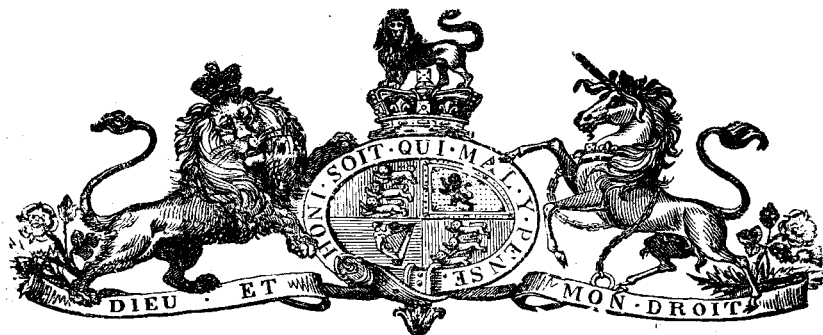


T A S M A N I A.



1 9 0 1.

ANNO PRIMO

EDWARDI VII. REGIS,

No. 21.



AN ACT to provide for the Inspection of A.D. 1901.  
certain Products intended for Export, and  
to regulate the Exportation thereof.

[13 December, 1901.]

**B**E it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

- 1 This Act may be cited as “The Exported Products Act, 1901.” Short title.
- 2 This Act shall commence and take effect on and from the First day of *January*, One thousand nine hundred and two. Commencement of Act.
- 3 In this Act, unless the context otherwise requires— Interpretation.  
“Consignor” means the owner or shipper, whether jointly or in severalty of any product, and includes any person duly authorised by such owner or shipper to ship such product; and in the case of a company means and includes the Managing Director, Manager, or other principal officer thereof in *Tasmania* :

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- “Dairy produce” means and includes butter and cheese :
- “Disease” means and includes any defect caused by the Codlin Moth, Black Spot, or any other disease whatever in any product which the Governor may at any time, by Proclamation, declare to be a disease for the purposes of this Act :
- “Inspector” means an Inspector of Exported Products, under the provisions of this Act :
- “Package” includes cask, keg, crate, can, box, case, bag, wrapper, tin, and every other receptacle or covering used for the packing of product :
- “Prescribed” means prescribed by Regulations to be made under this Act :
- “Product,” or “Products,” means fresh fruit of any description, dried or preserved fruit, jam, dairy produce, eggs, and potatoes produced or grown in *Tasmania*, and such other products as the Governor may from time to time by Proclamation declare to be products for the purposes of this Act.

Division of Act.

4 This Act is divided into Five Parts, as follows :—

- Part I.—Appointment of Inspectors.  
 Part II.—Marking of product by consignor.  
 Part III.—Inspection of products.  
 Part IV.—Penalties.  
 Part V.—Miscellaneous.

## PART I.

## APPOINTMENT OF INSPECTORS.

Appointment of Inspectors.

5—(1.) The Governor may from time to time appoint fit and proper persons to be Inspectors of Exported Products for *Tasmania*, or for such ports or places in *Tasmania* as he considers necessary, and may, if he think fit, assign districts or any particular class of product to any Inspector, and may at any time remove any such Inspector.

(2.) If any person having any pecuniary interest, directly or indirectly, in the export or in the ownership or agency of any package or in any covering, method, or process of packing, canning, or preserving any product, or in any letters patent in connection with the same, accepts an appointment as an Inspector under this Act, he shall be deemed to have committed an offence against this Act ; and if any person, after his appointment as an Inspector, shall acquire any such interest and shall retain his position as an Inspector, he shall be deemed to have committed an offence against this Act ; but the commission of such offence shall not affect the validity of such appointment.

*Exported Products.***PART II.**

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**MARKING OF PRODUCT BY CONSIGNOR.**

**6** (1.) No product shall be shipped or placed on board any vessel for exportation from *Tasmania* unless the package containing such product is clearly branded in the prescribed manner with a registered brand of the consignor, and with the registered brand or the initials and surname of the producer, except where such product has been repacked, when the registered brand of the consignor alone shall be used. Where the producer is a consignor he may use either his initials and surname or a registered brand or brands only.

No product to be exported unless package is branded.

(2.) Provided that the provisions of this Section shall not apply to any product shipped or placed on board any vessel for the use of the passengers and crew of such vessel.

(3.) Any consignor shipping or placing on board any vessel any product contrary to the provisions of this Section shall be deemed to have committed an offence against this Act.

**7** Any consignor may brand any package containing any product with the words "First Grade," or "No. 1," or any other prescribed word or mark signifying "First Grade" or "No. 1," if the contents of such package comply in all respects with such conditions as may be prescribed by Regulations to be made hereunder for such purpose.

Packages may be branded.

**8** The Inspector shall have full power and authority to open any package branded with the words "First Grade" or "No. 1," or any other prescribed word or mark indicating "First Grade" or "No. 1," and to inspect and examine its contents, and to prevent any package marked as aforesaid from being shipped or placed on board any vessel, if the contents of such package are not in accordance with the provisions of this Act and of any Regulations made hereunder.

Power of Inspector to open cases, &c.

**9** The Inspector may forbid the export of any product other than fruit intended for human consumption which he may consider unfit for such purpose, or any product in such condition as likely to injure other products exported at the same time, or of such inferior quality or condition, from any cause, as to be unfit for the purpose to which it is usually put, and intended to be put.

Power of Inspector to forbid export.

**PART III.****INSPECTION OF PRODUCT.**

**10** The consignor of any product may obtain the Certificate of an Inspector upon compliance with the following provisions:—

Product may be inspected by Inspector.

- I. The product shall be inspected at such place and at such time as may be agreed upon between the Inspector and consignor:

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- ii. The product shall be in suitable packages for export, and shall be branded as hereinbefore provided :
- iii. When submitting any product for inspection the consignor shall at the same time give to the Inspector a written statement containing full particulars of the number of packages, brands, and contents :
- iv. The consignor shall also lodge with the Inspector a certificate signed by such consignor that such product is, to the best of his knowledge and belief, sound and free from disease, and that the package containing the product is in conformity with the law (if any) regulating the size of packages for such product, which certificate shall be in the form of the Schedule (1.) hereto, or to the like effect :
- v. The consignor consigning the product to the place agreed upon for inspection shall make his own arrangements for the transit to and from the said place, and for the protection of the same from damage or loss of any kind :
- vi. The Inspector shall give a certificate to the effect that such product is at the date of his inspection, to the best of his knowledge and belief, of good quality and free from disease, and that the package containing the product is in conformity with the law (if any) regulating the size of packages for such product, if he shall find it to be so. Such certificate shall be in the form in the Schedule (2.) hereto, or to the like effect :
- vii. The Inspector shall brand each package included in the certificate with the word "*Tasmania*" over a Crown, or such other word or mark as may be prescribed, which shall be deemed to be the Government brands :
- viii. The Inspector may decline to give any certificate, and in such case he shall forthwith give notice to the consignor that he refuses to give such certificate :
- ix. There shall be paid by the consignor to the Inspector on making any inspection under this Section such fees, and in such manner and at such times, as may be prescribed.

Fees for  
inspection.**PART IV.****PENALTIES.**Penalties for  
contravention  
of Act.

**11** Every person is liable to a penalty not exceeding Twenty-five Pounds for a first offence, and not exceeding Fifty Pounds for a second or subsequent offence who,—

- i. Resists or wilfully obstructs any officer under this Act in the performance of his duty ; or
- ii. Refuses to give information, or gives false information, in answer to any inquiry made by any such officer in the performance of his duty ; or

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- III. Exports, or attempts to export, or is concerned in exporting, any product in contravention of any of the provisions of this Act; or
- IV. Brands any package containing products with the words "First Grade," or "No. 1," or any other prescribed word or mark, indicating "First Grade," or "No. 1," if the contents of such package are not in accordance with the provisions of this Act, or of any Regulation made hereunder; or
- V. Knowingly makes any statement required by this Act which is false in any material particular; or
- VI. Commits any breach of, or any offence against, any of the provisions of this Act for which no penalty is provided by this Act elsewhere than in this Section:
- VII. Fraudulently alters any brand, figure, or letter referred to in this Act, or in the Regulations made hereunder:
- VIII. Fraudulently alters or counterfeits any brand to be stamped upon any package by the Inspector as an evidence of the inspection thereof:
- IX. Opens, or attempts to open, any package of product after it has been branded by the Inspector:
- X. Has in his possession or under his control any branding-iron stencil-plates, or other contrivance capable of making an impression, or colourable imitation of an impression, of any brand authorised to be stamped upon any package of product as an evidence of the inspection thereof:
- XI. Uses a second or subsequent time a package for the packing of any product, having upon it any unobliterated brand except his own authorised under this Act or any Regulations made hereunder.

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**12** All offences against this Act, or the Regulations made thereunder, shall be heard and determined, and all penalties shall be recovered, by and before any Two Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*.

Recovery of penalties.

**PART V.**

## MISCELLANEOUS.

- 13** The Governor may make Regulations for all or any of the following purposes, namely:—
- I. The inspection, grading, packing, marking, stamping, and branding of products:
- II. The registration of marks, stamps, and brands used for products or for any specified class or description of products:
- III. The export of products:
- IV. Prescribing the matters in respect whereof fees are payable under this Act, and fixing the amounts of such fees:

Regulations.

*Exported Products.*

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- v. Prescribing the form of certificates, notices, and other documents under this Act :
- vi. Any other matter for which Regulations are contemplated or required by this Act, or which he deems necessary for the efficient administration of this Act :
- vii. The imposition of penalties not exceeding Ten Pounds for the breach of any Regulations under this Act.

Regulations to be laid before Parliament.

**14** All Regulations made by the Governor under the authority of this Act shall be published in the *Gazette*, and shall take effect from the date of such publication unless otherwise provided in such Regulations ; and all such Regulations shall be laid before both Houses of Parliament within Fourteen days from the making thereof, if Parliament is then in session, and if not, then within Fourteen days after the commencement of the next session : Provided that Parliament may, by Resolution, disallow such Regulations or any part thereof.

Appropriation and recovery of fees.

**15** All fees payable under this Act shall be paid into the Treasury, and shall form part of the Consolidated Revenue Fund, and shall be recoverable by and before any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*, upon the complaint of any Inspector or other officer appointed by the Governor to collect the same, that any person by whom such fees are payable has failed or neglected or refused to pay the same.

Administration of Act.

**16** The Minister for Agriculture for the time being shall be entrusted with the Administration of this Act.

**SCHEDULE.**

(1.)

**"THE EXPORTED PRODUCTS ACT, 1901."**

*Certificate of Consignor.*

I, *A.B.*, of \_\_\_\_\_ do hereby certify that, to the best of my knowledge and belief, all the product mentioned in the following Schedule, and intended to be shipped by \_\_\_\_\_ from \_\_\_\_\_ by [*state name of vessel*] to [*state destination*] is of good quality and free from disease.

**SCHEDULE.**

Nature of Product.	Number of Packages.	Brands or Marks.	Where shipped.	Name of Vessel.	Destination.

Dated at \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

*A.B.*, Consignor.

*Exported Products.*

(2.)

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## "THE EXPORTED PRODUCTS ACT, 1901."

*Certificate of Inspector with respect to Product.*

I, *C.D.*, Inspector of Exported Products at or for the Port [*or District*] of \_\_\_\_\_, in the State of Tasmania, hereby certify that I have duly inspected and examined all the products mentioned in the following Schedule, and mentioned in the certificate of \_\_\_\_\_, dated the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and intended to be shipped by \_\_\_\_\_ from his [*or their*] works at \_\_\_\_\_ by [*state name of vessel*] to [*state destination*], and that to the best of my knowledge and belief such products are of good quality and free from disease, and that the package containing the product is in conformity with the law (if any) regulating the size of packages for such product :—

## SCHEDULE.

Nature of Product.	Number of Parcels.	Brands or Marks.	Where shipped.	Name of Vessel.	Destination.

Dated at \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*C.D.*, Inspector of Exported Products.

CHAPTER I

The first part of the history of the United States is the history of the colonies. The colonies were first settled by Englishmen in 1607, and they grew in number and in power until the Revolution. The colonies were at first dependent on Great Britain, but they gradually became more independent. They had their own laws, their own courts, and their own representatives in the British Parliament. They also had their own trade and their own industry. The colonies were a source of strength to Great Britain, but they were also a source of weakness. They were a source of strength because they provided Great Britain with a large market for its goods. They were a source of weakness because they were a source of competition for Great Britain's goods. The colonies were a source of strength to Great Britain, but they were also a source of weakness. They were a source of strength because they provided Great Britain with a large market for its goods. They were a source of weakness because they were a source of competition for Great Britain's goods.