Commonwealth of Puerto Rico
DEPARTMENT OF AGRICULTURE
San Juan, Puerto Rico

MARKET REGULATION NO. 9

TO REGULATE THE MARKETING OF IMPORTED BANANAS AND PLANTAINS IN THE COMMONWEALTH OF PUERTO RICO

SECTION I- Words in the Singular Form

Words used in the singular form in this Regulation shall be deemed to import the plural, and viceversa, as the case may demand.

SECTION II- Definition of Terms

For the purpose of this Regulation, the following terms shall mean as follows, wherever used or referred to in this Regulation, except as otherwise indicated by the text thereof:

A. "Puerto Rico" means the Commonwealth of Puerto Rico

B. "Department" means the Department of Agriculture of Puerto Rico.

C. "Secretary" means the Secretary of Agriculture of Puerto Rico or his authorized representative.

D. "Importer" means any person who introduce bananas or plantains into Puerto Rico.

E. "Inspector or official" means the representative of the Secretary duly authorized to investigate, identify, clasify or determine the quality and condition of bananas or plantains introduced or marketed in Puerto Rico, and to enforce this Regulation.

F. "Person" means any natural or juridical person, his agents, employees or representatives.

SECTION III- Lincenses

A. Every importer shall provide himself with a license issued by the Secretary enabling him to operate as such. Each license

shall be renewed yearly and shall expire on December 31, every year. Said license shall be posted on a visible place of the establishment where the importer's business is carried on.

B. Application for a license shall be made on a special form to be furnished by the Secretary.

C. License holders shall be responsible for any violation of this Regulation committed in their business establishments. Any or all of their representative, agents, or employees participating in the comission of such violation shall likewise be responsible therefor.

SECTION IV- Requirements to be met by all Bananas and Plantains Imported for their Marketing in Puerto Rico.

All bananas and plantains introduced for their marketing in Puerto Rico shall come in bunches and shall meet the requirements established in the Commonwealth of Puerto Rico Standars for Bunches of Imported Bananas and Plantains.

SECTION V- Labeling

A. Every bunch of bananas or plantains introduced for its marketing in Puerto Rico, must have a tag or label firmly tied to the stalk of the bunch.

B. Such tag shall contain the following information, printed, and in clearly legible letters:

1. Importer's name
2. Country from which the product comes
3. Number to identify the lot
4. Number of fruits in the bunch

C. All information required in the labeling must conform to the truth.

SECTION VI- Certification and Inspection

A. All bananas and plantains introduced into Puerto Rico shall be inspected here by an inspector of the Department to

verify that such bananas or plantains comply with the requirements of this Regulation.

B. The marketing of imported bananas or plantains shall be allowed only when said bananas or plantains have been inspected in Puerto Rico by an inspector of the Department and when determined by the inspector that they meet the requirements established in this Regulation.

C. These inspections shall be paid by the importer according to the following charges:

1. For each bunch of bananas containing up to 150 bananas... $ .50
2. For each bunch of bananas containing more than 150---- bananas..... $ .75
3. For each bunch of plantains.....,$ .50

D. Any lot of bananas or plantains failing to meet the requirements established in this Regulation shall be subject to the provisions of Sections VII, VIII, and IX of this Regulation.

E. It shall be the duty of every importer and carrier, including their respective representatives, agents or employees to notify the Department about the arrival of every lot of bananas or of plantains introduced into Puerto Rico, well in advance of the arrival thereof, indicating the boat or plane transporting such lot and the place of unloading.

F. The bananas or plantains shall not be removed from the port, airport or place of unloading without the authorization of the Secretary or an inspector; Provided. That both the importer and the carrier shall be responsible for the fulfilment of this provision.

SECTION VII- Orders to Withhold

The Secretary may issue orders to withhold against any lot of bananas or plantains failing to meet the requirements specified in this Regulation. No person shall dispose without the authorization from the Secretary, of any lot of bananas or plantains against which an order to withhold has been issued.

SECTION VIII- Disposal of Bananas or Plantains Failing to Meet the Requirements of this Regulation

If a lot of bananas or of plantains upon inspection, fails to meet the requirements specified in this Regulation, the Secretary shall proceed pursuant to the powers vested in him by Act No. 241, approved on May 8, 1950, as amended.

SECTION IX- Penalties

The penalties for violations of this Regulation shall be those prescribed by Act. No. 241, of May 8, 1950, as amended. Likewise, the Secretary, upon giving previous notice to interested parties affording them the oportunity of a hearing, may cancel or prevísionally suspend the license issued to any importer infringing this Regulation or refusing to pay any administrative fine imposed pursuant to the aforecited Act.

SECTION X- Separability Clause

Should any part of this Regulation, or the application thereof to any person or circumstance, be nullified, such nullification shall not affect the remainder of this Regulation or the application thereof.

SECTION XI Effectiveness

This Regulation is promulgated by the Secretary of Agriculture under the authority vested in him by Act. No. 241, approved May 8, 1950, as amended. It shall take effect thirty (30) days after its publication in two newspapers of general circulation in Puerto Rico, and after an original and two copies of its Spanish and English texts have been filed in the office of the Secretary of State of Puerto Rico pursuant to Section 6 of Act. No. 112, approved on June 30, 1957.

Approved on the 3 rd day of May, in San Juan, P. R.

Luis Rivera Santos
Secretary of Agriculture