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SALE OF ADULTERATED AND TAINTED FOODSTUFFS ACT, 1896

*Date of commencement: 1896*

*Arrangement of Sections*

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*An Act to regulate the sale of adulterated and tainted foodstuffs, liquors and medicines.*

*Short title.*

1. This Act may be cited as the Sale of Adulterated and Tainted Foodstuffs Act, 1896.

*Interpretation.*

2. In this Act, unless the context otherwise requires —

“adulteration” means the act of mixing or adding any substance deleterious to health, or done with the object of increasing the quantity of anything, or deteriorating or concealing the quality, or the removal of any elementary constituent from any commodity, whereby the quality is impaired.

*Offence to sell etc. adulterated or tainted food.*

3. (1) Any person who sells, offers for sale, exchanges or has in his possession with the object of selling or exchanging, or causes to be sold, offered for sale, traded in or exchanged, any adulterated or tainted foodstuff, liquor or medicine deleterious for human consumption, shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred emalangeni, or, in default thereof, imprisonment not exceeding twelve months.

(2) Subsection (1) shall not apply to grain, potatoes, fruits, vegetables, fruits of the soil and eggs of which a sample can be delivered.

*Penalty for adulteration.*

4. Any person who intentionally adulterates and renders deleterious for human consumption any foodstuff, liquor or medicine, and sells it, offers it for sale, or has it in his possession with the object of selling, or causes it to be sold or offered for sale, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred emalangeni, or in default thereof, imprisonment not exceeding twelve months.

*Seizure and destruction.*

5. Adulterated or tainted foodstuffs and liquors or medicines, deleterious for human consumption, shall be immediately seized and destroyed without any compensation.

*Storage for sale.*

6. (1) All foodstuffs intended for sale must be kept in a special house, apartment or room for that purpose, which house, apartment or room must be kept in a clean and tidy condition, and must be properly ventilated, and may not be used for any other purpose, and may in no case have direct connection with any sleeping apartment or stable.

(2) Any person contravening this section shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred emalangeni, or, in default thereof, imprisonment not exceeding six months, and in addition the licence may be withdrawn or refused.

(3) This section shall apply only to licensed dealers, shopkeepers or hawkers.

*Inspectors.*

7. The Government may where necessary appoint a competent person in every district, who shall be obliged and entitled to test and examine all foodstuffs, liquors or medicines, which have been sold, offered for sale, delivered, or are in anyone's possession.

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