

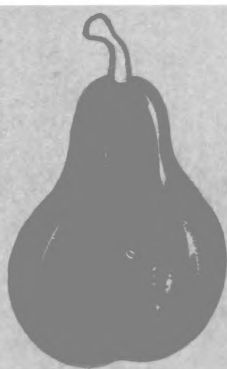
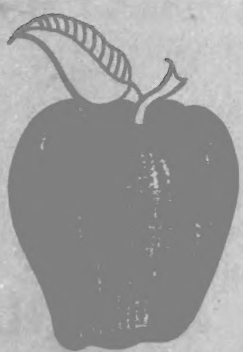
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EXPORT FRUIT ACTS



EXPORT FRUIT ACTS

(Apples, Pears, Grapes, Plums)

At the request of the fruit industries, Congress has passed two export acts designed to promote foreign trade in American fruits. The Export Apple and Pear Act was passed in 1933, while the Export Grape and Plum Act was passed in 1960. Both acts contain broad authority for establishing mandatory minimum quality and other requirements designed to improve the demand for these fruits in foreign markets.

USDA has worked closely with the respective fruit industries in setting up regulations to put the laws into effect. This leaflet outlines the current regulations established under the Acts, and how they apply to fruit shippers and carriers.

1. What are the objectives of the Export Acts?

To promote the foreign trade of the U.S. in apples, pears, plums, and grapes.

To protect the reputation of American-grown fruits in foreign markets.

To prevent deception or misrepresentation as to the quality of such products.

To provide for inspection of the specified fruits moving to foreign markets.

conveyance to a foreign country, regardless of the number of consignees, receivers, or ports of destination in that country." Hence, any quantity of apples, pears, or Emperor grapes exceeding the exemptions specified is subject to the Acts and the regulations.

7. What are the exemptions?

Under the Apple and Pear Act regulations a single shipment of 25 boxes of apples or pears to any country, or 400 boxes of pears to Venezuela or Cuba, is exempt. (The 400-box exemption is applicable only to pears to Cuba or Venezuela.) The 25-box exemption applies separately to apples and pears. This means that a quantity not exceeding 25 boxes each of apples and pears may be shipped by one person on the same carrier to any one country. Also, a person may ship more than one exempt lot of apples and/or pears at the same time on the same carrier to foreign destinations providing the exemptions specified are not exceeded to any one country.

Under the Grape and Plum Act regulations a shipment of 25 packages or less of Emperor grapes, not exceeding 1,250 pounds gross weight is exempt.

8. Do such fruits imported into the United States and later reshipped in export have to comply with the Export Act requirements?

Yes, if the fruits are unloaded in the U.S. and left free either to be

sold on the domestic market or reshipped for export, then they must be inspected and comply with all requirements of the Acts if they are reshipped in export. However, fruits grown outside the U.S. but moving through U.S. ports on through bills of lading to foreign destinations are not required to comply with requirements of the Acts.

9. For what period of time is an Inspection Certificate valid?

Such a certificate for a shipment of Emperor variety grapes must be issued within 14 days of the date of export. There is no time limitation on certificates for apples or pears. However, many exporters and foreign importers provide in their contracts that the fruit for which they are contracting shall meet specified condition requirements at time of shipment. This is a good safeguard.

10. Who administers the Acts?

The Fruit Branch, Fruit and Vegetable Division, Agricultural Marketing Service, has been delegated to administer the Acts.

11. How are grade and other requirements established under the Acts?

Industry groups and trade associations submit suggestions to the Department of Agriculture. Suggestions are then prepared as a notice and published for views. After such modifications as may be indicated by the comments received, require-

ments are issued by USDA and published in the Federal Register. This procedure was followed for the Apple and Pear Act requirements which became effective on October 1, 1959, and with the requirements for Emperor grapes which became effective October 9, 1961.

12. What penalties are provided for violations?

Persons shipping, or offering for shipment, apples, pears, or Emperor variety grapes in violation of requirements may, after opportunity for hearing, be refused issuance of certificates for periods not exceeding 90 days. Any person, including carriers, who knowingly violates any of the provisions of the Acts shall, upon conviction, be subject to a fine of not less than \$100 nor more than \$10,000.



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