

No. , 1939.

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## A BILL

To regulate in certain respects the sale of foods and medicines for animals and birds; to provide for the constitution of a Stock Medicines Board and to define its powers, authorities, duties and functions; and for purposes connected therewith.

[MAJOR REID;—31 *October*, 1939.]

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of 5 the same, as follows:—

### PART I.

#### PRELIMINARY.

**1.** (1) This Act may be cited as the "Stock Foods and Medicines Act, 1939."

28851

341—A

Citation  
and com-  
mencement.

(2)

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(2) This Act shall commence on a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. This Act is divided into Parts as follows:—

Division  
into Parts.

- 5     PART I.—PRELIMINARY—ss. 1-3.  
        PART II.—STOCK FOODS AND LICKS—ss. 4-9.  
        PART III.—STOCK MEDICINES—ss. 10-17.  
        PART IV.—GENERAL PROVISIONS—ss. 18-33.

3. In this Act, unless the context otherwise indicates  
 10 or requires—

Interpreta-  
tion.

- “Biological product” includes any vaccine serum or virus, whether living or dead, aggressins, gland extracts and diagnostic agents or any other product of bacterial growth. cf. Vict. Act No. 4488 (1937), s. 2.
- 15     “Board” means the Stock Medicines Board appointed under this Act. *Ibid.*
- 20     “By-products” includes husks, bran, pollard, brewer’s grains and materials produced from any kind of grain in any process of treatment or manufacture not being the primary object of such process and also includes any other commodity, substance, material or matter declared by the regulations to be a by-product for the purposes of this Act. cf. Vict. Act No. 3780 (1928), s. 3.
- 25     “Chaff” means hay or straw cut into short lengths. *Ibid.*
- “Foreign ingredient” means any substance, plant, part of a plant, or the seeds of any plant declared by the regulations to be a foreign ingredient. *Ibid.*
- 30     “Hay” means any fodder plant cut before complete ripeness and dried and from which the grain or seed has not been removed. *Ibid.*
- “Hay chaff” means chaff consisting only of hay. *Ibid.*
- 35     “Lick” means any preparation consisting of or containing any mineral, inorganic substance, bone or mineral salt or salts and claimed to supply or primarily intended for supplying mineral matter to cf. Vict. Act No. 4382 (1936), s. 2.

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to stock; and includes any prescribed preparation consisting of or containing any mineral salt or salts.

“Manufactured stock food” includes—

- 5 (a) any food for stock prepared whether in whole or in part from one or more kinds of grain, juice, legume, meat, nut or other substance of a like nature; and
- 10 (b) any condimental, patented or proprietary stock food claimed to possess nutritive properties or nutritive as well as medicinal properties.

15 “Package” includes a sack, barrel, case, packet and parcel and anything in or by which stock food is cased, covered, closed, contained or packed.

“Prescribed” means prescribed by this Act or by the regulations.

“Regulations” means regulations made under this Act.

20 “Sell” includes barter or exchange and also includes agreeing to sell or offering or exposing for sale or having in possession for sale or sending, forwarding or delivering for or on sale or causing, suffering or attempting any of such acts or things; and derivatives from “sell” have a

25 corresponding meaning.

30 “Stock” means horses, mules, asses, cattle, sheep, goats, pigs, cats, dogs, domestic fowls, turkeys, ducks, geese, pigeons and any other birds or animals in captivity.

“Stock food” includes hay, straw, chaff, grain or seeds; any manufactured stock food or by-product and any other substance declared by the regulations to be a stock food.

35 “Stock medicine” means any mixture, compound or preparation of one or more drugs or ingredients in any form, or any biological product intended

cf. Qld. Act  
No. 33 of  
1933, s. 2,

to

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to be administered or applied to stock by any means for the purpose of—

- (a) curing or alleviating any injury to stock;
- 5 (b) diagnosing, curing, alleviating or preventing any disease of any stock;
- (c) destroying any parasite or pest affecting stock; or
- 10 (d) improving the condition of any stock or increasing the capacity of any stock for work or for production or for reproduction of progeny,

but does not include—

- 15 (i) any such mixture, compound or preparation bona fide prescribed by a veterinary surgeon in the course of the practice of his profession as such or supplied by him for any stock for the time being under his professional care or charge; or
- 20 (ii) any such mixture, compound or preparation bona fide extemporaneously prepared for a specific case by a pharmaceutical chemist in the ordinary course of his business; or
- 25 (iii) any stock food which would be a stock medicine by reason only that it is intended to be administered or applied to stock for the purpose of improving the condition of the stock or increasing the capacity of the stock for work or for production or for reproduction of progeny.
- 30

“ Straw ”

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- “Straw” means any dried cereal, legume or grass from which the seed or grain has been removed in any way.
- “Strawchaff” means chaff made from straw.
- 5 “Veterinary surgeon” means a veterinary surgeon registered under the provisions of the Veterinary Surgeons Act, 1923.
- 10 “Wholesale dealer” in respect of any stock food or any lick means the manufacturer, importer or other person primarily responsible for placing such stock food or lick on the market in New South Wales and in respect of any stock medicine means the manufacturer, importer or other person primarily responsible for placing such
- 15 stock medicine on the market in New South Wales.

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PART II.

## STOCK FOODS AND LICKS.

4. (1) In any sale, contract or agreement for the sale or delivery of chaff such chaff in the absence of a written agreement to the contrary shall be presumed to be hay chaff. Sales of chaff to be deemed sales of hay chaff unless otherwise stated.
- (2) Any person who sells or contracts or agrees to sell or deliver chaff which is not hay chaff shall in the absence of such a written agreement to the contrary be guilty of an offence against this Act. cf. Vict. Act No. 3780 (1928), s. 5.
5. (1) Every wholesale dealer in any manufactured stock food or any by-product or any lick shall within thirty days after the commencement of this Act or within thirty days after the date of his commencing in business or trade as a wholesale dealer in such stock food or by-product (whichever is the later date) and thereafter in each year on or before the last day of February in that year make to the Under Secretary of the Department of Agriculture Registration of manufactured stock foods, by-products and licks. cf. Vict. Act No. 4382 (1936), s. 3.

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Agriculture an application for registration of such stock food or by-product in writing in or to the effect of the prescribed form setting out the following particulars:—

- 5 (a) his name and place of business;
- (b) all marks, figures, words or letters (in this Act referred to as “the distinguishing name”) used or intended to be used in connection with every such stock food or by-product which he then sells or which he then proposes to sell during the period ending on the next following last day of February;
- 10 (c) the place of manufacture thereof;
- (d) the names of the grains, salts or other materials from which such stock food or by-product was prepared;
- 15 (e) a chemical analysis of such stock food or by-product (other than bran and pollard) stating—
- (i) in the case of a stock food (other than a stock lick) or a by-product—
- 20 the minimum percentage of crude protein;
- the minimum percentage of crude fat;
- 25 the maximum percentage of crude fibre, and
- the maximum percentage of foreign ingredients,
- 30 contained in such stock food or by-product, and
- (ii) in the case of a stock lick—
- 35 the maximum percentage of salt (sodium chloride);
- the minimum percentage of phosphoric acid ( $P_2O_5$ ), lime, magnesia, iron, sulphur and iodine and any other prescribed constituent,
- contained in such stock lick.

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(2) Every such application shall be accompanied by—

- 5 (a) a statutory declaration by such manufacturer or importer verifying the statements and particulars contained in such application; and
- (b) the prescribed fee.

10 (3) If after the last day of February in any year any manufacturer or importer of any such stock food or by-product proposes to sell any such stock food or by-product in addition to those already registered pursuant to this Act such manufacturer or importer shall before commencing to sell such additional stock food or by-product make with respect to the same a like application for registration as hereinbefore prescribed.

15 (4) The registration of any manufactured stock food or by-product shall subject to this Act continue in force until the last day of February next following the date of registration.

20 **6.** (1) Every vendor of any manufactured stock food or any by-product shall securely and conspicuously affix to every package thereof or, if such stock food or by-product is not contained in a package, then to the stock food or by-product a label stating the following particulars:—

Labels to be affixed to packages. cf. Vict. Act No. 4382 (1936), s. 6.

- 25 (a) the name and place of business of the manufacturer or importer;
- (b) the distinguishing name of such stock food or by-product;
- (c) the weight of the package;
- 30 (d) the chemical analysis required by this Act to be stated in the application for registration of such stock food or by-product (other than bran and pollard), and
- 35 (e) the nature and proportion of the foreign ingredients (if any) contained in such stock food or by-product.

(2)

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(2) The particulars required by this section to be stated on such label shall, notwithstanding any agreement to the contrary, have effect as a warranty by the vendor of the accuracy of such particulars.

Particulars required to be set out on labels to constitute a warranty.

cf. Vict. Act No. 4382 (1936), s. 6

5 (3) The provisions of subsections one and two of this section shall not apply in any case where a retailer breaks a package labelled as herein provided of any such stock food or any by-product in order to sell portion of the stock food or by-product contained in the package  
10 without any alteration or addition thereto.

Non-application of section.

*Ibid.*

7. (1) Except in such cases or under such conditions (if any) as may be prescribed, upon the sale of any stock food (whether paid for at the time of sale or not) the vendor shall at the time of sale or within seven days after  
15 delivery of the stock food or any part thereof give to the purchaser an invoice stating specifically—

Invoice to be given by vendor.

(a) in the case of a manufactured stock food or by-product the original grain or materials from which such stock food or by-product was prepared and the nature and proportion or amount of the foreign ingredients (if any) contained in  
20 such stock food or by-product;

(b) in the case of any other stock food the materials of which such stock food consists and the nature and proportion or amount of foreign ingredients  
25 contained in the stock food.

(2) Every agreement, circular or advertisement relating to stock food shall state specifically the particulars required by subsection one of this section to be  
30 stated in respect of such stock food in the invoice.

(3) Such statement in any invoice, agreement, circular or advertisement shall, notwithstanding any agreement to the contrary, constitute a warranty by the vendor that—

35 (a) in the case of a manufactured stock food such stock food—

(i) is prepared only from the specified original grain or materials;

(ii)



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- (ii) contains no greater proportion or amount of foreign ingredients than is prescribed;
- 5 (iii) is suitable as food for stock and in the case of any agreement, circular or advertisement for the particular kind of stock (if any) specified therein;
- (b) in the case of any other stock food, such stock food—
- 10 (i) consists solely of the materials so specified; and
- (ii) contains no greater proportion or amount of foreign ingredients than is prescribed.
- 15 **8.** The proportion or amount of foreign ingredients which may be contained in any kind of stock food and the nature of such foreign ingredients may be prescribed by regulation.
- 20 **9.** Any person who—
- (a) sells or offers or exposes for sale or contracts or agrees to sell or deliver any stock food which contains a greater proportion or amount of foreign ingredients than is prescribed;
- 25 (b) being the vendor of any stock food, fails or neglects or refuses to give to the purchaser an invoice as required by this Act or sells or delivers to the purchaser any stock food which does not consist solely of the materials specified in any invoice, agreement, circular or advertisement relating thereto;
- 30 (c) sells or offers or exposes for sale or contracts or agrees to sell or deliver any manufactured stock food which does not consist solely of the materials stated in the application for registration of such stock food or by-product or which is not registered in accordance with the provisions of this Act and the regulations thereunder,
- 35 shall be guilty of an offence against this Act.

Foreign ingredients.  
 Vict. Act  
 No. 3780  
 (1928), s. 9.

Offences and penalties.  
*Ibid.* s. 10.

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## PART III.

## STOCK MEDICINES.

- 5 **10.** (1) For the purposes of this Part there shall be constituted a Board to be called the "Stock Medicines Board."
- (2) The Board shall consist of—
- 10 (a) the persons holding for the time being under the Public Service Act the office of the Chief Veterinary Surgeon of the Department of Agriculture who shall be Chairman of the Board, the Chief Chemist of the Department of Agriculture, and the Director of Veterinary Research of the Department of Agriculture respectively;
- (b) a veterinary surgeon appointed by the Minister.
- 15 (3) Subject to this Act the appointed member of the Board shall hold office for a period of not more than two years, but shall be eligible for re-appointment if then qualified.
- (4) The Minister may at any time remove the
- 20 appointed member of the Board.
- (5) Any vacancy in the office of the appointed member of the Board shall be filled by the appointment of a qualified person thereto.
- (6) A quorum of the Board shall consist of not
- 25 less than two of the members thereof.
- (7) Save as is otherwise prescribed, the Board may meet at such times and places and may conduct its business in such manner as it thinks fit.
- 11.** (1) Every wholesale dealer in any stock medicines shall within thirty days after the commencement of this Act or within thirty days after the date of his commencing in business or trade as such (whichever is the later date) and thereafter in each year on or before the thirtieth day of June make to the Under Secretary
- 35 of the Department of Agriculture an application for **registration**

Constitution  
of Stock  
Medicines  
Board.cf. Vict. Act  
No. 4488  
(1937), s. 3.Membership  
of Board.*Ibid.*Term of  
office of  
appointed  
member.*Ibid.*Removal of  
appointed  
member.*Ibid.*Filling  
vacancy in  
office of  
appointed  
member.*Ibid.*

Quorum.

*Ibid.*Conduct of  
business,  
etc.*Ibid.*Application  
for registra-  
tion of stock  
medicine.*Ibid.* s. 5.

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registration of such stock medicine in writing in or to the effect of the prescribed form setting out—

- (a) his name and place of business;
- (b) the distinctive name of such stock medicine;
- 5 (c) the place of manufacture thereof and the name of the manufacturer;
- (d) (i) in the case of a stock medicine other than a biological product—the prescription thereof, that is to say, the actual prescription to which such stock medicine is made, stating all the constituent parts and drugs and their respective proportions and the constituents thereof which are claimed to be actual constituents; and
- 10 (ii) in the case of a stock medicine which is a biological product—the composition thereof, that is to say, the specific organism or product or ingredient claimed to be the active principal of such biological product and the concentration of such organism, product or ingredient;
- 15 (e) full directions for the use and application of such stock medicine and a statement of the injuries which it is intended or claimed to cure or alleviate or of the diseases which it is intended or claimed to diagnose, cure, alleviate or prevent or of the parasite or pest affecting stock which it is intended or claimed to destroy or of the improvement in condition or increase in capacity of stock which it is intended or claimed to effect (as the case may be); and
- 20 (f) such other matters as are prescribed.
- 25
- 30

(2) Every such application shall be accompanied by—

- 35 (a) a statutory declaration by such wholesale dealer verifying the statements and particulars contained in such application; and
- (b) the prescribed fee.

Statutory  
declaration  
and fee to  
accompany  
application.  
cf. Vict. Act  
No. 4488  
(1937), s. 5.

(3)

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(3) If after the thirtieth day of June in any year any wholesale dealer in any stock medicine—

- (a) proposes to sell any stock medicine in addition to those registered under this Part, or
- 5 (b) alters in any way the prescription or composition of any stock medicine registered under this Part,

Application for registration of additional or altered stock medicine.  
cf. Vict. Act No. 4488 (1937) s. 5.

10 such wholesale dealer shall before commencing to sell such additional stock medicine or such stock medicine as so altered make with respect to the same a like application for registration as hereinbefore prescribed.

(4) If after registration of any stock medicine the wholesale dealer in such stock medicine proposes to vary the directions for use and application of the stock medicine as contained in his application for registration he 15 shall before commencing to sell such stock medicine notify in writing the Under Secretary of the Department of Agriculture of such proposed variation.

20 **12.** The information as to the prescription or composition of any stock medicine contained in any application for registration of such stock medicine shall be deemed confidential and shall not be disclosed by any member of the Board or any officer of the Department of Agriculture to any other person without the authority 25 in writing of the wholesale dealer in such stock medicine except in pursuance of this Act or so far as is necessary in respect of any proceedings for an offence instituted or proposed to be instituted under this Act.

Information as to prescription or composition of stock medicine to be deemed confidential.  
*Ibid.* s. 6.

30 **13.** (1) Every application for registration of any stock medicine shall be submitted by the Under Secretary of the Department of Agriculture to the Board for its report thereon.

Applications for registration to be submitted to Board.  
*Ibid.* s. 7.

35 (2) If the Board reports that in its opinion the stock medicine to which the application relates is likely to be injurious to stock or is contaminated or does not conform with the prescription or composition stated in the application or that the claims or statements as to its efficacy are such as cannot be substantiated, such stock medicine shall not be registered.

Registration to be refused in certain cases.

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**14.** (1) When the registration of a stock medicine is refused the Under Secretary of the Department of Agriculture shall within seven days after the receipt by him of the report of the Stock Medicines Board notify the  
5 wholesale dealer applying for registration in writing of such refusal stating the grounds of such refusal.

Appeal  
against  
refusal of  
registration.

(2) Such wholesale dealer may within one month after the date of such notice in the manner prescribed by rules of court appeal to a judge of a District Court  
10 sitting with two assessors appointed in accordance with this section.

(3) Such appeal shall be in the nature of a re-hearing and the decision of the judge shall be final and effect shall be given thereto by the Under Secretary of  
15 the Department of Agriculture.

(4) The District Court judge hearing an appeal under this section shall be assisted by two assessors who shall have power to advise but not to adjudicate on the appeal.

Appoint-  
ment of  
assessors to  
assist  
judge.

(5) One of such assessors shall be the Dean of the  
20 Faculty of Veterinary Science of the University of Sydney or the person for the time being acting in his place and the other of such assessors shall be a veterinary surgeon for the time being appointed by the Minister for  
25 such purpose.

**15.** (1) Every package of a registered stock medicine shall bear thereon the words "Registered under the Stock Foods and Medicines Act, 1939."

References  
to this Act,  
etc., upon  
packages  
and in  
advertisements  
of  
registered  
stock  
medicines.  
cf. Vict. Act  
No. 4488  
(1937), s. 9.

(2) No package of a registered stock medicine  
30 shall bear thereon and no written or printed matter relating to any registered stock medicine shall contain—

(a) any reference to this Act other than the words "Registered under the Stock Foods and Medicines Act, 1939"; or

(b) any statement suggesting or implying that such  
35 stock medicine has been recommended or approved by the Government, the Department of Agriculture, the Stock Medicines Board, or any other authority.

(3)

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(3) Any person who—

(a) sells any package of a registered stock medicine which—

5 (i) does not bear thereon the words prescribed by subsection one of this section; or

(ii) bears thereon any reference or statement in contravention of subsection two of this section; or

10 (b) publishes, circulates or distributes or causes to be published, circulated or distributed any written or printed matter which contains any reference or statement in contravention of subsection two of this section,

15 shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding fifty pounds.

**16.** Any person who after the expiration of a period of six months after the commencement of this Act—

20 (a) sells any stock medicine which is not registered under this Part;

(b) sells under the name of a registered stock medicine any stock medicine which does not conform with the registered prescription or composition of such registered stock medicine; or

25 (c) by himself or by any other person with his consent either verbally or in any written or printed matter ascribes to any registered stock medicine any claim or statement as to its efficacy other than those stated in the application for registration of such stock medicine,

30 shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding fifty pounds for a first offence and not less than ten pounds or exceeding one hundred pounds for any subsequent offence: Provided  
 35 that no person other than the wholesale dealer in any registered stock medicine shall be deemed guilty of any offence against the provisions of paragraph (b) of this section

Offences in relation to sale and advertisement of stock medicines.  
 cf. Vict. Act No. 4488 (1937), s. 10.

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section unless it is proved that he knew that the stock medicine sold did not conform with the registered prescription or composition.

- 5 **17.** If any wholesale dealer in any registered stock medicine is convicted of an offence against the provisions of paragraph (b) or of paragraph (c) of section sixteen in respect of such stock medicine the Under Secretary of the Department of Agriculture may on the recommendation of the Stock Medicines Board cancel the registration  
10 of such stock medicine.

Cancellation  
of registra-  
tion.

## PART IV.

## GENERAL PROVISIONS.

- 15 **18.** (1) The Governor may, subject to the provisions of the Public Service Act, 1902, appoint inspectors, analysts and bacteriologists for the purposes of this Act.

Appoint-  
ment of  
inspectors  
and  
analysts.

- 20 (2) The Minister may by writing under his hand authorise any officer of the Public Service or member of the police force to exercise, either generally or in any particular case or class of cases or for any specified place, all or any of the powers, authorities, duties and functions conferred or imposed on an inspector by this Act.

- 25 Any person so authorised shall, within the scope of his authority, be deemed to be an inspector for the purposes of this Act.

- 30 **19.** (1) Any inspector or any person duly authorised in that behalf in pursuance of subsection two of section eighteen of this Act may—

Powers of  
inspectors  
and officers.  
Q'ld. Act  
No. 18 of  
1935, s. 5.

- (a) enter and search land, building, premises or place which he has reasonable ground for believing is used for the making, manufacture, sale, storage, delivery or preparation for sale of any stock food, lick or stock medicine;

(b)

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- 5 (b) enter and search any vehicle, ship, vessel, aeroplane or other means of transit which he has reasonable ground for believing is used for the conveyance of any stock food, lick or stock medicine apparently in the course of trade, sale or delivery;
- 10 (c) examine any stock food, lick or stock medicine found upon such land, building, premises, place, vehicle, ship, vessel, aeroplane or other means of transport and open any package containing any stock food, lick or stock medicine;
- 15 (d) take for analysis or examination samples of any such stock food, lick or stock medicine without payment. The quantity and nature of samples and the proportion of the bulk from which such samples are to be taken shall be as prescribed;
- (e) seize any stock food or lick which is or appears to him to be unfit for use as a stock food or lick;
- 20 (f) weigh, count, measure, gauge or mark any such stock food or lick or any package containing the same so seized and fasten, secure or seal the same and any door or opening giving access to the same.
- 25 (2) When any stock food, lick or stock medicine is taken for analysis or examination—

Procedure  
for  
sampling.

- 30 (a) the inspector or authorised person shall forthwith divide the sample into approximately three equal parts: Provided that when any such stock food, lick or stock medicine is made up in packages, three such packages may be taken and dealt with as if they were the three parts obtained by dividing the sample;
- (b) seal or fasten each such part in such manner as its nature permits;
- 35 (c) place or affix to each part a label stating the name so far as is known to him of the occupier of or person apparently in occupation of the place or of the person apparently having possession, custody or control of the lot from which such sample was taken and the time and place of taking;
- 0

(d)



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- (d) sign the label on each part and submit it for signature by the person mentioned in paragraph (c) of this subsection who may, if he so desires, sign it;
- 5 (e) deliver one of such parts to the person mentioned in paragraph (c) of this subsection, retain one of such parts, and deliver the remaining to an analyst for analysis or in the case of a stock medicine which is a biological product to a
- 10 bacteriologist for examination. Such delivery to an analyst or bacteriologist may be effected either personally or in such other manner as may be prescribed.
20. (1) When any stock food or lick has been seized in pursuance of section nineteen of this Act any justice may thereupon grant a summons calling upon the owner of the stock food or lick or the person in whose possession it has been found to appear before any police or stipendiary magistrate or any two justices in petty sessions to show cause why the stock food or lick should not be forfeited and destroyed.
- 25 (2) Upon the said owner or person so appearing or, if after being so summoned he fails to appear, the said magistrate or justices may after inquiry into the matter and if satisfied by reasonable proof that the stock food or lick is unfit for use as a stock food or lick, as the case may be, adjudge such stock food or lick to be forfeited and the same shall be destroyed.
- 30 21. Any person who improperly tampers with any sample or part of a sample taken under this Act shall be guilty of an offence against this Act.
- 35 22. (1) Any officer or other person duly authorised in that behalf under this Act may at any time require the buyer, whether by wholesale or retail, of any stock food, lick or stock medicine to state the name and address of the person from whom he purchased such stock food, lick or stock medicine and any other information in connection with the purchase such officer or person may require and also to produce for inspection any invoice, agreement, circular or advertisement given to him by the
- 40 vendor.

Destruction  
of seized  
stock foods  
and licks.

Tampering  
with samples.  
Qld. Act  
No. 33, of  
1937, s. 12.

Officer may  
demand  
information.

(2)

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(2) Any person who withholds any such information or who wilfully fails to produce such invoice, agreement, circular or advertisement shall be guilty of an offence against this Act.

5 **23.** (1) Any analyst who analyses any stock food, lick or stock medicine submitted to him in pursuance of this Act for analysis or any bacteriologist who examines any biological product submitted to him in pursuance of this Act for examination may give a certificate in or to the  
10 effect of the form prescribed as to the result of the analysis or examination.

Certificate of analyst or bacteriologist to be evidence.

(2) In any legal proceedings under this Act or the regulations thereunder the production of a certificate purporting to be signed by an analyst or a bacteriologist  
15 shall be prima facie evidence of the identity of the stock food, lick or stock medicine analysed or examined and of the result of the analysis or examination without proof of the signature of the person appearing to have signed the same.

20 **24.** (1) In the case of any conviction under this Act for the following offences, namely—

Forfeiture of stock foods and stock medicines.

(a) against the provisions of paragraph (a) of section nine of this Act;

25 (b) against any of the provisions of section sixteen of this Act,

any stock food or stock medicine to which the conviction relates may by order of the court become and be forfeited to His Majesty. Such forfeiture may extend to the whole of the stock food or stock medicine as the case may be  
30 and to the whole of any similar article and to all packages containing any similar stock food or stock medicine belonging to the defendant or in his possession at the time of committing the offence.

(2) All stock foods and stock medicines forfeited  
35 under this Act shall be disposed of as the Minister may direct.

**25.** In the case of any conviction under this Act in respect of any stock food, lick or stock medicine which has been analysed or examined by a bacteriologist under  
this

Costs of analysis.

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this Act the Court may award the reasonable expense of and attending such analysis or examination against the defendant as part of the costs of the prosecution.

**26.** Any person who prevents, delays, obstructs or hinders any inspector or authorised person from or in the execution of his powers and duties under this Act shall be guilty of an offence against this Act.

Penalty for obstructing inspectors, etc.

**27.** If any person, who is not authorised so to do, removes, erases, alters, breaks or opens any mark, seal or fastening placed by an officer or authorised person upon any stock food, lick or stock medicine or upon any door or opening affording access to the same, he shall be guilty of an offence against this Act.

Interference with official marks or seals.

**28.** Any person who retakes or attempts to retake any stock food, lick or stock medicine seized under this Act or ordered to be forfeited under this Act shall be guilty of an offence against this Act.

Retaking of seized stock foods, etc.

**29.** Any person who is guilty of an offence against this Act or the regulations thereunder shall where no penalty is expressly provided therefor be liable to a penalty not exceeding fifty pounds.

Penalty for offences.

**30.** Penalties imposed by this Act or the regulations thereunder shall be recoverable in a summary manner before a stipendiary or police magistrate or any two justices in court of petty sessions.

Recovery of penalties.

**31.** (1) When a copy of a certificate given by an analyst or bacteriologist under this Act has been served upon a defendant who is charged with the commission of an offence against the provisions of this Act or the regulations thereunder it shall not be competent for the defendant upon the hearing of the charge to dispute the accuracy of any statement contained in the certificate unless within seven clear days after service upon him of the copy of the certificate he has notified the Under Secretary of the Department of Agriculture by letter forwarded by registered post that accuracy of the certificate will be disputed at the hearing of the charge.

Certificate not to be disputed unless notice given.

(2) Service of the copy of a certificate may be proved in the same manner as service of the summons.

**32.**

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**32.** In any legal proceedings under this Act the production of a certificate purporting to be signed by the Under Secretary of the Department of Agriculture that any stock food, lick or stock medicine is or is not registered under this Act shall be prima facie evidence of the fact so certified without proof of the signature of the Under Secretary.

Certificate  
of registra-  
tion or non-  
registration.

**33.** (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for the carrying out or giving effect to this Act, and in particular and without limiting the generality of the foregoing power the Governor may make regulations in respect of the following matters:—

Regulations.

- (a) prescribing what are foreign ingredients in any specified stock food;
- (b) prescribing the proportion or amount of any specified foreign ingredient which may be contained in any kind of stock food;
- (c) prescribing the weight or size of battens which may be used on bales of hay;
- (d) prescribing standard qualities for stock foods or licks specified in the regulations;
- (e) prescribing the manner in which the particulars relating to a manufactured stock food, by-product or lick shall be written on the package containing it or on a label attached to the package and the manner in which a label containing the particulars shall be attached to a package;
- (f) prescribing the size and type of labels to be affixed to manufactured stock foods, licks and by-products;
- (g) prescribing forms for the purposes of this Act;
- (h) prescribing the fees to be paid under this Act;
- (i) prescribing methods of analysis for any stock food or stock medicine;
- (j) prescribing exemptions from all or any of the provisions of this Act.

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(2) The regulations may prescribe a penalty not exceeding fifty pounds for any breach thereof.

(3) The regulations shall—

- (a) be published in the Gazette;
- 5 (b) take effect from the date of publication or from a later date to be specified in such regulations;
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session and, if not, then within  
10 fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given within fifteen sitting days after any regulation has been laid before such House,  
15 disallowing such regulation or part thereof, such regulation or part shall thereupon cease to have effect.





