

## **Imitation Dairy Products Act**

CHAPTER 216  
OF THE  
REVISED STATUTES, 1989  
amended 1998, c. 8, s. 43

### **An Act Respecting Imitation Dairy Products**

#### Short title

1 This Act may be cited as the *Imitation Dairy Products Act*. R.S., c. 216, s. 1.

#### Interpretation

2 In this Act,

(a) "dairy product" means milk, cream, butter, cheese, condensed milk, evaporated milk, milk powder, dry milk, ice cream, malted milk, sherbet or any other product manufactured wholly or mainly from milk;

(b) "imitation dairy product" means any food substance for human consumption that is an imitation of a dairy product, a substitute for a dairy product or is represented to be for the same use as a dairy product and that is manufactured wholly or in part from any fat or oil other than that of milk and includes any product intended for use as a dessert topping or as a coffee whitener and such other products that are designated as imitation dairy products in the regulations, but does not include peanut butter, or margarine as defined in the *Margarine Act*;

(c) "inspector" means an inspector appointed under this Act. R.S., c. 216, s. 2.

#### Restricted manufacture or sale

3 Subject to the regulations, no person shall manufacture, sell, offer for sale or have in his possession for sale any imitation dairy product. R.S., c. 216, s. 3.

#### Inspectors

4 The Minister of Agriculture and Marketing may appoint inspectors for the purposes of this Act. R.S., c. 216, s. 4.

#### Powers of inspector

5 An inspector may at all reasonable times, for the purpose of enforcing this Act or of ascertaining whether or not it is being complied with,

(a) enter and examine any place, premises, warehouse, factory, store, boat, ship, car, truck or vehicle that is being used for the storage, manufacture, sale or carriage of an imitation dairy product or is believed by the inspector to be so used;

(b) require to be produced for inspection and make copies of or extracts from any books, shipping bills, bills of lading, records of sale, manufacturing or shipping and other records or papers relating to an imitation dairy product or believed by the inspector to relate to an imitation dairy product;

(c) detain any imitation dairy product for the time necessary to complete an inspection and at the expense of the owner, manufacturer, wholesaler, retailer or transporter take samples of an imitation dairy product whenever or wherever he considers it necessary. R.S., c. 216, s. 5.

#### Obstruction of inspector prohibited

6 No person shall obstruct an inspector in the exercise of his functions under this Act or refuse to produce any books, records or papers for inspection by an inspector when the inspector so requires. R.S., c. 216, s. 6.

#### Regulations

7 The Governor in Council may make regulations

(a) designating products as imitation dairy products;

(b) designating classes of imitation dairy products;

(c) permitting the manufacture and sale of an imitation dairy product or a class of imitation dairy products;

(d) *repealed 1998, c. 8, s. 43.*

(e) prescribing standards of quality for imitation dairy products;

(f) prescribing the records to be kept by manufacturers and sellers of any imitation dairy product;

(g) respecting any other matter necessary or advisable for carrying out effectively the intent and purpose of this Act. R.S., c. 216, s. 7; 1998, c. 8, s. 43.

Offence and penalty

8 Any person who violates any of the provisions of this Act or the regulations is guilty of an offence and is liable, on summary conviction, for a first offence to a penalty of not more than one hundred dollars and in default of payment to imprisonment for not more than thirty days, and for a second or subsequent offence to a penalty of not less than fifty dollars nor more than five hundred dollars and in default of payment to imprisonment for not more than thirty days. R.S., c. 216, s. 8.

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