



Republic of Namibia  
Annotated Statutes

**REGULATIONS**

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REGULATIONS MADE IN TERMS OF

**Agricultural Produce Export  
Ordinance 13 of 1928**  
section 6

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**Butter and Cheese Export Regulations**

Government Notice 152 of 1931

(OG 441)

came into force on date of publication: 16 November 1931

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**ARRANGEMENT OF REGULATIONS**

[The individual regulations do not have headings.]

**ANNEXURE**

- A. NOTIFICATION OF EXPORT OF BUTTER/CHEESE
- B. ADMINISTRATION OF SOUTH WEST AFRICA
- C. GRADE CERTIFICATE FOR CREAMERY BUTTER/CHEESE
- D. BUTTER/CHEESE GRADE CERTIFICATE FOR SHIPPERS ONLY
- E.

[The above Annexure headings are reproduced as they appear in the *Official Gazette*.]

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1. The regulations published under Government Notice No. 148, dated the seventh day of November, 1929, are hereby repealed.

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

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2. The exportation of butter and cheese shall take place only through the port of Walvis Bay or such other places or ports as may from time to time be notified by the Administrator in the *Gazette*.

3. The owner of butter or cheese intended for export shall, not less than fourteen clear days before the date of shipment, give notice to the officer in charge of agricultural services in the form set out in Annexure "A" to these regulations, of the intention to export such butter or cheese. Where shorter notice is given, such butter or cheese may be accepted for inspection if, in the opinion of the officer in charge of agricultural services there is sufficient time to carry out such inspection prior to the sailing of the ship by which it was intended to consign such butter or cheese.

4. In respect of creamery butter or cheese, intended for export, the owner, when giving the notice referred to in regulation No. 3, shall state in the form in that regulation referred to, in the column headed "grades", under which of the grades specified in regulation No. 7 it is proposed to export such butter or cheese.

5. Butter or cheese intended for export shall be placed in such cold storage at the port of shipment as shall previously have been approved by an inspector. No cheese intended for export shall be stored at a lower temperature than forty degrees Fahrenheit or higher than sixty degrees Fahrenheit.

6. Creamery butter and cheese, shall be examined and graded at the port of shipment in premises approved by an inspector.

7. Creamery butter or cheese intended for export shall be classified before export as being either first grade, second grade or third grade.

The grading of such butter or cheese shall be according to the following scale of points -

Flavour and aroma	50 points.
Texture, including body, grain and moisture	30 points.
Colour	10 points.
Salting	5 points.
Finish and packing	5 points.

For the purpose of differentiating between the said grades, first grade butter or cheese shall score 90 to 100 points, second grade butter or cheese shall score 80 - 89 points and third grade butter or cheese shall score 70 - 79 points. Authority may be given to export creamery butter which on examination is found to score below 70 points if it is clearly marked "Cooking Butter" on two sides of the boxes or cases containing it. No cheese which on examination is found to score below 70 points shall be exported.

8. When butter or cheese has been examined and passed for export, the inspector shall issue, in the case of ungraded farm butter and cooking butter, to the shipping company a permit to ship, in the form as shewn in Annexure "B" to these regulations.

**[The word "shown" in the phrase "in the form as shewn in Annexure" is misspelt in the *Official Gazette*, as reproduced above.]**

In the case of creamery butter, and cheese, the inspector shall stamp each box, case or crate with a distinctive mark, showing the grade, and shall, in addition to a permit to ship in the form of Annexure "B" to be issued to the shipping company, issue to the owner a butter or

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

---

cheese grade certificate, as the case may be, in form shown in Annexure “C” to these regulations, and to the shipper a butter or cheese export certificate, as the case may be, in form shown in Annexure “D” to these regulations.

**9.** (a) No butter shall be shipped at a higher temperature than thirty degrees Fahrenheit, and no butter shall be inspected or graded if it is of a temperature of less than fifty degrees Fahrenheit or higher than sixty-four degrees Fahrenheit.

(b) No cheese shall be shipped at a higher temperature than fifty degrees Fahrenheit.

**10.** If butter or cheese intended for export is withdrawn or excluded from shipment -

(a) the owner of such butter or cheese shall notify the officer in charge of agricultural services of such withdrawal or non-shipment in writing within ten days after such withdrawal or non-shipment, and shall at the same time return any grade certificate which may have been issued to such owner in respect of such butter or cheese;

(b) any shipping company to whom any permit to ship and any shipper to whom any export certificate may have been issued in respect of such butter or cheese, shall return such permit or certificate, as the case may be, within ten days after such withdrawal or non-shipment, to the officer in charge of agricultural services.

**11.** Butter or cheese which has been examined, passed, and officially marked for export, and which is afterwards withdrawn from a shipment or not exported, shall not be removed from the place of examination until the inspector shall have placed over the export or grading mark on the boxes, cases or crates containing such butter or cheese the word “Cancelled”. If it is intended to export such butter or cheese at a later date, or by a later ship, the owner shall again notify the officer in charge of agricultural services of the intention to export in terms of regulation No. 3. In such cases the inspector may at his discretion re-examine and regrade such butter or cheese.

**12.** Such samples of butter or cheese submitted for export may be taken by an inspector as he may consider necessary for the purpose of examination, inspection or analysis, and all cases or boxes from which samples have been taken for analysis shall be stamped “Sample Taken”.

**13.** Before butter or cheese is inspected the exporters thereof shall supply to the inspector at the port of shipment, a schedule in the form set out in Annexure “E” to these regulations duly completed with the information required.

This schedule shall be delivered to the inspector prior to the arrival of the butter or cheese at the premises approved under regulation No. 6.

**14.** All boxes or crates or cases containing creamery butter or cheese intended for export shall be branded with the letters “S.W.A.” over the registered number of the premises in which the butter or cheese has been manufactured on the outside top right hand corners of the two opposite sides (ends) of the box, crate or case in letters and figures not less than one inch square and enclosed in a square, thus -

S.W. A.

14

There shall be printed on wrappers containing creamery butter intended for export, in plain capital letters of a face measurement of not less than one-quarter inch square, and on cases

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

---

or crates containing such butter or containing cheese, in plain capital letters of a face measurement of not less than one inch square, the words -

“PRODUCE OF SOUTH WEST AFRICA”.

Nothing contained in this regulation shall be deemed to prohibit the use of any other distinctive mark or marks registered with the Officer-in-Charge, Agricultural and Veterinary Services, under the provisions of the Dairy Industry Ordinance, 1926 (Ordinance No. 2 of 1926).

**15.** Butter intended for export shall be packed in boxes or cases, which, in the opinion of the inspector are suitable and of sufficient strength; such cases or boxes shall contain in the case of butter packed in bulk, 56½ lbs. nett weight of butter, and in the case of butter packed in pats 50½ lbs. nett weight of butter. Each box or case shall be clearly marked “56 lbs. nett” in the case of butter packed in bulk, and “50 lbs. nett” in the case of butter packed in pats. Should the inspector on inspection find a less weight of butter contained in any case or box than that required under this regulation, such case or box shall be marked by him “Under Weight”.

[The word “inspection” in the phrase “inspector on inspection find a less weight” is misspelt in the *Official Gazette*, as reproduced above.]

**16.** Each box or case of creamery butter intended for export shall bear on the top lefthand corners of the two opposite sides (ends) in a series of letters or figures a statement giving the date of manufacture of the contents, the number of the churning, and the number of cases in the consignment from each churning. The inspector shall be supplied by the exporter with a key to these letters or figures, and should the code be altered, the inspector shall be informed of such alteration.

[The Regulation uses both “lefthand” and “left hand”; these words are reproduced as they appear in the *Official Gazette*.]

**17.** Exporters of creamery butter marking their boxes or cases with registered brands shall notify the inspector whether such brands indicate first grade, second grade, third grade or cooking butter, and exporters of creamery butter not using registered brands shall mark their boxes or cases with the letters “A” for first grade, “B” for second grade and “C” for third grade, and these letters shall be followed by the word “Bulk” or the word “Pats”, as the case may be. All marking indicating the grade shall be made on the two opposite sides (ends) near the centre of such boxes or cases leaving at the bottom a clear space of at least three inches.

**18.** All boxes or cases containing butter other than creamery butter intended for export shall be stamped on the two opposite sides (ends) with the following designation -

UNGRADED FARM BUTTER.

PRODUCE OF SOUTH WEST AFRICA.

in plain capital letters of a face measurement of not less than one inch square. There shall be printed on wrappers containing butter other than creamery butter intended for export the same designation in plain capital letters of a face measurement of not less than one-quarter inch square. No other words except the producer’s name and address shall appear on such cases or wrappers.

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

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**19.** (1) No cheddar cheeses shall be permitted to be exported unless they weigh approximately 80 lbs. each and are packed in standard crates which -

- (a) are suitable to contain two cheeses of approximately eighty pounds weight;
- (b) comply with the following requirements -
  - (i) shall have twelve sides of which each contiguous pair forms a similar angle;
  - (ii) the ends shall be of wood planed smooth on the outside, and shall, after dressing, be not less than  $\frac{7}{8}$ th inch thick. Each crate shall have a centre board which shall not be less than  $\frac{3}{4}$  inch thick. The ends and centre board shall measure not less than 15 inches between each opposite pair of sides;
  - (iii) the sides shall be made of battens which shall be  $27\frac{1}{2}$  inches long, not less than 3 inches nor more than  $3\frac{1}{4}$  inches wide, and not less than  $\frac{3}{8}$ th inch nor more than  $\frac{1}{2}$  inch thick, the outer edges of the battens shall be chamfered.

(2) Notwithstanding the provisions of subsection (1) hereof cheddar cheeses weighing approximately sixty pounds each or forty pounds each may be exported provided they are packed in crates of a suitable size to contain, in the case of sixty pound cheeses, two such cheeses, and in the case of forty pound cheeses three such cheeses, and which are similar in make and strength to the standard crate prescribed in subsection (1).

**[Comma should be inserted after “forty pound cheeses” as it appears in *Official Gazette*, as reproduced above.]**

(3) The ends of all crates shall be of wood planed smooth on the outside, and the side battens shall be chamfered.

(4) All crates shall be bound at each end and at the centre either with non-rusting wire secured with staples or with other approved binding.

(5) The wood shall be well seasoned, and free from cracks, loose knots, pockets of resin, and other defects capable of allowing the contents to suffer damage.

- (6) One or more scale-boards shall be placed at each end of each cheese.
- (7) The outside shall be clean.
- (8) The nails used shall be  $1\frac{3}{4}$  inch by 13 gauge and shall have flat heads.

**20.** No sweet milk cheeses (Gouda type) shall be permitted to be exported unless they weigh approximately 8 lbs. each and are packed in standard cases which -

- (a) are suitable to contain four cheeses of approximately eight pounds weight each;
- (b) are made to the following specification -
  - (i) Tops and bottoms to be made of three pieces each 23 inches long,  $7\frac{3}{4}$  inches wide and  $\frac{1}{4}$  inch thick.

**[The word “Tops” should not be capitalised and the item should end with a semicolon.]**

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

---

- (ii) Each side to be of one piece 23 inches long,  $3\frac{3}{4}$  inches wide and  $\frac{7}{16}$ th inch thick. In each side there shall be two ventilation openings  $\frac{5}{8}$ th inch in diameter and placed on approximate 5 inches from each end. These openings shall be covered on the inner side with fine mesh wire gauze.

[The word "Each" should not be capitalised and the item should end with a semicolon.]

- (iii) Each end to be of one piece 22 inches long,  $3\frac{3}{4}$  inches wide and  $\frac{1}{2}$  inch thick.

[The word "Each" should not be capitalised and the item should end with a semicolon and the word "and".]

- (iv) Each case to have two dividing pieces each 4 inches deep and  $\frac{3}{16}$ th inch thick to intersect and divide the case into four compartments.

[The word "Each" should not be capitalised.]

**21.** (1) Crates or cases containing cheese shall be bound with non-rusting wire or other approved binding.

(2) Such crates or cases damaged in transit to the port of shipment may be repaired or repacked by the exporter's agent or representative if the owner so desires.

(3) Cheeses packed in crates or cases which are in an unclean condition or which in the opinion of the inspector are otherwise unsuitable, shall not be exported until they have been repacked to the satisfaction of the inspector.

**22.** Every crate or case containing cheese submitted for export shall bear on each end in capital letters or figures, not smaller than one half of an inch square, the consecutive number of the crate or case and the words "white" or "coloured" according to the contents. The registered number of the factory, the registered trade mark or brand of the factory (if any) and the nett weight of the contents must also be marked in clear and indelible figures, on both ends of each crate or case.

**23.** On any cheddar or other hard pressed variety of cheese shall be indicated, by means of a series of letters or figures branded on the side of each cheese and not smaller than one-half inch square, the day of manufacture of such cheese, the number of the vat, if more than one making of cheese is manufactured in one day, and the number of cheeses from each making. To enable the inspector to determine what the letters or figures indicate, the owner or exporter of such cheese shall supply to him the key of such letters or figures and should the code used be at any time altered, the nature of such alteration shall at once be communicated to that officer.

**24.** When packing cheese intended for export the manufacturer or packer shall so place them in the crate that by removing one lath, the markings required by regulations No. 23 on each cheese may be seen. Such lath shall be indicated by the letter "D" printed not smaller than one inch and a half in height.

**25.** Only cheese of the same quality and manufactured on the same date and from the same batch shall be packed together in the same crate, provided that where it is unavoidable,

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

odd cheeses may be packed together in the same crate if the markings on the crate clearly indicate the contents of the crate and the position in the crate of each different make of cheese.

26. It shall be necessary to examine only one cheese from each making as indicated by the information provided in the schedule.

27. An inspection fee of 3d per box or case shall be charged in respect of all creamery butter, and of 2d per crate or case in respect of all cheese, graded or inspected under these regulations, and shall be payable monthly to the officer in charge of agricultural services.

28. Nothing in these regulations contained shall apply to the export of butter or cheese to the Union of South Africa.

**ANNEXURE "A"**  
**NOTIFICATION OF EXPORT OF BUTTER/CHEESE**

I, ....., for .....,  
 ..... Creamery/Cheese Factory, at .....,  
 ....., South West Africa, do hereby certify  
 that the butter/cheese mentioned in the following Schedule has been manufactured in South West Africa  
 and is intended for export:

Reg. No.	Number of Boxes Crates	Nett Weight	Brand	Marks	Date of manufacture	Churning No.	Grades	Name of Vessel	Destination

The above consignment of butter/cheese will reach the Cold Stores at .....  
 on or about the ..... 19.....,  
 for inspection.

Dated at ....., South West  
 Africa, this ..... day of .....,  
 19.....

.....  
 Signature of Owner.

**ANNEXURE "B"**  
**ADMINISTRATION OF SOUTH WEST AFRICA**

To the ....., S.S./Co.,  
 .....  
 The undermentioned ..... cases of .....

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

..... butter/cheese have been duly examined and graded, and permission is hereby granted to ship per S.S. .... from the port of ..... to.....

Registered Numbers.	Nos. of Cases.	Brand.	Marks.

Dated at ..... this ..... day of ..... 19.....

Inspector.

**ANNEXURE "C"**  
**ADMINISTRATION OF SOUTH WEST AFRICA**

**GRADE CERTIFICATE FOR CREAMERY BUTTER/CHEESE**

I certify that I have this day examined and graded ..... boxes of butter/cheese, marked and branded as mentioned in Schedule below, for shipment per S.S. .... from the port of ..... to ..... and have awarded points for quality and at the same time marked each package according to grade.

Registered Number.	Nos. of Cases.	Brand	Marks.	Destination.

.....Boxes, 1st g: Nett weight of butter (including paper) in each box selected by Inspector for weighing.

..... Boxes, 2nd g: \_\_\_\_\_

..... Boxes, 3rd g: Marked on Box: As checked by me.  
 ..... lb. ....lb. ....oz.

	Maximum Points obtainable.	1st Grade 90 to 100	2nd Grade 80 to 89	3rd Grade 70 to 79
Flavour and Aroma	50			
Texture, including body, grain and moisture	30			
Colour	10			
Salting	5			
Finish and packing	5			

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

	Points awarded		
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Churning number and date of manufacture:

Vat.

Remarks:

.....  
 .....  
 .....

Dated at ..... this .....  
 ..... day of ..... 19.....

.....

Signature of Inspector.

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**ANNEXURE “D”**

ADMINISTRATION OF SOUTH WEST AFRICA

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**BUTTER/CHEESE GRADE CERTIFICATE FOR SHIPPERS ONLY**

The following is an extract of the notification received from the manufacturers of .....  
 boxes of butter/cheese shipped per S.S. ....  
 from the Port of ..... to .....

Registered Number.	No. of Crates.	Marks.

FACSIMILE OF GRADING STAMP.

1st Grade	2nd Grade	3rd Grade

Dated at ..... this .....  
 ..... day of ..... 19.....

.....

Inspector.

—

**ANNEXURE “E”**

To the Dairy Inspector (a) .....

I have this day forwarded the undermentioned (b) .....  
 ..... crates of (c) .....

butter/cheese to the grading store at .....

for export to ..... per .....

**REGULATIONS**  
**Agricultural Produce Export Ordinance 13 of 1928**  
**Butter and Cheese Export Regulations**

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..... due to sail from .....  
on .....

Registered Number.	Crate No.	Date of manufacture and Number of Vat. x	Nett Weight	Grade.

Total nett weight .....

Date .....

.....  
Consignor: Address in full.

- (a) Address of Dairy Inspector.
  - (b) Number of crates in consignment.
  - (c) Variety of cheese (Cheddar, Sweetmilk or other variety).
- x If code is used the key to the code must be attached to this schedule.