

# **Export (Fish) Regulation 1953**

## **Unvalidated References:**

[Customs Act 1951](#)

Trade Marks Act 1905

Trade Marks Act 1978

Public Holidays Act 1953

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel

Dated 25 November 2006

## **INDEPENDENT STATE OF PAPUA NEW GUINEA.**

Chapter 101F.

### *Export (Fish) Regulation 1953*

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*Export (Fish) Regulation 1953*

MADE under the Customs Act 1951 and the Commerce (Trade Descriptions) Act 1952.

Dated                    200 .

**PART I. – PRELIMINARY.**

**1. INTERPRETATION.**

In this Regulation, unless the contrary intention appears–

“analyst” means a person appointed to be an analyst–

(a) under Section 28; or

(b) for the purposes of the Customs Act 1951;

“appointed place” means premises registered under Section 9 as an appointed place;

“approved” means approved by the Director;

“approved for export stamp” means a stamp in an approved form;

“containers” means all the principal coverings in which fish is contained;

“cooked fish” means fish that has been subjected to an approved heat treatment;

“export establishment” means premises registered under Section 9 as an export establishment;

“fish” means fish (including crustacea, oysters, other shell fish and all forms of marine animal life other than whales), other than beche-de-mer, whether fresh, frozen, canned, dried, cooked or processed in any way, or parts of any such fish, intended for export;

“frozen fish” means raw, cooked or processed fish that has been refrigerated;

“grader” means a person appointed under Section 5 to be a grader;

“Managing Director” means the Managing Director of the National Fisheries Authority;

“officer” means an officer of Customs;

“registered brand” means a brand registered under [Part V](#);

“tuna” means–

- (a) albacore (*Germo alalunga*); and
- (b) southern bluefin tuna (*Thunnus maccoyii*); and
- (c) northern bluefin tuna (*Thunnus thynnus*); and
- (d) yellowfin tuna (*Neothunnus macropterus*); and
- (e) skipjack or striped tuna (*Katsuwonus pelamis*).

## **2. APPLICATION.**

This Regulation does not apply to ships’ stores brought to or shipped in Papua New Guinea.

## **3. DELEGATION.**

The Managing Director may, by writing under his hand, delegate to an officer of the National Fisheries Authority all or any of his powers or functions under this Regulation (except this power of delegation).

**PART II. – GENERAL PROVISIONS AS TO EXPORTATION OF FISH.**

**4. GENERAL RESTRICTIONS ON EXPORT.**

(1) The exportation of fish is prohibited unless–

(a) the Managing Director is satisfied that the fish has been prepared or processed in an export establishment; and

(b) the conditions and restrictions (if any) specified in the second column of Schedule 2 in relation to the name or description of the fish have been complied with; and

(c) the exporter has obtained an export permit in accordance with this Regulation in respect of the fish; and

(d) the approved for export stamp has been applied to the fish or the container of the fish; and

(e) the provisions of this Regulation have been complied with.

(2) Subsection (1)(b) does not apply to fish in respect of which the Managing Director certifies that, for the purposes of experiment, or on account of exceptional circumstances, it is desirable that that paragraph should not apply.

**5. GRADERS.**

(1) The Managing Director may appoint a person to be a grader for an export establishment.

(2) A grader must ensure that fish is graded, prepared or processed and packed in the export establishment in accordance with this Regulation.

Penalty: [11](#) A fine not exceeding K200.00.

### **PART III. – TRADE DESCRIPTIONS.**

#### **6. REQUIREMENT OF TRADE DESCRIPTION.**

(1) Subject to this Regulation, the exportation of fish is prohibited unless there is applied to the fish a trade description in accordance with this Regulation.

(2) Subsection (1) applies to fish that are imported into the country and are not held in bond, unless the Managing Director is satisfied that the fish are not the produce of Papua New Guinea.

#### **7. NATURE OF TRADE DESCRIPTION.**

(1) The trade description to be applied to fish shall be in accordance with this section and with the provisions (if any) specified in the third column of Schedule 2 opposite to the name or description of the fish.

(2) The trade description–

(a) shall be in the form of a principal label or brand affixed to the fish, or to the containers of the fish, in a prominent position and in a conspicuous and reasonably permanent manner; and

(b) shall contain, in prominent and legible characters, a true description of the fish, together with the words “Papua New Guinea”; and

(c) may include, in addition, the name of the part of the country in which the fish was produced, prepared or processed; and

(d) shall, subject to Subsections (3) and (4), include one, and may include both, of the following particulars:–

(i) the name of the producer, processor or exporter;

(ii) the registered brand of the producer, processor or exporter; and

(e) shall, subject to Subsection (5), specify the net weight of the fish.

(3) The Managing Director may, subject to such conditions as he thinks proper, permit the consignee's brand to be included in the trade description instead of the registered brand of the producer, processor or exporter.

(4) Where the producer or processor is not the exporter, the trade description shall include the name of the producer or the processor, or the registered brand of the producer or processor, unless the exporter sets out in the notice of intention to export the name and address of the producer or the processor.

(5) In the case of frozen fish, the actual weight in a container shall be in excess of the marked net weight by not less than 2.5% of the marked net weight.

(6) Except in the case of frozen fish, each immediate container of fish shall have embossed on it the letters "Ex".

(7) The trade description to be applied to fish in pursuance of this Regulation shall have relation to the condition of the fish as at the time of shipment.

## **8. INTERFERENCE WITH TRADE DESCRIPTIONS.**

A person who, except by the authority of an officer, removes, alters or interferes with a trade description marked on or applied to fish that have been inspected by an officer is guilty of an offence.

**PART IV. – SUPERVISION, INSPECTION AND EXAMINATION.**

**9. REGISTRATION OF EXPORT ESTABLISHMENTS AND APPOINTED PLACES.**

(1) A person who is the owner or occupier of premises used for the preparation, processing or storage, or for the examination, of fish may apply to the Managing Director in Form 1, for the registration of the premises as an export establishment or as an appointed place, as the case may be.

(2) Where the Managing Director is satisfied that the premises the subject of an application under Subsection (1) are constructed, equipped and operated in an efficient and hygienic manner, and are in conformity with this Regulation, he–

(a) may, subject to such conditions and restrictions as he thinks proper, register them as an export establishment or as an appointed place, as the case may be; and

(b) shall issue to the applicant a certificate of registration in accordance with Form 2.

(3) The certificate of registration shall specify–

(a) all operations that may be conducted in the premises to which it refers; and

(b) the conditions and restrictions under which the registration is granted.

(4) Unless sooner cancelled, a certificate of registration expires on 30 June next following the date on which it was issued, but may, on written application in Form 1, be renewed from time to time.

(5) Where the Managing Director is satisfied that–

(a) a breach of the conditions or restrictions, subject to which an export establishment or appointed place has been registered, has been committed; or

(b) an offence against this Regulation has been committed in or in connection with an export establishment or appointed place,

he may cancel the registration of the establishment or place.

#### **10. SALE OR LEASE OF EXPORT ESTABLISHMENT OR APPOINTED PLACE.**

If an export establishment or appointed place is leased or sold, the lessee or transferee shall not, without the approval of the Managing Director, use the premises for any of the operations specified in the certificate of registration.

#### **11. FREEZING CHAMBERS, ETC., IN EXPORT ESTABLISHMENTS.**

An export establishment in which frozen fish is prepared, processed or stored shall—

(a) contain a chamber—

(i) where cooked fish is being prepared in the establishment—capable of reducing the temperature of the fish to  $-12^{\circ}\text{C}$ ; or

(ii) where fish, other than cooked fish, is being prepared in the establishment—capable of reducing the temperature of the fish to  $-7^{\circ}\text{C}$  within 10 hours after the fish has been placed in the chamber; and

(b) contain—

(i) where cooked fish is being stored in the establishment—at least one chamber capable of maintaining the fish at a reasonably constant temperature not exceeding  $-12^{\circ}\text{C}$ ; or

(ii) where fish, other than cooked fish, is being stored in the establishment—at least one chamber (separate from the chamber referred to in Subparagraph (i)) capable of maintaining the fish at a reasonably constant temperature not exceeding  $-15^{\circ}\text{C}$ ; and

- (c) have approved instruments for measuring temperatures in each chamber; and
- (d) maintain a log of temperatures of each chamber recorded at intervals of not more than eight hours; and
- (e) have the floors and walls of the packing rooms solidly constructed to a height of not less than 1.8 m of brick, masonry, concrete or other approved material rendered impervious and washable, all corners being well rounded out; and
- (f) have a satisfactory supply of suitable running water under pressure; and
- (g) be equipped only with approved tables, benches, troughs, trays and other equipment that is or are capable of being sterilized.

## **12. STORAGE CHAMBERS, ETC., IN APPOINTED PLACES.**

An appointed place in which frozen fish are examined shall—

- (a) contain at least one chamber—
  - (i) where cooked fish is examined in the place—capable of maintaining the fish at a reasonably constant temperature not exceeding  $-12^{\circ}\text{C}$ ; or
  - (ii) where fish, other than cooked fish, is examined in the place—capable of maintaining the fish at a reasonably constant temperature not exceeding  $-15^{\circ}\text{C}$ ; and
- (b) have approved instruments for measuring temperatures in each chamber; and
- (c) maintain a log of temperatures of each chamber recorded at intervals of not more than eight hours; and
- (d) be situated at or adjacent to a port from which shipment from the country commences; and
- (e) provide suitable private facilities for examination by officers.

### **13. PLACE OF EXAMINATION.**

(1) Subject to this Regulation, fish shall be sent to an appointed place in sufficient time before shipment to enable an officer to examine it.

(2) The Managing Director may, in exceptional cases, permit the examination of fish to be made at a place other than an appointed place.

### **14. NOTICE OF INTENTION TO MOVE FROZEN FISH.**

A person who intends to move frozen fish from an export establishment to another export establishment or to an appointed place shall, at least two clear working days before the day on which he intends to move the fish, lodge with an officer a notice, in duplicate, in Form 3.

### **15. TRANSFER OF FROZEN FISH FROM EXPORT ESTABLISHMENT, ETC.**

Whenever frozen fish is moved from an export establishment to another export establishment or to an appointed place, or from an appointed place to a vessel for shipment from the country—

(a) transportation facilities shall be such that the temperature of the fish shall not rise—

(i) in the case of cooked fish—above  $-5^{\circ}\text{C}$ ; and

(ii) in the case of fish other than cooked fish—above  $-8^{\circ}\text{C}$ ; and

(b) the fish shall be accompanied by a certificate, signed by the grader at the export establishment where the goods were packed, that the fish has been prepared or processed and packed in accordance with this Regulation.

## **16. SHIPPING OF FROZEN FISH.**

Frozen fish shall not be shipped in a vessel unless—

- (a) the vessel is equipped to hold the fish at a temperature not exceeding  $-12^{\circ}\text{C}$ ;
- and
- (b) the refrigerated hold has been adequately pre-cooled before loading.

## **17. NOTICE OF INTENTION TO EXPORT, AND DECLARATION.**

<sup>[2]</sup>(1) A person who intends to export fish shall, at least three clear working days before the proposed date of shipment, furnish to the Managing Director a notice and declaration in Form 4.

(2) A person who makes a false or misleading statement in a declaration furnished under Subsection (1) is guilty of an offence.

Penalty: <sup>[3]</sup>A fine not exceeding K500.00.

(3) In any proceedings for an offence against Subsection (2), a certificate signed by the Managing Director, certifying that the declaration—

- (a) was furnished under Subsection (1); and
  - (b) was made by the person by whom it purports to have been made,
- is prima facie evidence of the matters so certified.

(4) Judicial notice shall be taken of the signature to a certificate under Subsection (3), and of the fact that the person whose signature it purports to bear holds, or held at the time when the certificate was made, the office of the Director.

## **18. APPROVED FOR EXPORT STAMP.**

Where an officer or grader is satisfied that any fish has been prepared or processed and packed in accordance with this Regulation, he shall apply the approved for export stamp to it or to the container of it.

## **19. EXPORT PERMITS AND CERTIFICATES AS TO EXAMINATION.**

(1) When an officer has examined any fish and—

(a) the fish is marked in accordance with this Regulation; and

(b) the officer is satisfied that the conditions and restrictions applicable under this Regulation in respect of the fish have been complied with,

he shall issue to the exporter an export permit in Form 5.

(2) When the fish is brought to a wharf for shipment, the exporter shall deliver the export permit to the officer on duty at the ship by which the fish is to be exported.

(3) When the officer is satisfied that the fish has been shipped in accordance with this Regulation, he shall issue to the exporter a certificate of the condition of the fish in Form 6.

## **20. RE-EXAMINATION.**

<sup>[4]</sup>(1) If an officer has reasonable cause to think that, since the examination of any fish, the condition of the fish has changed, he may re-examine the fish, and if, having regard to the condition of the fish as disclosed by the re-examination, he is satisfied that—

(a) the containers are not marked in accordance with this Regulation; or

(b) a condition or restriction applicable under this Regulation has not been complied with,

he may cancel the export permit issued in respect of the fish.

(2) Where an export permit has been cancelled under Subsection (1), the exporter must, if so required by an officer, immediately surrender the permit to the officer.

Penalty: <sup>[5]</sup>A fine not exceeding K500.00.

## **21. LOADING OF FROZEN FISH.**

Frozen fish shall be loaded into an overseas vessel under the supervision of an officer.

## **PART V. – REGISTRATION OF BRANDS.**

### **22. REGISTER OF BRANDS.**

(1) Subject to Section 24, the Managing Director may register a brand as a brand that may be included in the trade description of fish.

(2) The Managing Director shall keep a register of brands registered under Subsection (1).

### **23. APPLICATION FOR REGISTRATION.**

An application for the registration of a brand shall be accompanied by seven copies of the brand.

### **24. REGISTRATION AS TRADE MARK.**

A brand shall not be registered under Section 22 unless–

- (a) it is registered as a trade mark under the Trade Marks Act 1905 of Australia, as in force from time to time or under the Trade Marks Act 1978; and
- (b) the applicant is the registered proprietor of the trade mark.

## **25. REGISTRATION NUMBERS.**

The Managing Director shall allot a number in respect of each registered brand, and that number shall be applied to fish in conjunction with the brand.

## **26. ASSIGNMENTS AND TRANSMISSIONS OF TRADE MARKS.**

Where a trade mark that is registered as a brand under this Regulation is assigned or transmitted, the assignee or transmittee shall give notice of the assignment or transmission to the Managing Director.

## **27. CANCELLATION OF BRAND.**

Where a trade mark that is registered as a brand under this Regulation ceases to be registered as a trade mark, the Managing Director shall cancel the registration of the brand.

## **PART VI. – ANALYSES.**

### **28. ANALYSTS.**

The Head of State, acting on advice, may appoint qualified persons to be analysts for the purposes of this Regulation.

### **29. CERTIFICATE OF ANALYST.**

A certificate given by an analyst of the result of an analysis is prima facie proof of the facts stated in it.

### **30. FEES FOR CERTIFICATES.**

A copy of a certificate of analysis relating to fish may be supplied by the Managing Director to the exporter of fish–

(a) where the analysis is made by an officer for the purposes of the Government—on payment of the sum of 25t; and

(b) where the analysis is made at the request of the exporter who wishes to obtain the certificate—on payment of the sum of K1.05.

**PART VII. – MISCELLANEOUS.**

**31. FEES FOR OFFICERS' SERVICES.**

(1) Where, at the request of an exporter, the services of an officer are made available to the exporter for the purposes of this Regulation before or after official hours or on a Sunday or holiday, the exporter shall, except as provided by Subsection (3), be charged for those services a fee at the rate of K1.25 per hour or part of an hour.

(2) The time in respect of which a fee shall be charged under Subsection (1) shall include the time reasonably occupied by an officer in proceeding to and returning from the place where his attendance is required.

(3) Where an officer is required to proceed on duty away from his ordinary station, the rate of charge under this Regulation to be made in respect of his services is as fixed by the Director.

(4) For the purposes of this Regulation, “holiday” means a day observed as a holiday under the Public Holidays Act 1953.

## SCHEDULE 1

PAPUA NEW GUINEA.

[Customs Act 1951.](#)

**Form 1** – Application for Registration of Premises as an Export Establishment or  
as an Appointed Place.

Reg., Sec. 9(1). Form 1.

PAPUA NEW GUINEA.

[Customs Act 1951.](#)

**Form 2** – Certificate of Registration of Premises as Export  
Establishment/Appointed Place.

Reg., Sec. 9(2). Form 2.

PAPUA NEW GUINEA.

[Customs Act 1951.](#)

**Form 3** – Notice of Intention to Move Frozen Fish.

Reg., Sec. 14. Form 3.

PAPUA NEW GUINEA.

[Customs Act 1951.](#)

**Form 4 – Notice of Intention to Export Fish.**

Reg., Sec. 17(1). Form 4.

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[Customs Act 1951.](#)

**Form 5 – Export Permit.**

Reg., Sec. 19(1). Form 5.

PAPUA NEW GUINEA.

[Customs Act 1951.](#)

**Form 6 – Certificate as to Condition of Fish.**

Reg., Sec. 19(3). Form 6.

**SCHEDULE 2 – CONDITIONS FOR EXPORT OF FISH.**

Reg., Sec. 4(1)(b).

<b>Name or description of fish.</b>	<b>Conditions and restrictions to be complied with.</b>	<b>Provisions relating to trade descriptions.</b>
1. Crayfish tails—frozen.	1. Crayfish tails— (a) shall be clean and devoid of foreign matter; and (b) shall not be soft-shelled or from a female in berry; and (c) shall have the intestine completely removed; and (d) shall be individually wrapped in cellophane or other approved moisture-proof wrapping material that completely covers all flesh	1. The trade description on the containers shall include— (a) the letters “WT” or “PK”, according to whether the flesh is white or pink; and the words “Rock Lobster” in bold letters of equal size, and the words “Produce of Papua New Guinea”; and (c) the grade; and (d) the serial numbers of respective

	<p>exposed from the shell; and</p> <p>3) shall be packed in containers that contain a net weight of not more than 14 kg of crayfish.</p> <p>2. (1) Containers containing a net weight of 9, 11.25 or 13.5 kg shall be used, and a uniform sized box shall be used by each packer.</p> <p>(2) Containers shall be clean, new, attractive in appearance and not likely to have any deleterious effect on the contents.</p> <p>Each container shall be wirebound or strapped with suitable wire or strapping.</p> <p>4) Each container shall not be more than 125 mm across its narrowest internal dimension.</p> <p>3. Only one variety of crayfish tails shall be packed in each container. Crayfish tails shall be so packed as to be uniform in size and colour in each container and shall be graded in sizes as follows:—</p> <p>de. Net weight of each crayfish tail</p> <p>Midget Under 170g</p> <p>S) Not less than 170g and not more than 255g</p> <p>M) Not less than 255g and not more than 340g</p> <p>L) Not less than 340g and not more than 455g</p> <p>Jumbo (J) Over 455 g.</p> <p>5. Crayfish tails shall have been processed from crayfish that—</p> <p>(a) have been killed by an approved method; and</p> <p>(b) following the removal of all intestinal parts, including the anus, have been vigorously washed individually in running water under pressure.</p> <p>6. Crayfish tails shall—</p> <p>be placed under refrigeration, fully prepared for freezing, within a period of two hours from the time of killing; and</p> <p>b) be reduced in temperature to not more than -7°C within a period of 12 hours from the time of killing;</p>	<p>containers, running consecutively from the beginning of each calendar year.</p> <p>e.—For the purposes of Paragraph (c) the following abbreviations may be used:—</p> <p>Grade. Abbreviation</p> <p>Small S</p> <p>Medium M</p> <p>Large L</p> <p>Jumbo J.</p> <p>2. Any printing on cellophane or other wrappers touching the flesh shall be in ink or colouration which has been certified as being harmless.</p>
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	<p style="text-align: center;">and</p> <p>(c) immediately afterwards be transferred to a refrigeration chamber the temperature of which shall be held at not more than -15°C constant.</p>	
<p>2. Crayfish (uncooked)—frozen.</p>	<p style="text-align: center;">Crayfish—</p> <p>(a) shall be clean and devoid of foreign matter; and</p> <p>(b) shall not be soft-shelled or a female in berry; and</p> <p>(c) shall be packed in containers which contain a net weight of not more than 25 kg of crayfish.</p> <p>(1) Containers shall be clean, new, attractive in appearance and not likely to impart a taint to the contents.</p> <p>Each container shall be wirebound or strapped with suitable wire or strapping.</p> <p>Only one variety of crayfish shall be packed in any one container.</p> <p>Crayfish shall be so packed as to be uniform in size and colour in each container.</p> <p>Crayfish shall have been processed from crayfish that—</p> <p>(a) have been killed by an approved method; and</p> <p>(b) have been vigorously washed individually in running water under pressure.</p> <p>6. Crayfish shall individually—</p> <p>be placed under refrigeration, fully prepared for freezing, within a period of two hours from the time of killing; and</p> <p>(b) be reduced in temperature to not more than -7°C within a period of 12 hours from the time of killing; and</p> <p style="text-align: center;">and</p> <p>(c) immediately afterwards be transferred to a refrigeration chamber the temperature of which shall be held at not more than -15°C constant.</p>	<p>trade description on the containers shall include—</p> <p>(a) the letters “WT” or “PK”, according to whether the flesh is white or pink; and</p> <p>the words “Rock Lobster” in bold letters of equal size, and the words “Produce of Papua New Guinea”; and</p> <p>(c) the serial numbers of the respective containers, running consecutively from the beginning of each calendar year.</p>
<p>3. Crayfish (cooked)—frozen.</p>	<p style="text-align: center;">1. Crayfish—</p> <p>shall be clean and devoid of foreign matter; and</p>	<p>The trade description on the containers shall include—</p> <p>(a) the letters “WT” or “PK”,</p>

	<p>shall not be soft-shelled or a female in berry; and</p> <p>c) shall be packed in containers that contain a net weight of not more than 25kg of crayfish.</p> <p>(1) Containers shall be clean, new, attractive in appearance and not likely to impart a taint to the contents.</p> <p>Each container shall be wirebound or strapped with suitable wire or strapping.</p> <p>Only one variety of crayfish shall be packed in each container.</p> <p>Crayfish shall be so packed as to be uniform in size and colour in each container.</p> <p>Crayfish shall have been processed from crayfish that—</p> <p>(a) have been killed by an approved method; and</p> <p>(b) following cooking but before packing, have been vigorously washed individually in running water under pressure.</p> <p>6. Crayfish shall—</p> <p>(a) be placed under refrigeration, fully prepared for freezing, within a period of two hours from the time of cooking; and</p> <p>(b) be reduced in temperature to not more than -12°C and be afterwards held in a refrigeration chamber the temperature of which is held at not more than -12°C constant.</p>	<p>according to whether the flesh is white or pink; and</p> <p>the words “Rock Lobster” in bold letters of equal size, and the words “Produce of Papua New Guinea”; and</p> <p>the serial numbers of the respective containers, running consecutively from the beginning of each calendar year.</p>
<p>4. Tuna (frozen) in round.</p>	<p>The fish shall be frozen as soon as possible after catching, and shall be held at a temperature not exceeding -15°C.</p>	

<p>5. Tuna (canned).</p>	<p>Only the light-coloured meat of the tuna shall be used.</p> <p>Each can shall contain cooked meat, which shall—</p> <p>(a) reasonably fill the can; and</p> <p>(b) be free from all dark meat; and</p> <p>be packed in an approved vegetable oil; and</p> <p>(d) consist of—</p> <p>(i) in the case of solid pack fancy canned tuna—solid pieces not exceeding three in number; or</p> <p>(ii) in the case of solid pack standard canned tuna—solid pieces not exceeding six in number; or</p> <p>(iii) in the case of grated or shredded canned tuna—small uniform pieces produced in such form by mechanical means; or</p> <p>(iv) in the case of flaked canned tuna—small pieces not used in packing solid packs.</p>	<p>trade description on the containers shall include—</p> <p>(a) the words “IN (specify variety) OIL”; and</p> <p>the words “WHITE MEAT” if the contents are derived from Albacore, or the words “LIGHT MEAT” if the contents are derived from bluefin, yellowfin or striped tuna; and</p> <p>(c) in the case of—</p> <p>(i) solid pack fancy canned tuna, the words “FANCY PACK TUNA”; or</p> <p>(ii) solid pack standard canned tuna, the words “SOLID PACK TUNA”; or</p> <p>(iii) grated or shredded canned tuna, the words “GRATED TUNA” or “SHREDDED TUNA” as the case may be; or</p> <p>(iv) flaked canned tuna, the words “FLAKED TUNA”, “TUNA FLAKES” or “BITE SIZE TUNA”.</p>
<p>Fish other than fish specifically mentioned in this Schedule.</p>	<p>The fish shall, in the opinion of an officer—</p> <p>(a) be sound, wholesome and not in an abnormal condition; and</p> <p>(b) be reasonably uniform in size and colour; and</p> <p>(c) be contained in new containers that are suitable in respect of size, nature, durability and cleanliness; and</p> <p>(d) not be likely to arrive at their destination in a deteriorated condition.</p> <p>2. Only one variety of fish shall be packed in each container.</p> <p>The fish shall, in the opinion of an officer, have been processed from fish that have been treated and prepared in an approved manner.</p>	<p>The trade description shall include the name of the variety of fish.</p> <p>2. Any pictorial representation included in the trade description shall be that of the variety of fish in the container.</p>

<sup>[1]</sup>Section 5(2): Penalty clause amended by *Customs (Penalties) Regulation* 1993 (No. 11 of 1993), s3.

<sup>[2]</sup>Section 17 amended by No. 21 of 1982.

<sup>[3]</sup>Section 17(2): Penalty clause amended by *Customs (Penalties) Regulation* 1993 (No. 11 of 1993), s3.

<sup>[4]</sup>Section 20 amended by No. 21 of 1982.

<sup>[5]</sup>Section 20(2): Penalty clause amended by *Customs (Penalties) Regulation* 1993 (No. 11 of 1993), s3.