

**THE AGRICULTURAL PRODUCE (GRADING
AND MARKING) ACT, 1937**

ACT NO. I OF 1937

[24th February, 1937]

**An Act to provide for the grading and marking of
agricultural and other produce.**

WHEREAS it is expedient to provide for the grading and marking of Agricultural and other produce; It is hereby enacted as follows:-

1. (1) This Act may be called the Agricultural Produce (Grading and Marking) Act, 1937. Short title and extent

(2) It extends to the whole of ¹[Bangladesh].

2. In this Act, unless the contrary appears from the subject or context,- Explanations

(a) “agricultural produce” includes all produce of agriculture or horticulture and all articles of food or drink wholly or partly manufactured from any such produce, and fleeces and the skins of animals;

(b) “counterfeit” has the meaning assigned to that word by section 28 of the ²[Penal Code];

¹ The word “Bangladesh” was substituted for the word “Pakistan” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The words, “Penal Code” were substituted for the words, “Pakistan Penal Code” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

- (c) “covering” includes any vessel, box, crate, wrapper, tray or other container;
- (d) “grade designation” means a designation prescribed as indicative of the quality of any scheduled articles;
- (e) “grade designation mark” means a mark prescribed as representing a particular grade designation;
- (f) “quality”, in relation to any article, includes the state and condition of the article;
- (g) “prescribed” means prescribed by rules made under this Act;
- (h) “scheduled article” means an article included in the Schedule; and
- (i) an article is said to be marked with a grade designation mark, if the article itself is marked with a grade designation mark or any covering containing or label attached to such article is so marked.

Prescription of
grade
designations

3. The ¹[Government] may, after previous publication by notification in the *official Gazette*, make rules-

- (a) fixing grade designations to indicate the quality of any scheduled article;
- (b) defining the quality indicated by every grade designation;
- (c) specifying grade designation marks to represent particular grade designations;
- (d) authorising a person or a body of persons, subject to any prescribed conditions, to mark with a grade designation mark any article in respect of which such mark has been prescribed or any covering containing or label attached to any such article;

¹ The word “Government” was substituted for the word “Central Government” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

- (e) specifying the conditions referred to in clause (d) including in respect of any article conditions as to the manner of marking, the manner in which the article shall be packed, the type of covering to be used, and the quantity by weight, number or otherwise to be included in each covering;
- (f) providing for the payment of any expenses incurred in connection with the manufacture or use of any implement necessary for the reproduction of a grade designation mark or with the manufacture or use of any covering or label marked with a grade designation mark or with measures for the control of the quality of articles marked with grade designation marks including testing of samples and inspection of such articles or with any publicity work carried out to promote the sale of any class of such articles; and
- (g) providing for the confiscation and disposal of produce marked otherwise than in accordance with the prescribed conditions with a grade designation mark.

4. Whoever marks any scheduled article with a grade designation mark, not being authorised to do so by rule made under section 3, shall be punishable with fine which may extend to five hundred ¹[Taka].

Penalty for unauthorised marking with grade designation mark

5. Whoever counterfeits any grade designation mark or has in his possession any die, plate or other instrument for the purpose of counterfeiting a grade designation mark shall be punishable with imprisonment which may extend to two years, or with fine, or with both.

Penalty for counterfeiting grade designation mark

6. The ²[Government], after such consultation as it thinks fit of the interests likely to be affected, may by notification in the *official Gazette* declare that the provisions of this Act shall apply to an article of agricultural produce not included in the Schedule or to an article other than an article of agricultural produce, and on the publication of such notification such article shall be deemed to be included in the Schedule.

Extension of application of Act

¹ The word “Taka” was substituted for the word “rupees” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The word “Government” was substituted for the word “Central Government” by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

THE SCHEDULE

(See section 2)

1. Fruit
 2. Vegetables
 3. Eggs
 4. Dairy produce
 5. Tobacco
 6. Coffee
 7. Hides and Skins
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