

AN ACT PROVIDING FOR THE INSPECTION, GRADING, AND BALING OF ABACA (MANILA HEMP), MAGUEY (CANTALA), SISAL, AND OTHER FIBERS.

Act No. 2380, February 28, 1914

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By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. For the purpose of this Act the terms herein used are defined as follows:

- (a) "Fiber" is used with reference to its common and commercial significance and not to its scientific meaning. In this Act this term shall mean the raw material only, and not fibers partially or entirely manufactured.
- (b) "Abaca" shall mean the fiber of the plant of the same name, which is known technically as *Musa textilis* and commercially as "manila hemp," "manila," and "hemp."
- (c) "Maguey" (cantala) shall mean the fiber of the plant of the same name, which is known technically as *Agave cantala* Roxb., and commercially as "maguey," "manila maguey," and "Philippine maguey."
- (d) "Sisal" shall mean the fiber of the true sisal plant, *Agave sisalana* Per., which is sometimes known locally as "maguey de Hawaii."
- (e) "Strand" shall mean several fibers twisted together by hand for tying bundles or hanks.
- (f) "String" shall mean a handmade rope or strand of abaca, maguey, or sisal which has been used for tying several bundles or hanks together.
- (g) "Tow" shall mean pieces of broken fiber or fine fibers, interwoven in such a way as to break wholly or in part during the operation of carding at the mill.
- (h) "Waste" shall mean the broken fiber or partially cleaned fiber strips which fall under the knife or machine during the operation of fiber extraction.
- (i) "Grading station" shall mean any city or town which shall be designated by the Director of Agriculture as a place where the grading and baling of abaca, maguey, or sisal may be practiced. Such a station may have one or more grading establishments.
- (j) "Grading establishment" shall mean a building or; group of buildings at a grading station where the grading, baling, and preparation for export of abaca, maguey, and sisal fibers are authorized in accordance with the provisions of this Act. The owner of such an establishment may be an individual, an association, or a corporation.

SEC. 2. (a) The Director of Agriculture is hereby enjoined and directed to establish, define, and designate standards for the commercial grades of abaca, maguey, and sisal, which shall become the official standards of classification throughout the Philippine Islands, calling to his assistance the agencies of his Bureau, those of any other Bureau or branch of this Government, or such other agencies as he may deem necessary.

(b) The Director of Agriculture shall prepare in suitable form the official standard of each grade of the fibers covered by this Act and furnish the same upon request to all authorized grading establishments, provincial governments, chambers of commerce, planters' associations, and other institutions directly interested in the trade, the actual cost of such specimens to be paid in advance by the party requesting the same.

(c) The designation and mark of each grade of the official standard, together with the basis upon which each grade is determined, shall be defined and published by the Director of Agriculture in a Bureau of Agriculture General

Order not less than six months prior to the date when this Act goes into effect; the Director of Agriculture shall furnish a sufficient number of copies of this order and of any other or others hereafter issued on this subject to the foreign markets, municipal presidents, provincial governors, and to such other persons and corporations as he may deem advisable, for general information and guidance.

(d) To preserve the official standards as originally prepared, the Director of Agriculture shall stipulate the manner in which they shall be kept and shall define the period at the expiration of which they shall be renewed.

(e) Any grading establishment shall have the right to prepare or renew the set of official standards of grades for its use, providing that such a set shall be an exact copy of the official set of standards and that it shall have been approved and certified to by the Director of Agriculture or his authorized agent.

(f) The Director of Agriculture shall establish one or several standards for abaca which may have been partially cleaned or prepared in the form of tow, waste, or strings, at the request of a party concerned, if such standards are required by the market. He shall also likewise establish a standard or standards for the fiber of any species of *Musa* other than abaca for which there shall be a demand in the market. Such standards, if established, shall be designated and denned in the general order referred to in section two (c) of this Act.

SEC. 3. (a) Six months prior to the date on which this Act goes into effect, the Director of Agriculture shall organize in the ports of export the offices in which the grading of abaca, maguey, sisal, and other fibers shall be practiced. He shall likewise organize identical offices at the request of a party concerned at any point in the Archipelago.

(b) No person, association, or corporation shall engage in grading abaca, maguey, or sisal, unless a permit shall have previously been obtained, which shall be signed by the Director of Agriculture, such permits to be known as "grading permits."

(c) There shall be six classes of grading establishments which shall be classified (according to the quality of loose fiber they grade and bale per annum) as follows: First-class establishments, handling five thousand metric tons and above; second-class establishments, handling between two thousand five hundred and five thousand metric tons; third-class establishments, handling between two thousand and two thousand five hundred metric tons; fourth-class establishments, handling between one thousand and two thousand metric tons; fifth-class establishments, handling between five hundred and one thousand metric tons; and sixth-class establishments, handling less than five hundred metric tons.

(d) Grading permits shall be furnished to any grading permits, establishment the owner or owners of which shall prove to the Director of Agriculture that they possess the necessary qualifications to carry on the work, and on payment in advance of an annual fee of one thousand pesos for first-class, five hundred pesos for second class, two hundred and fifty pesos for third class, one hundred pesos for fourth class, fifty pesos for fifth class, and twenty-five pesos for sixth class establishments. The classification of grading establishments shall be based on the quantity of fiber graded and baled during the year previous to the one for which a grading permit is desired. In the case of a new establishment, the classification shall be made at the end of the first year and it shall pay the fee corresponding to such year.

(e) In grading fiber for export, each grade prepared to shall correspond to one of the official standards, and it shall standards also bear the same designation and mark as the latter. The set of official standards shall be placed in a prominent position in the grading shed for reference.

SEC. 4. (a) Every grading establishment which is also brand marks an exporter of the fiber shall have the right to use private marks, or brands, in connection with the name of the official standard, providing that such marks shall have been previously registered at the office of the Director of Agriculture and their use authorized by the said official, and also providing that each mark shall constantly refer to the same official standard or a specified type thereof. Application forms for the registration of private marks can be obtained free of charge from the Director of

Agriculture.

(b) The Director of Agriculture may, after giving the grading establishment one month's notice in writing, cancel the brand or brands of any grading establishment when it shall have been proved that such brand or brands have not been constant or if their use shall have led to mistakes or confusion. The order of cancellation shall take effect immediately, without prejudice to carrying the matter in appeal to the Secretary of Public Instruction, who, in the case of a decision adverse to the Director of Agriculture, shall order that the brand or brands canceled be restored.

SEC. 5. (a) All fibers included in this Act which are intended for export shall be pressed in bales approximately of the following dimensions and weight: Length, one meter; width, fifty centimeters; height, fifty-five centimeters; and weight, one hundred and twenty-five kilos, net. In any grade of abaca in which the quality of the fiber may be injured by excessive pressure, the approximate dimensions and weight of each bale of such fiber shall be determined in a general order by the Director of Agriculture.

(b) The limit of size of diameter of each hank contained in the bale of abaca, the manner in which these hanks shall be arranged in the bale, and the manner of labeling and tying of each entire bale shall be designated by Fiber inspectors.

(c) Each and all hanks of fiber contained in a bale shall be uniform in quality, and each hank shall also be securely tied by a strand to hold the hank together, and which shall be identical with the fiber which constitutes the bale.

(d) Every bale of fiber shall be free from strings, waste, tow, damaged fiber, fiber not identical with that which constitutes the bale, or any extraneous matter, and the fiber shall be thoroughly dry.

(e) No authorized grading establishment shall be permitted to charge a fee exceeding eight pesos per metric ton for baling and grading any fiber which is included in this Act.

SEC. 6. (a) In order to enable him to supervise the grading and baling of abaca, maguey, and sisal at the various grading stations in the Philippine Islands and to see that the provisions of this Act are adhered to by all authorized grading establishments, the Director of Agriculture is hereby authorized and directed to organize a special subdivision to be known as the "fiber inspection subdivision," which shall be subsidiary to the fiber division of the Bureau of Agriculture.

(b) The chief of the fiber division of the Bureau of Agriculture shall be chief fiber inspector, and shall receive compensation therefor in addition to his salary of not to exceed two thousand pesos per annum.

(c) The force of the fiber inspection subdivision shall consist of employees to be known as fiber inspectors, one or more of whom shall be stationed at each export port and at such other grading stations as the Director of Agriculture may deem necessary, upon the request of the party or parties concerned. The duty of such inspectors shall be to make a periodical inspection of all grading establishments within their jurisdiction, to inspect all graded and baled abaca, maguey, sisal, and such other fibers as are included in this Act, which are intended for export, to collect all fees of inspection, and to issue to the shipper or owner of the fiber a certificate or certificates to be known as "certificates of inspection" which shall set forth the result of his inspection by showing the total number of bales inspected by him for each shipper or owner, the number of such bales of each grade and mark (if any), and such other additional data as may be stipulated by the Director of Agriculture.

(d) A certain number of fiber inspectors shall be detailed from time to time for educational work among, the fiber producers in any district in the Philippine Islands, whose duty shall be to instruct the latter as to the manner in which they should prepare their product so as to meet the requirements of this Act, and to give them such other information as will enable them to understand the grade or grades of fibers they prepare and the current prices therefor.

(e) Fiber inspectors shall receive a compensation of not to exceed four thousand pesos per annum. Only persons who shall have had experience in the classification of abaca and other fibers during a period of not less than four years or who shall have acquired sufficient instruction in agricultural matters may be appointed fiber inspectors.

(f) The Director of Agriculture or his authorized agent shall maintain an office at as many grading stations as there are ports of export for abaca and other fibers and at such other grading stations as he may deem necessary at the request of the parties concerned, and at each such station one or more inspectors shall be stationed, and shall provide each such office with such supplies, instruments, and other equipment as may be required to carry on the work of inspection in an efficient manner.

(g) All fiber of which the official standard shall have been established as provided in section two hereof shall be graded, baled, inspected and approved as provided in this Act.

(h) A grading establishment shall give the fiber inspector notice in writing when practicable, stating the number of bales ready for inspection, and, when practicable, the name of the steamer on which same is to be shipped, and the destination of the shipment.

(i) Inspections shall be made in the regular grading shed, where one bale of every twenty, and such additional bales as he may deem necessary, shall be opened by the fiber inspectors for a thorough examination: Provided, That in case of the receipt of a shipment of fiber which has been graded and baled but not inspected, inspection of any such shipment shall be made at such place as he may designate, and the owner of such fiber shall provide for the transportation of the bales to be inspected to and from the place of inspection.

The object of such inspection shall be to determine whether or not the grade inspected conforms with the official standard for the same, whether or not the private mark (if any) used is correct, and whether the baling and labeling is in conformity with the provisions of this Act and the authorized instructions of the Director of Agriculture.

(j) The fiber inspector shall have free access to the grading and baling sheds; and also to the warehouses where the bales are stored, of any grading establishment within his jurisdiction, during working hours, to make an inspection, for the purpose of satisfying himself as to the propriety of the methods used therein. He shall also see that the approved set of official standards is always carefully preserved and renewed within the specified period.

(k) Every shipment of graded and baled abaca, maguey, or sisal, which has been inspected and approved, shall be accompanied by a certificate or certificates of inspection attached to the bill of lading and duly signed by the fiber inspector who made the inspection. All certificates of grading shall be prepared in quadruplicate, the original and one copy to be given the owner, one copy to be forwarded to the Director of Agriculture, and one copy to be filed in the inspector's office.

(l) When a lot of fiber, which has been graded, baled, and duly inspected and approved, is transferred by sale or otherwise from one owner to another, the certificate of inspection shall accompany the lot and the transfer of ownership noted thereon by the fiber inspector in the locality where the transfer has taken place. If, however, a new certificate is desired by the purchaser, the same shall be issued to him by the local fiber inspector. Such a certificate, however, shall be known as "secondary certificate of inspection."

(m) Fiber which has been duly inspected, graded, baled, and shipped from one port to another in the Philippine Islands shall not be subject to further inspection at the port of destination, except upon written complaint received by the chief fiber inspector, providing that during transit the bales shall not have been exposed to moisture or any other agency which is likely to impair their quality.

(n) Ten centavos shall be charged and collected by the appropriate fiber inspector for each bale of fiber inspected and stamped by him, whether approved or rejected. Such charges shall be paid by the owner of the fiber and a receipt therefor shall be given him.

(o) Any person, association, or corporation purchasing graded, baled, and inspected fiber for manufacture in the Philippine Islands into yarn, twine, rope, or other articles shall be refunded the inspection fee hereinbefore provided for upon presentation to the Director of Agriculture of the certificate of inspection covering the number of bales consumed in such manufacture, together with an affidavit that said number of bales has actually been consumed in such manufacture within the Islands.

SEC. 7. (a) No person shall change, obliterate, or counterfeit, wholly or in part, or cause to be changed,

obliterated, or counterfeited, the official or private mark or brand on any bale of fiber which has been inspected, graded, and stamped as provided in this Act, nor shall any person use any tag or mark which is not in accordance with the provisions of this Act or the authorized orders of the Director of Agriculture; nor shall any person tamper with or alter the quantity or quality of any bale of fiber which has been inspected, graded, and stamped as provided in this Act.

(b) Any person, association, or corporation violating any of the provisions of this Act shall, upon conviction thereof by a court of competent jurisdiction, be fined not more than two hundred and fifty pesos.

(c) Upon conviction of any person, association, or corporation of a violation of any of the provisions of this Act, the Director of Agriculture may withdraw and cancel the grading permit theretofore issued to such person, association, or corporation.

SEC. 8. All acts of the Director of Agriculture authorized by this Act shall be previously submitted to the Secretary of Public Instruction for his approval.

SEC. 9. This Act shall take effect on the first day of January, nineteen hundred and fifteen.

Enacted, February 28, 1914.

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