BELIZE:

FOOD AND DRUGS (AMENDMENT) ACT, 2016

ARRANGEMENT OF SECTIONS

No. 11 of 2017

I assent,

(SIR COLVILLE N. YOUNG)
Governor-General

2nd February, 2017.

AN ACT to amend the Food and Drugs Act, Chapter 291 of the Substantive Laws of Belize, Revised Edition 2011, to make provision empowering the making of regulations to empower the establishment of a drug registry as well as generally to give effect to the provisions of the Act, to make further provisions regarding the labelling of food or drug products; and to provide for matters connected therewith or incidental thereto.

(Gazetted 11th February, 2017.)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize and by the authority of the same, as follows:

1. This Act may be cited as the **Short title.**

FOOD AND DRUGS (AMENDMENT) ACT, 2017

and shall be read and construed as one with the Food and Drugs Act, which as amended, is hereinafter referred to as the principal Act.

Amendment of Sections.

2. Section 8 of the principal Act is hereby amended by inserting next after subsection (2) the following as subsections (3), (4) and (5) :

"(3) A person who sells or otherwise has in his possession for sale any drug shall, notwithstanding any other provision of this Act, ensure that the drug bears a label whether attached to or printed on the wrapper or container or not, for the drug, that sets out the information otherwise under this Act required to be stated thereon,-

(a) in English;

(b) in English and Spanish, or

(c) in Spanish

and, in addition to those language requirements, in any other language that the Minister may prescribe by Order, for the purposes of this subsection; and in every case the sale or possession shall be in accordance with such other requirements as may be prescribed."

(4) A person who contravenes subsection (3) commits an offence.

(5) No person who sells or otherwise has in his possession for sale any food or drug shall tamper with or remove any label that satisfies the requirements of this Act, whether attached to or printed on the wrapper or container or not, for the food or drug, that sets out the information otherwise under this Act required to be stated thereon."

Insertion of new PART VIII.

3. The principal Act is amended by inserting next after section 54 the following as PART VIII:

"PART VIII

General Regulations

Power to make regulations, generally.

55. Without affecting any other regulation making powers under this Act, the Minister may make regulations for giving effect to the purposes and provisions of this Act, and in particular but without prejudice to the generality of the foregoing, may make regulations-

(a) respecting-

(i) the labelling and packaging and the offering, exposing and advertising for sale of food or drugs;

(ii) the size, dimensions, fill and other specifications of packages of food or drugs;

(iii) the sale or the condition of sale of any food or drugs; and

(iv) the use of any substance as an ingredient in any food or drug, to prevent the consumer or purchaser thereof from being deceived or misled as to its quantity, character, value, composition, merit or safety or to prevent injury to the health of the consumer or purchaser;

(c) prescribing standards of composition, strength, potency, purity, quality or other property of any article of food or drug;

(d) as regards the importation or exportation of food or drugs, in order to ensure compliance with this Act and the Regulations;

(e) providing for the issue of licences for the sale, marketing, importation or exportation of food or drugs;

(f) as regards the method of preparation, manufacture, preserving, packing, storing and testing of any food or drug, in the interest of or for the prevention of injury to, the health of the consumer or purchaser;

(g) requiring persons who sell food or drugs to maintain such books and records as may be prescribed or as the Minister considers necessary for the proper enforcement and administration of this Act and regulations made thereunder;

(h) as regards the powers and duties of inspectors made thereunder and analysts and the taking of samples and the seizure, detention, forfeiture and disposition of articles;

(i) exempting any food or drug from all or any of the provisions of this Act or regulations made thereunder and prescribing the conditions of the exemption;

(j) prescribing forms for the purposes of this Act and regulations made thereunder;

(k) providing for the analysis of food and drugs, at the request of members of the public, and prescriping a tariff of fees to be paid for the analysis and inspection;

(l) providing for the making of special Schedules, of drugs and for the listing or describing of drugs therein and for the conditions under which the drugs shall be sold including the process or

condition of manufacture, storage and distribution, the kind and conditions of the premises wherein manufactured, stored and distributed, the qualification of technical staff engaged therein, and such other matters as are necessary to ensure that any drug so listed and described will not be unsafe for use;

(m) providing for the maintaining of a drug registry of approved drugs and prescribing any fees to be charged with respect to each application for approval;

(n) adding anything to any of the Schedules under paragraph (1), in the interest of, or for the prevention of injury to, the health of the consumer or purchaser, or deleting anything therefrom; and

(o) prescribing anything authorised or required to be prescribed under this Act.

(2) Regulations made under this section may prescribe in respect of any contravention thereof a fine not exceeding fifty thousand dollars or imprisonment for a term not exceeding six months or both."

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