

FRUIT INDUSTRY (PALM-KERNELS) REGULATIONS, 1970 (LI 646).

IN exercise of the powers conferred on the Minister responsible for Agriculture by paragraph 7 of the Fruit Industry Decree, 1969 (NLCD 356) (hereinafter referred to as "the Decree") these Regulations are made this 18th day of March, 1970.

Regulation 1—Care and Storage of Palm-Kernels.

(1) Palm-kernels shall be stored in a building and the occupier thereof shall ensure that:—

- (a) the building is rainproof;
- (b) its floors are dry and properly constructed of cement, concrete, stone, brick or wood;
- (c) it is provided with sufficient doors and windows to allow adequate ventilation;
- (d) the inside walls are painted or whitewashed and repainted or re-whitewashed annually or at such other times as the Chief Inspector may specify.

(2) Notwithstanding paragraph (1) of this regulations, the Chief Inspector or an officer acting on his behalf may in exceptional circumstances issue a permit authorising palm-kernels to be stored in the open or in lean-to sheds or on verandahs, in which case the palm-kernels shall be:—

- (a) stored on gratings or deckings which allow at least six inches air space above the ground or the floor;
- (b) protected from rain and moisture by being covered with waterproof coverings;
- (c) stored under such additional conditions as the Inspector may in writing specify so as to maintain quality.

(3) The occupiers of buildings in which palm-kernels are stored shall ensure that:—

- (a) the palm-kernels are stored on gratings or deckings which allow at least three inches air space above the floor;
- (b) the palm-kernels are stored so that alleyways are left opposite doors and windows and between stacks and walls to allow adequate ventilation and access to all sides of each stack;
- (c) the palm-kernels are not stacked above the height of the side walls of the building, except with the written permission of an Inspector;
- (d) the building is kept clear of dust, palm-kernel debris, loose palm-kernels, and refuse and the air space beneath gratings or deckings is kept free therefrom;
- (e) insects in the building are destroyed and the premises are kept from insects and rodents;
- (f) substances which may be injurious or deleterious to palm-kernels, in particular cement, kerosene or tar, are not kept in a building in which palm-kernels are stored;
- (g) sufficient doors and windows are kept open during the day to provide adequate ventilation.

Regulation 2—Bagging and Sewing of Bags.

(1) All palm-kernels intended for export shall be packed in clean dry bags of strong and unimpaired texture and each such bag shall be clearly marked "Palm Kernels" in letters at least 2½ inches high.

(2) Each bag shall be securely sewn with an overlap at the mouth in such a manner as to satisfy the Inspector that no aperture exists or is likely to be caused, by which the palm-kernels may escape or be removed from the bags.

Regulation 3—Grading and Sealing.

An Inspector shall grade and seal palm-kernels only in premises in respect of which a certificate has been issued.

Regulation 4—Certificate of Registration.

(1) The Chief Inspector may issue to any person a certificate of registration of premises in the form set out in the First Schedule for the storage of palm-kernels.

(2) Such certificate shall be—

(a) issued only for premises which comply with these Regulations in all respects;

(b) applicable only to the premises for which it has been issued;

(c) prominently displayed at all times in the premises to which it refers when palm-kernels are stored in such premises;

(d) liable to revocation by the Chief Inspector by notice in writing if he is satisfied that the premises are no longer suitable for the storage of palm-kernels or for any other reason;

(e) returned by registered post to the Chief Inspector by a holder on whom notice of revocation has been served.

(3) The use or attempted use of a certificate in premises other than to those to which it refers or the use or attempted use of a revoked certificate in any premises or the non-compliance with paragraph (c) of sub-regulations (2) hereof shall be an offence.

Regulation 5—Notice to be Given for Inspection.

(1) Any person who requires palm-kernels to be inspected and graded and sealed shall give to the Inspector not less than 48 hours notice in writing.

(2) The Inspector may if he thinks fit accept a shorter period of notice.

(3) After receipt of such written notice the Inspector shall examine the palm-kernels and where appropriate grade and seal them in accordance with regulations 6 to 11.

Regulation 6—Method of Inspection to Determine Grade.

(1) The Inspector shall choose at random a number of bags being not less than 20 per cent of the total number of bags to be inspected and from each of such chosen bags there shall be drawn indiscriminately an average sample; provided that the Inspector may in his discretion retain any

individual sample for separate inspection and in any such case the palm-kernels from which this sample was drawn shall be examined separately from the remainder of the consignment.

(2) The samples drawn shall be thoroughly mixed and from mixed bulk obtained the Inspector shall draw a final sample of 25 ounces.

(3) In the final sample all shell, fibre, rotten or decayed kernels and shell adhering to the kernels being removed by a knife. The separating of this extraneous matter shall be done on a clean surface, not on a sack or on the ground.

(4) All shell, fibre, rotten or decayed kernels and extraneous matter shall be separately weighed and from these weights the Inspector shall calculate the percentages in relation to the weights of the final sample and from the figures so obtained shall determine the quality of the palm-kernels in the consignment.

Regulation 7—Inferior Palm-Kernels.

If the palm-kernels are found on examination to be of a standard inferior to those prescribed by regulation 8 the Inspector shall notify the owner in writing to this effect and shall not grade-make nor seal the bags containing the palm- kernels.

Regulation 8—Palm-Kernel Grade.

The standards of quality of palm-kernels intended for export shall be as follows:—

(i) Grade I (superior Quality).—Palm-kernels which are thoroughly dry and hard and which contain not more than 5 per cent by weight of fibre, shell, rotten or decayed kernels, and/or extraneous matter, and which shall be inclusive of not more than 3 per cent by weight of shell and fibre combined;

(ii) Grade II (Fair Average Quality).—Palm-kernels which are thoroughly dry and hard and which contain not more than 10 per cent by weight of fibre, shell, rotten or decayed kernels, and/or extraneous matter, and which shall be inclusive of not more than 6 per cent by weight of shell and fibre combined.

Regulation 9—Method of Grade Marking and Sealing.

If the palm-kernels comply with the standards of quality prescribed in regulation 8 the Inspector shall stamp or stencil on each bag the grade-make appropriate to the quality determined by examination of the samples and he shall seal each bag by affixing a seal in the middle of the lips of each bag. Such seal shall be of the design specified in the Second Schedule and shall bear a number nominated by the Chief Inspector which number shall indicate the month in which the palm-kernels are sealed.

Regulation 10—Grade-Marks.

The grade-mark of quality prescribed in regulation 9 shall be as follows:—

For palm-kernels of superior quality-Grade I

For palm-kernels of fair average quality-Grade II the letters to be at least 3 inches high.

Regulation 11—Certificate of Examination.

After the palm-kernels have been examined, and the bags grade-marked and sealed, the Inspector shall issue to the owner a certificate in the form prescribed in the Third Schedule.

Regulation 12—Interference with Seals, Grade-Marks or Contents.

No person other than an Inspector shall tamper or interfere with or change any seal or grade-mark fixed upon or placed upon a bag of palm-kernels under regulation 9 or tamper or interfere with or change any palm-kernels in a bag so grade-marked and sealed.

Regulation 13—Export of Palm-Kernels.

No person shall export any palm-kernels, which have not been examined by an Inspector at the place from which it is intended to export the palm-kernels.

Regulation 14—Notice of Export.

(1) Any person who intends to export any palm-kernels shall give to the Inspector at the intended place of exportation not less than 48 hours notice in writing of his intention to export. The Inspector may if he thinks fit accept a shorter period of notice.

(2) The export of a consignment of palm-kernels shall not be permitted unless the notice of intention to export has been received and countersigned by the Inspector concerned. The Inspector shall not countersign the notice until he has himself examined the palm-kernels in accordance with these Regulations and satisfied himself as to their fitness for export.

(3) The notice shall state the name of the exporter, the date of intended exportation, the number of bags in the consignment and the place where the palm-kernels are stored.

Regulation 15—Period of Validity of Grade-Marks.

After the end of the month succeeding the month in which palm-kernels are graded and sealed, the validity of the grade-mark shall expire, and such palm-kernels shall not be exported until they have been re-inspected and regarded.

Regulation 16—Treatment of Sealed Palm-Kernels Found not to Comply with Regulations.

Any palm-kernels which have been bagged and sealed for shipment and which on examination by an Inspector are found to be wet, or such part thereof as may be found to be wet, or which in any other way contravene the provisions of the Decree or these Regulations, shall be segregated under such conditions as may be directed by the Inspector, and shall be subjected to such redrying, reconditioning, and rebagging as the Inspector may consider necessary.

Regulation 17—Interpretation.

In these Regulations:—

“extraneous matter” means any material other than palm-kernels, palm-kernel shell or fibre;

“fibre” means the mesocarp or outer layer comprising the oily pulp of a palm nut and includes the fibre remaining after the oil has been extracted from the mesocarp;

"Inspector" means any person appointed by the Chief Inspector of Produce to exercise the powers of inspection and grading and sealing of palm-kernels under these Regulations;

"occupier" means the owner or occupier of the building, his servant and any other person using the building at the instance of the owner or occupier;

"rotten or decayed kernel" means a palm-kernel or part thereof which shows signs of rot or decay;

"shell" means the hard woody cover immediately enclosing the kernel.

SCHEDULES

FIRST SCHEDULE

(Regulation 4)

CERTIFICATE OF REGISTRATION PREMISES FOR STORAGE OF PALM-KERNELS

This is to certify that the premises specified below have been approved and registered for Government sampling, inspection, grading and sealing of palm-kernels and for storage of sealed palm-kernels.

Premises (full description and location).....

.....

.....

Chief Inspector of

Produce

Date.....

Note:

(1) This certificate applies only to the premises specified above and shall be prominently displayed in such premises (Regulation 4 (2) (b) and 4 (2)(c)).

(2) This certificate is liable to revocation by the Chief Inspector if the premises become unsuitable for the storage of palm-kernels or for any other reason which seems to the Chief Inspector to be sufficient. (Regulation 4(2)(d)).

SECOND SCHEDULE

(Regulation 9)

DESIGN OF SEAL

THIRD SCHEDULE

(Regulation 11)

PRODUCE INSPECTION AND GRADING DIVISION
CERTIFICATE OF EXAMINATION OF PALM-KERNELS
UNDER THE FRUIT INDUSTRY DECREE, 1969

Place of
examination.....
.....

Licensed Buying
Agent.....
.....

Number of bags.....Marks on
bags.....

Place of
storage.....
.....

I certify that I have examined the above-described palm-kernels in the manner prescribed in the
Fruit Industry (Palm-kernels) Regulations, 1970 and that they are of the quality required for
export. The bags containing these palm-kernels have been marked Grade and have been
sealed with Seal No.....

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Inspector of Produce

Place

Date

K. SAFO-ADU

Minister responsible for Agriculture

Date of Gazette Notification: 23rd March, 1970.