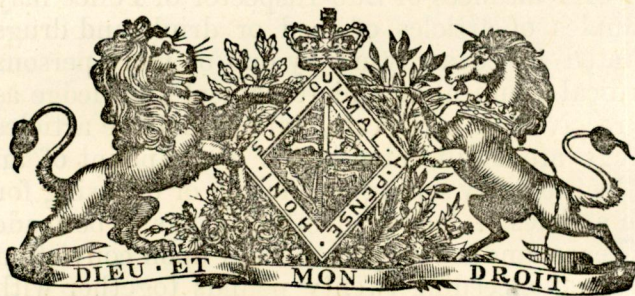


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 20 June, 1876. }*

STEPHEN W. JONES,  
*Clerk of Legislative Assembly.*

## New South Wales.



ANNO QUADRAGESIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to prevent the Adulteration of Articles of Food or Drink

**W**HEREAS the practice of adulterating articles of food and drink for sale requires to be repressed Preamble. Be it therefore enacted by the Queen'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 the same as follows :—

1. Every person who shall wilfully admix and every person who shall order any other person or persons to admix with any article of food or drink any injurious or poisonous ingredient or material to adulterate the same for sale and every person who shall order any other person or persons to admix any ingredient or material with any drug to adulterate the same for sale shall for the first offence forfeit and pay a penalty not exceeding fifty pounds together with the costs charges and fees attending such conviction and for the second offence shall be guilty of a misdemeanour and be imprisoned for a period not exceeding six calendar months with hard labour. Penalty on persons adulterating articles of food or drink.

*Adulteration of Food Prevention.*

2. Every person who shall sell any article of food or drink with which to the knowledge of such person any ingredient or material injurious to the health of persons eating or drinking such article has been mixed and every person who shall sell as unadulterated any  
5 article of food or drink or any drug which is adulterated shall for every such offence forfeit and pay a penalty not exceeding twenty pounds together with such costs charges and fees as shall seem reasonable and if any person so convicted shall afterwards commit the like offence it shall be lawful for the convicting Justices to cause such offenders name  
10 place of abode and offence to be published at the expense of such offender in such newspaper or in such other manner as to the said Justices shall seem desirable.
3. Any person who shall sell any article of food or drink or any  
15 drug knowing the same to have been mixed with any other substance with intent fraudulently to increase its weight or bulk and who shall not declare such admixture to any purchaser thereof before delivering the same and no other shall be deemed to have sold an adulterated article of food or drink or drug as the case may be under this Act.
4. Any Inspector of Nuisances or Sub-Inspector of Police may  
20 procure and submit samples of articles of food or drink and drugs suspected to be adulterated to be analysed by one or more persons possessing competent medical chemical and microscopical knowledge as analysts and shall upon receiving a certificate stating that the articles of food or drink or drugs are adulterated cause a complaint of an  
25 offence against this Act by the party selling or offering or exposing for sale or adulterating such articles of food or drink or drugs to be made before a Justice of the Peace and such person shall upon conviction forfeit and pay a penalty not exceeding twenty pounds together with the costs charges and expenses of and attending such prosecution.
- 30 5. All fines penalties costs charges and expenses imposed under the authority of this Act shall be recovered and all complaints heard and determined in a summary way before any two Justices according to the provisions of the Act fourteenth Victoria number forty-three and the English statutes thereby adopted.
- 35 6. This Act may be cited as "The Act to prevent the sale of Adulterated Food of 1876."

Penalty on persons selling articles of food or drink or drugs which they know to be adulterated.

Vendor to declare mixture at time of sale.

Inspectors of Nuisances or Sub-Inspectors of Police may submit articles to be analysed.

Penalties how recovered.

Short title.

ADULTERATION OF FOOD PREVENTION BILL.

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*SCHEDULE of the Amendments referred to in Message of 27th July, 1876.*

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- Page 1, Preamble, line 1. *After "adulterating" insert "drugs and"*  
    „ clause 1. *Omit clause 1 insert new clause 1.*  
Page 2, „ 2. *Omit clause 2 insert new clause 2.*  
    „ „ 3. *Omit clause 3 insert new clause 3.*  
    „ „ 4. *Omit clause 4 insert new clause 4.*  
    „ „ 5. *Omit clause 5 insert new clause 5.*  
    „ „ 6. *Omit clause 6 insert new clause 6.*  
    „ *After new clause 6 add new clauses 7, 8, and 9.*
-



This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,  
Sydney, 20 June, 1876. }

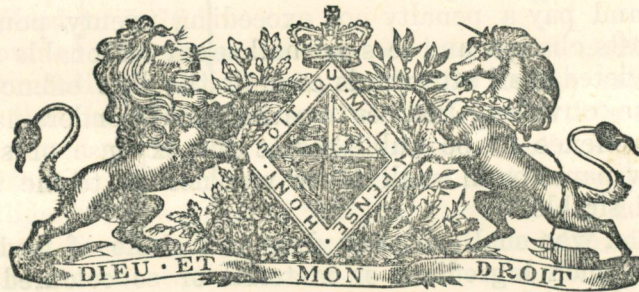
STEPHEN W. JONES,  
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,  
Sydney, 27th July, 1876. }

JOHN J. CALVERT,  
Clerk of the Parliaments.

## New South Wales.



ANNO QUADRAGESIMO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to prevent the Adulteration of Articles of Food or Drink.

**W**HEREAS the practice of adulterating drugs and articles of food and drink for sale requires to be repressed Preamble. Be it therefore enacted by the Queen'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 the same as follows :—

1. Every person who shall wilfully admix and every person who shall order any other person or persons to admix with any article of food or drink any injurious or poisonous ingredient or material to adulterate the same for sale and every person who shall order any other person or persons to admix any ingredient or material with any drug to adulterate the same for sale shall for the first offence forfeit and pay a penalty not exceeding fifty pounds together with the costs charges and fees attending such conviction and for the second offence shall be guilty of a misdemeanour and be imprisoned for a period not exceeding six calendar months with hard labour. Penalty on persons adulterating articles of food or drink.

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NOTE.—The words to be omitted are ruled through ; those to be inserted are printed in black letter.

*Adulteration of Food Prevention.*

1. Every person who shall for purposes of sale mix or cause or permit to be mixed any ingredient or material with any article of food or drink or shall colour any such article or cause or permit the same to be coloured so as in any such case to render such article injurious to health—or who shall for purposes of sale mix or cause or permit to be mixed any ingredient or material with any drug or shall colour any such drug or cause or permit the same to be coloured so as to affect injuriously the quality or potency of such drug—shall for the first offence be liable to a penalty not exceeding fifty pounds and in case of any subsequent offence shall be guilty of a misdemeanour and be liable to imprisonment with or without hard labour for a term not exceeding six months.
2. Every person who shall sell any article of food or drink with which to the knowledge of such person any ingredient or material injurious to the health of persons eating or drinking such article has been mixed and every person who shall sell as unadulterated any article of food or drink or any drug which is adulterated shall for every such offence forfeit and pay a penalty not exceeding twenty pounds together with such costs charges and fees as shall seem reasonable and if any person so convicted shall afterwards commit the like offence it shall be lawful for the convicting Justices to cause such offenders name place of abode and offence to be published at the expense of such offender in such newspaper or in such other manner as to the said Justices shall seem desirable.
2. Every person who shall sell any drug or article of food or drink mixed with any such ingredient or material or so coloured as aforesaid whereby such article has been rendered injurious to health or the quality or potency of such drug has been injuriously affected shall be liable for each offence to the like penalties as are in the first section provided in respect of the mixing or colouring of any such drug or article.
3. Any person who shall sell any article of food or drink or any drug knowing the same to have been mixed with any other substance with intent fraudulently to increase its weight or bulk and who shall not declare such admixture to any purchaser thereof before delivering the same and no other shall be deemed to have sold an adulterated sale or adulterating such articles of food or drink or drugs to be made before a Justice of the Peace and such person shall upon conviction article of food or drink or drug as the case may be under this Act.
3. Provided that no person shall be convicted under the last preceding section who shall show to the satisfaction of the Justices (or in case of indictment to the satisfaction of the Jury) that he did not know the drug or article in question to have been so mixed or injuriously coloured as aforesaid and that he could not with reasonable diligence have obtained that knowledge.
4. Any Inspector of Nuisances or Sub-Inspector of Police may procure and submit samples of articles of food or drink and drugs suspected to be adulterated to be analysed by one or more persons possessing competent medical chemical and microscopical knowledge as analysts and shall upon receiving a certificate stating that the articles of food or drink or drugs are adulterated cause a complaint of an offence against this Act by the party selling or offering or exposing for forfeit and pay a penalty not exceeding twenty pounds together with the costs charges and expenses of and attending such prosecution.
4. Every person who shall for purposes of sale mix or cause or permit to be mixed any ingredient or material with any drug or article of food or drink in order thereby fraudulently to increase its weight bulk or measure or to conceal its inferior quality—or who shall to the prejudice of the purchaser sell any drug or article of food or drink mixed

Mixing drugs or articles with ingredients injurious to health.

Penalty on persons selling articles of food or drink or drugs which they know to be adulterated.

Selling any such drug or article.

Vendor to declare mixture at time of sale.

Exemption from last-mentioned penalties.

Inspectors of Nuisances or Sub-Inspectors of Police may submit articles to be analysed.

Mixing or selling drugs or articles to increase bulk &c.

*Adulteration of Food Prevention.*

mixed with any ingredient or material whereby the weight bulk or measure of such drug or article has been increased or its inferior quality concealed—shall be liable to a penalty not exceeding twenty pounds and for any subsequent offence to a penalty not exceeding fifty pounds.

5 5. All fines penalties costs charges and expenses imposed under the authority of this Act shall be recovered and all complaints heard and determined in a summary way before any two Justices according to the provisions of the Act fourteenth Victoria number forty-three and the English statutes thereby adopted. Penalties how recovered.

10 5. Every person who shall to the prejudice of the purchaser sell any drug or article of food or drink which is not of the nature substance and quality of the drug or article demanded by such purchaser —or any compounded drug or compound article of food which is not 15 composed of ingredients in accordance with the demand of the purchaser—shall be liable to a penalty not exceeding twenty pounds and for any subsequent offence to a penalty not exceeding fifty pounds. Selling drugs or articles not of the nature demanded.

6. This Act may be cited as “The Act to prevent the sale of Adulterated Food of 1876.” Short title.

20 6. Provided that no person shall be convicted under either of the two last preceding sections if he shall show to the satisfaction of the Justices that he did not know the drug or article in question to have been mixed so that thereby its weight or bulk or measure was increased or its inferior quality concealed and that he could not with reasonable diligence have obtained that knowledge—or if he shall show 25 that at the time of selling such drug or article he distinctly apprised the purchaser that it was mixed—or shall show that the added ingredient or material (not being injurious to health) was added not for any fraudulent purpose but solely for the production or necessary preparation of the drug or article as an article of commerce or was 30 unavoidably mixed with it in the process of preparation—or that such drug or article was a patented or proprietary medicine and sold as such. Exemption from penalties under last preceding sections.

7. The term ingredient and the term material as used in this Act shall include liquids as well as solid substances. The terms ingredient or material.

35 8. Every pecuniary penalty under this Act may be imposed and recovered in a summary way by and before any two Justices and where the penalty awarded exceeds five pounds the defendant may appeal from the conviction in the manner by law in that behalf provided. Recovery of penalties.

40 9. Where the prosecutor in any case under this Act shall have caused the drug or article forming the subject of prosecution to be analysed by any competent analyst the reasonable expense of and attending such analysis (to be assessed by the Justices) may in case of a conviction be awarded against the defendant as part of the costs of 45 the prosecution if the convicting Justices shall think fit. Expense of analyzing articles.

