

Island of  Guernsey

Ordinance of the States **XXII**

**1958**

---

Made .. .. . 1st October, 1958.  
Came into Operation .. 1st October, 1958.

---

**The Export of Tomatoes (Packing and Grading) (Amendment) Ordinance, 1958**

THE STATES, on the representations of the States Committee for Horticulture, hereby order:—

1. The Export of Tomatoes (Packing and Grading) Ordinance, 1953, as amended (hereinafter referred to as “the principal Ordinance”) is hereby further amended as follows:—

(a) section two thereof is hereby deleted and the following section substituted therefor—

“ 2. (1) Subject to the succeeding provisions of this section a person shall not deliver, cause to be delivered, or attempt to deliver tomatoes to the Board for export otherwise than packed in containers designed to contain either six or twelve pounds of tomatoes.

(2) Subject to the provisions of the next succeeding subsection, tomatoes of the SMALLS grade delivered to the Board for export after the thirty-first day of May in any year shall be packed in containers designed to contain twelve pounds of tomatoes.

(3) The Committee may, from time to time, by Order prohibit the delivery of tomatoes to the Board for export otherwise than in containers designed to contain six pounds of tomatoes.

(4) The weight of tomatoes in a container delivered or attempted to be delivered in accordance with the provisions of this section shall—

- (a) in respect of a container designed to contain six pounds, be not less than six pounds net;
- (b) in respect of a container designed to contain twelve pounds, be not less than twelve pounds net.”;
- (b) in paragraph (e) of subsection (2) of section four thereof there are hereby inserted immediately after the word “ounces” the words “but not more than eight ounces”;
- (c) immediately after subsection (5) of section seven thereof there are hereby inserted the following two additional subsections—

“(6) In any case where under the provisions of this section the exportation of a container and the contents thereof has been forbidden by an inspector, or the return for repacking of a load or consignment or any part thereof of which such

container forms part to the owner has been ordered by the inspector, and the container and the contents thereof, or the load or consignment or any part thereof, has not been collected by, or on behalf of, the owner by five o'clock in the afternoon on the second working day next following the day on which such exportation or return has been ordered, the inspector may, with the approval of the President of the Committee in consultation with the States Supervisor, confiscate and destroy or otherwise dispose of the container and the contents thereof, or the load or consignment or part thereof.

(7) The proceeds of disposal of any container and the contents thereof, or any load or consignment or part thereof of which such container forms part, disposed of for value after confiscation under the provisions of the last preceding subsection, shall be placed to the credit of the General Revenue of the States and if there be no such proceeds, or if such proceeds are less than the charges or expenses incurred by or on behalf of the inspector in respect of the detention, removal, storage or destruction or other disposal of the container and the contents thereof, or of the load or consignment or part thereof, the charges and expenses or the difference between the charges and the expenses and the proceeds, as the case may be, shall be payable by and recoverable as a civil debt from the owner."

2. Section one of the Export of Tomatoes (Packing and Grading) (Amendment) Ordinance, 1955, and the

Export of Tomatoes (Packing and Grading) (Amendment) Ordinance, 1956, are hereby repealed.

3. This Ordinance and the Export of Tomatoes (Packing and Grading) Ordinances, 1953 and 1955, may be cited together as the Export of Tomatoes (Packing and Grading) Ordinances, 1953 to 1958.

JAMES E. LE PAGE,

Her Majesty's Greffier.