wilted, shrivelled, immature, dried or small berries and from serious malformation or unsightly blemish.
4. For the purposes of these regulations—
 - (a) grapes shall be deemed immature, if a sample of the strained juice from not less than 500 grams weight of any grapes taken from any package or packages being similarly marked, has a hydrometer reading of less than 16.2° at 20° C, when taken with a hydrometer graduated on the Brix Scale and standardised at a temperature of 20° C, or 9° at 20° C, when taken with a hydrometer graduated on the Beaume Scale and standardised at a temperature of 20° C, except that the varieties, Early Madeleine and Chasselas, shall be deemed immature if the juice has a Brix hydrometer reading of less than 15.4° at 20° C or a Beaume hydrometer reading of less than 8.5° at 20° C;
 - (b) "disease", means any abnormal condition of, or in, grapes, and includes any condition arising from functional disorders or caused by, or due to, the presence, operation, development or growth of any insect, fungus, bacterium or virus;

- (c) "sound", means not over-ripe, not soft, not wilted and free from physical injuries affecting the keeping quality of the grapes; and
- (d) "small berries", in relation to grapes, means small imperfectly seeded or seedless berries (commonly known as "shot berries") found in an otherwise normal bunch of seeded grapes.

5. A person shall not pack grapes for sale, or sell grapes in any package, unless they conform to one of the grades mentioned in these regulations.

6. All grapes shall be firmly and fully packed in either open or closed containers, approved under the Fruit Cases Act, 1919, but when grapes are packed in open containers, the grapes shall be level with, and not protrude above the level of, the top of the container.

7. The outer layers or shown surfaces of grapes in a container shall be taken as being a true indication of the contents of the container.

8. Every package containing grapes intended for sale in the State of Western Australia shall be marked according to the requirements of the Fruit Cases Act, 1919, and, in addition, shall bear on one end thereof, in letters or figures of not less than 5 millimetres in height, if printed on a label, and not less than 20 millimetres in height, if stencilled on the package, particulars of the variety and grade of grapes contained therein, unless a package contains assorted grades of grapes, in which case it shall be sufficient to include particulars of the grade only.

9. These regulations shall be read and construed in conjunction with the regulations made under the Fruit Cases Act, 1919, and for the time being in force.

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974, has been pleased to make the regulations set forth in the Schedule below to take effect on and from the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

**AGRICULTURAL PRODUCTS (GRADING OF POTATOES)
REGULATIONS, 1977.**

1. These regulations may be cited as the Agricultural Products (Grading of Potatoes) Regulations, 1977.

2. (1) Potatoes grown in Western Australia and intended for sale either in the State of Western Australia or in any other State or Territory of the Commonwealth of Australia and potatoes imported into the State of Western Australia and intended for sale in Western Australia shall be graded into the following grades, namely:—

- (a) Grade 1;
- (b) Grade 1 large;
- (c) Grade 1A small;
- (d) Grade 1A medium;
- (e) Grade 2;
- (f) New grade;
- (g) Seed grade (large);
- (h) Seed grade (small);
- (i) Stock food.

(2) For the purpose of grading potatoes according to the said grades—

“Grade 1” shall mean sound potatoes of similar varietal characteristics, suitable for export, weighing not less than 85 grammes nor more than 450 grammes each, mature and reasonably free from dirt or other foreign matter, second growth, digging injury, damage caused by disease, sunburn, insects or greening from exposure.

“Grade 1 large” shall mean potatoes suitable for export and which shall comply with the standard Grade 1 in all respects other than weight; they shall weigh not less than 340 grams each.

“Grade 1A small” shall mean potatoes suitable for export and which shall comply with the standard of Grade 1 in all respects other than weight; they shall weigh not less than 45 grammes nor more than 100 grams each.

“Grade 1A medium” shall mean potatoes suitable for export and which shall comply with the standard of Grade 1 in all respects other than weight; they shall weigh not less than 100 grams nor more than 170 grams each.

“Grade 2” shall mean potatoes of similar varietal characteristics weighing not less than 85 grams each and reasonably free from wet or dry rot, dirt or other foreign matter. The term includes potatoes in which a light infection of common scab, second growth, insect injury or other skin blemish occurs if the damage resulting from the said causes can be removed by the ordinary process of paring without appreciable increase in waste over that which would occur if the potato were perfect.

“New grade” shall mean potatoes which comply with the standard of Grade 1 in all respects other than weight and maturity of skin. They shall not have a mature skin but shall weigh not less than 55 grams each in all calendar months other than July, August and September, during which months they shall weigh not less than 35 grams.

"Seed grade (large)" shall mean sound potatoes suitable for planting and which are of one variety weighing not less than 70 grams each and shall be reasonably free from dirt or other foreign matter, digging injury, second growth or damage caused by disease, sunburn, or insects.

"Seed grade (small)" shall mean potatoes that comply with the standard of seed grade (large) in all respects other than weight; they shall weigh not less than 35 grams nor more than 70 grams each.

"Stock food" shall mean potatoes intended for stock food and not for human consumption.

(3) For the purposes of this regulation the term "mature" means that the outer skin of a potato does not loosen or "feather" readily during the ordinary methods of handling. Provided that potatoes contained in any one parcel of potatoes shall be deemed to comply with the standard of a grade if at least 95% thereof by weight comply with that standard.

3. Potatoes intended for sale shall for the purpose of transport be packed in new or clean secondhand bags of good quality or in other containers approved by the Department of Agriculture. Bags which have contained organic manures or any other deleterious or obnoxious substance shall not be used as containers for such potatoes.

4. Seed grade potatoes intended for sale shall be packed in new bags or in other new containers approved by the Department of Agriculture.

5. The bags or other containers in which potatoes intended for sale are packed shall have legibly marked on the outside thereof, and in a conspicuous place, the name and address of the grower and the name of the variety and the grade of potato therein contained.

6. Potatoes intended for sale, whether wholesale or retail, and not exhibited in the original containers, shall be exhibited in containers marked in a conspicuous manner defining the grade thereof.

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974 has been pleased to make the regulations set forth in the Schedule below to take effect on and from the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

**AGRICULTURAL PRODUCTS (GRADING OF ONIONS)
REGULATIONS, 1977.**

1. These regulations may be cited as the Agricultural Products (Grading of Onions) Regulations, 1977.

2. (1) Onions grown in Western Australia and intended for sale either in the State of Western Australia or in any other State or Territory of the Commonwealth of Australia and onions imported into the State of Western Australia and intended for sale in Western Australia, shall be graded according to the following grades, namely:—

(a) Grade I; (b) Grade II; (c) Large; (d) Picklers; (e) Export Grade; (f) Spring Onions; (g) Bunched Onions.

(2) For the purpose of grading onions according to grades—

“Grade I” means sound onions of similar varietal characteristics measuring not less than 45 millimetres, nor more than 75 millimetres in diameter each, free from abnormal doubles, root growths, sprouts, dirt or other foreign matter and blemishes caused by disease, insect injury or sunburn. They shall be free of peeled onions.

“Grade II” means onions of similar varietal characteristics measuring not less than 45 millimetres nor more than 75 millimetres in diameter each free from wet or dry rots, dirt, or other foreign matter. The term includes onions in which peeled onions and slight blemishes which can be removed by the ordinary process of peeling without appreciable increase in waste over that which would occur if the onion were perfect.

“Large” means onions of similar varietal characteristics which shall comply with the standard of Grade I, except that the onions shall measure more than 75 millimetres in diameter each.

“Picklers” means sound onions complying with the standard of Grade I and measuring less than 45 millimetres in diameter each.

“Export Grade” means sound onions of similar varietal characteristics measuring not less than 35 millimetres in diameter each. They shall be—

- (a) firm, dry, well cured, well shaped and topped;
- (b) free from wet or soft rot and other diseases;
- (c) reasonably free from injury, doubles, pipers, peelers, bottle necks, scallions, root growth, sprouting and seed stems;
- (d) reasonably free from adhering soil and other foreign matter.

For the purposes of the preceding subparagraphs—

“doubles” means onions which have more than one distinct bulb visible externally;

“pipers” means onions which have a weak or hollow centre;

“peelers” means onions which have part of the papery skin missing exposing edible flesh;

“bottle necks” means onions which have abnormally thick necks;

“scallions” means onions which have thick necks or poorly developed bulbs.

"Spring Onions" means onion plants with foliage adhering. They shall be free from dirt or other foreign matter and blemishes caused by disease, insect injury or sunburn. The maximum diameter of the onion bulbs shall be 25 millimetres.

"Bunched Onions" means onions with foliage adhering and which are of the flat varieties and are bunched for sale. The onions shall be free from dirt or other foreign matter and blemishes caused by disease, insect injury or sunburn. The minimum diameter of the onion bulbs shall exceed 25 millimetres.

"Diameter" in relation to onions means the greatest transverse measurement of the onions taken at right angles to the axis of the onions.

Relative to the above grades, except "Export Grade," onions contained in any one parcel of onions shall be deemed to comply with the standard of a grade, if at least 95% thereof by weight comply with that standard.

3. Onions, except spring onions and bunched onions intended for sale for human consumption shall be packed in new or second-hand bags of good quality, or other approved containers. Bags which have contained organic manures or any other deleterious or obnoxious substance shall not be used as containers for onions intended for sale for human consumption.

4. (1) The bags or other containers in which onions intended for sale are packed shall have legibly marked or stencilled on the bags or containers in a conspicuous place the name and address of the grower and the word "onions" followed by the grade of the onions contained in the bag or container.

(2) Where onions intended for sale are re-packed into quantities of not less than 12 kilograms, the bags or containers shall be marked with the name and address or registered brand of the wholesaler or firm re-packing the onions.

AGRICULTURAL PRODUCTS ACT, 1929-1974.

Department of Agriculture,
South Perth, 27th April, 1977.

HIS Excellency the Governor in Executive Council acting under the provisions of the Agricultural Products Act, 1929-1974 has been pleased to—

- (a) revoke the Runner Bean Grading and Packing Regulations, published in the *Government Gazette* on the 5th February, 1958, and all amendments thereto; and
- (b) make the regulations set forth in the Schedule to the attached notice, so that the revocation of the regulations referred to in paragraph (a) and the regulations referred to in paragraph (b) takes effect on the 1st July, 1977.

E. N. FITZPATRICK,
Director of Agriculture.

Schedule.

**AGRICULTURAL PRODUCTS (RUNNER BEAN GRADING)
REGULATIONS, 1977.**

1. These regulations may be cited as the Agricultural Products (Runner Bean Grading) Regulations, 1977.
2. In these regulations, unless the context otherwise requires, "the Act" means the Agricultural Products Act, 1929.
3. For the purposes of subsection (1) of section 3 of the Act, where the products to which paragraph (b) or (c) of that subsection applies are runner beans produced in this State and intended for sale in any other State or Territory of the Commonwealth of Australia, they shall be graded and packed in accordance with regulation 4 and regulation 5 respectively of these regulations.
4. Runner beans, to which regulation 3 of these regulations applies, shall be graded according to the following grades:—
 - (a) First grade, which shall consist only of runner beans which are straight, whole, green in colour, and over 150 millimetres in length, and are similar in characteristics to each other. The beans in this grade must be free from dirt, moisture, or other foreign matter, and from blemish caused by disease, water, or insect damage, and must be tender, snap freely and without stringiness, and must show no white or pithy tissue when broken.
 - (b) Second grade, which shall consist of runner beans which are clean, sound and green in colour, and similar to each other in varietal characteristics. The beans in this grade must be reasonably tender and free from moisture and blemish caused by disease, water and insect damage. They may be bent or misshapen, but must not show any signs of yellowing, stringiness or pithiness.
 - (c) Third grade, which shall consist of runner beans of inferior quality which do not fall within the first grade or second grade.
5. (1) Runner beans to which regulation 3 of these regulations applies shall be packed in bags or containers which are clean and each of which has legibly marked in a conspicuous place on the outside, in letters not less than 20 millimetres in height, the name and address of the grower or the consignor and the grade of the beans in that bag or container.
 - (2) The beans must not be packed in any bag or container which bears on the outside any mark or marks whatsoever other than the name of the product, the name and address of the consignee and the markings required by subregulation (1) of this regulation.