

CYPRUS

**ADULTERATION OF AGRICULTURAL
PRODUCE**

CHAPTER 24 OF THE LAWS

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1959

CHAPTER 24.

ADULTERATION OF AGRICULTURAL PRODUCE.

ARRANGEMENT OF SECTIONS.

Section	Page
1 Short title ...	2
2 Interpretation ...	2
3 Offences ...	3
4 Implied warranty on sale ...	4
5 Exemption from penalty ...	4
6 Power to Inspector to examine agricultural produce intended for export and take sample for analysis ...	4
7 Power to Inspector to examine imported agricultural produce and to take sample for analysis ...	5
8 Power to examine agricultural produce processed, intended for sale and to take sample ...	6
9 Penalty for refusal to allow execution of duty and for obstruction ...	6
10 Limitation of prosecution ...	6
11 Form of certificate of analysis ...	6
12 Analyst's certificate prima facie evidence ...	7
13 Power to make Regulations ...	7
14 Saving ...	7
SCHEDULE ...	8

A LAW TO PREVENT THE ADULTERATION OF AGRICULTURAL PRODUCE.

59 of 54.
3 of 56.

[30th November, 1954.]

Short title.

1. This Law may be cited as the Adulteration of Agricultural Produce Law.

Interpretation.

2. (1) In this Law, unless the context otherwise requires—

“agricultural produce” means any agricultural produce, whether imported into, or produced in, the Colony, as may be prescribed ;

“Analyst” means any person whom the Governor, by notice published in the Gazette, authorizes to carry out tests for the purposes of this Law ;

3 (a) of 3/56.

“Director” means the Director of Commerce and Industries ;

3 (b) of 3/56.

“Inspector” means a Produce Inspector of the Department of Commerce and Industries or any other person authorized by the Director to act as such for the purposes of this Law ;

“superfluous or inferior substance” means any

substance, matter or thing which may be prescribed as such ;

“ to adulterate agricultural produce ” means to falsify, decrease or increase the apparent bulk or weight, or deteriorate, alter, adversely affect or conceal the quality of agricultural produce by the combination, admixture, or addition therewith or thereto, of some foreign, superfluous, or inferior substance, matter or thing, whether deleterious or not, or by the addition of water, or by the use of artificial means, and it includes abstracting from agricultural produce part of it so as injuriously to affect its nature, substance or quality.

(2) Agricultural produce shall be deemed adulterated whether with or without any positive act on the part of the seller, exporter or importer, as the case may be, if it contains any foreign, or superfluous or inferior substance, whether deleterious or not, in excess of the maximum quantity of such foreign ingredient or extraneous matter laid down by the Regulations made by the Governor in Council as hereinafter provided.

3. (1) Any person who—

Offences.

- (a) adulterates or causes or suffers to be adulterated any agricultural produce ;
- (b) sells, exposes for sale, or orders or permits any other person to sell or expose for sale, any adulterated agricultural produce ;
- (c) exports, or has in his possession for purposes of export, or orders, permits, procures, attempts, aids or abets the exportation of, any adulterated agricultural produce ;
- (d) knowingly imports, or orders, permits, procures, attempts, aids or abets the importation of, any adulterated agricultural produce,

shall be guilty of an offence and shall be liable, on conviction, to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine and on a second or subsequent conviction to imprisonment not exceeding two years or to a fine not exceeding three hundred pounds or to both such imprisonment and fine and upon any conviction for an offence under this section the Court may order the forfeiture of every article or thing

by means of, or in respect of, which the offence was committed.

(2) No person shall be liable to be convicted under this section if he proves to the satisfaction of the Court before which he is charged that he did not know of the agricultural produce in respect of which the prosecution has been brought being so adulterated and that he could not with reasonable diligence have obtained that knowledge.

Implied
warranty
on sale.

4. On the sale, or in the contract for the sale, of any agricultural produce the seller shall be deemed to warrant that the agricultural produce is not adulterated.

Exemption
from
penalty.

5. Where an employer is charged with an offence against this Law he shall be entitled, upon a charge duly brought by him, to have any other person whom he charges as the actual offender brought before the Court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the Court that he had used due diligence to enforce the execution of this Law, and that the said other person had committed the offence in question without his knowledge, consent or connivance, the said other person shall be convicted of such offence and the employer shall be exempt from penalty.

Power to
Inspector to
examine
agricultural
produce
intended for
export and
take sample
for analysis.

6. (1) An Inspector may examine any agricultural produce intended for export if he suspects that such agricultural produce has been adulterated contrary to the provisions of this Law. If upon examination the Inspector is of opinion that the agricultural produce has been adulterated he may call upon the owner or person in charge of the agricultural produce to have any foreign, superfluous or inferior substance removed therefrom and may detain such agricultural produce in the custody of the Customs authorities until such foreign, superfluous or inferior substance has, to his satisfaction, been removed.

(2) If the owner or other person in charge of the agricultural produce fails or refuses to remove such foreign, superfluous or inferior substance when called upon so to do, the Inspector shall take a sample of the agricultural produce and divide the sample so taken into three parts each of which he shall mark and seal or fasten up in such manner as its nature permits, and deliver one of such parts to the owner or other person in charge of the produce. The