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STATUTORY RULES OF NORTHERN IRELAND

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**2019 No. 66**

**The Marketing of Bananas Regulations (Northern Ireland) 2019**

**PART 4**

**Controlled bananas and related powers and offences**

**Consents to the movement of controlled bananas**

**14.—(1)** An authorised officer may, at any time, give consent to the movement of controlled bananas and to the withdrawal of the stop notice.

(2) An authorised officer shall, upon request in writing, give consent to withdraw the stop notice if the circumstances in paragraph (3) apply.

(3) The circumstances in which this paragraph applies are where—

- (a) the authorised officer is satisfied that no offence under these Regulations would be committed in respect of the bananas if they were marketed after preparation and packaging; or
- (b) the authorised officer, or another authorised officer, has been given a written undertaking that the bananas will be marketed or disposed of in a specified manner and the authorised officer is satisfied that if the bananas are marketed or disposed of in that manner no offence under these Regulations will be committed in respect of them and the authorised officer has no reason to doubt that the terms of the undertaking will be met.

(4) An authorised officer shall, upon request in writing, give consent to the movement of controlled bananas if the circumstances in paragraph (5) apply.

(5) The circumstances in which this paragraph applies are where—

- (a) the authorised officer, or any other authorised officer, has been given a written undertaking that—
  - (i) the bananas will be moved to a place approved by an authorised officer;
  - (ii) at the approved place the steps required to ensure that the bananas may be marketed in compliance with the banana marketing standards and without an offence under these Regulations being committed in respect of them or will be disposed of in such a manner that no offence under these Regulations would be committed in respect of them will be taken; and
  - (iii) the bananas will not be moved from that place without the consent of an authorised officer; and
- (b) the authorised officer has no reason to doubt that the person giving the undertaking will comply with it.

(6) A consent given by an authorised officer under this regulation shall—

- (a) be in writing;
- (b) identify the bananas or lot of bananas to which it relates; and

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**Changes to legislation:** *There are currently no known outstanding effects for the The Marketing of Bananas Regulations (Northern Ireland) 2019, Section 14. (See end of Document for details)*

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- (c) where the consent is given under paragraph (4), state that the bananas continue to be controlled bananas.

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**Commencement Information**

**11** Reg. 14 in operation at 29.3.2019, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Marketing of Bananas Regulations (Northern Ireland) 2019, Section 14.