

Interpre-
tion.

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 order published in the Gazette, authorizes to carry out tests for the purposes of this Law;

“Director” means the Director of Agriculture;

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

“substance or inferior substance” means any substance, matter or thing which may be prescribed as such; and

“substantially 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, addition or addition therewith or thereto, of some foreign, superfluous or inferior substance, matter or thing, whether by the addition of 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 ingredients or extraneous matter laid down by the Regulations made by the Governor-in-Council as hereinafter provided.

No. 59 of 1954.

A LAW TO PREVENT THE ADULTERATION OF AGRICULTURAL PRODUCE.

R. P. ARMITAGE,] [30th November, 1954.
Governor.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows :—

1. This Law may be cited as the Adulteration of Agricultural Produce Law, 1954. Short title.

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“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 ;

“Director” means the Director of Agriculture ;

“Inspector” means a Produce Inspector of the Department of Agriculture 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.

Offences.

3.—(1) Any person who—

(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.

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. Implied warranty on sale.

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. Exemption from penalty.

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

(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