

The Cantonments Pure Food Act, 1966

(ACT NO. XVI OF 1966)

An Act to make provision for preventing the adulteration of food in cantonments.^{1♣}

WHEREAS it is expedient to make provision for preventing the adulteration of food in cantonments and for matters ancillary thereto;

It is hereby enacted as follows:-

PART I

PRELIMINARY

**Short title,
extent and
commencement**

1. (1) This Act may be called the Cantonments Pure Food Act, 1966.

(2) It extends to all the cantonments in ²[Bangladesh].

(3) It shall come into force at once.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,-

(1) “adulterated food” means an article of food-

(i) which is not of the nature, substance or quality which it purports or is represented to be, or

(ii) which contains any such extraneous substance as may affect injuriously the nature, substance or quality thereof, or

(iii) which is processed, mixed, coloured, powdered or coated with any other substance in contravention of the rules, or

(iv) any constituent of which has been wholly or in part abstracted so as to affect injuriously its nature, substance or quality, or

(v) which contains any poisonous or other ingredient which may render it injurious to health, or

(vi) the quality or purity of which does not conform to the prescribed standards, or

(vii) which, having been prepared, packed or kept under insanitary conditions, has been contaminated or become injurious to health and “adulteration” in relation to food, shall be construed accordingly;

(2) “banaspati” means such article of food resembling ghee as is prepared by hydrogenation of edible vegetable oil and contains no milk or animal fat;

(3) “butter” means an article of food derived exclusively from the milk of cow or buffalo, whether with or without salt or other prescribed preservative;

(4) “charbi” means an article of food which resembles ghee or banaspati, but contains animal fat other than milk fat;

³[(5) “Chemical Examiner” means Director of Public Health Laboratory and includes any other officer appointed by the Government to be a Chemical Examiner for the purposes of this Act;]

(6) “cream” means that portion of the milk of cow or buffalo which is rich in fat and rises to the surface of milk on standing, or which has been separated by skimming or otherwise;

(7) “dahi” means the product obtained by lactic acid fermentation of milk;

(8) “Director” means the Director of Military Lands and Cantonments;

(9) “food” means any article used as food or drink for human consumption other than drugs or water, but not aerated water, and includes-

(i) any substance which is intended for use in the composition or preparation of food,

(ii) any flavouring matter or condiment,

(iii) any colouring matter intended for use in food, and

(iv) chewing gum and other products of like nature;

Explanation I.- Water shall be deemed to be food if it is intended for use in the composition or preparation of food;

Explanation II.- An article shall not cease to be food by reason only that it is also capable of being used as a medicine;

(10) "ghee" means ghee prepared exclusively from butter, cream or dahi;

(11) "godown" means a place where articles of food are received or stored for sale or delivery to a customer or consignee and includes godowns of the railways and of the shipping or other transport agencies;

(12) "Health Officer" means the Medical Officer or the Health Officer or the Assistant Health Officer of the Cantonment, and includes any other officer appointed by the Government to be a Health Officer for the purposes of this Act;

(13) "Inspector" means an Inspector appointed under section 15, and includes an ex officio Inspector;

(14) "local authority" means a Cantonment Board constituted under the Cantonments Act, 1924;

(15) "margarine" means any food, whether mixed with butter or not, which resembles butter and is not milk-blended butter;

(16) "milk" means the normal, clean and pure secretion obtained from the udders of a healthy cow, buffalo, goat or sheep whether boiled, pasteurised, homogenised or sterilised and includes standardised and toned milk;

(17) "misbranded food" means an article of food-

(i) which is an imitation of, or a substitute for, or resembles in a manner likely to deceive, another article of food, and is sold or is intended to be sold under the name under which such other article is sold, or is not correctly labelled to indicate its true character, or

(ii) which is so coloured, flavoured, coated, powdered or polished as to conceal the true nature thereof, or

(iii) which is contained in any package which, or the label of which, bears any statement, design or device regarding the ingredients or the substances contained therein, which is false or misleading in any material

particular, or if the package is otherwise deceptive with respect to its contents, or

(iv) which is not properly packed and labelled in accordance with the rules;

(18) “occupier” means the person who has control of the affairs of a factory, shop or godown and includes the manager or managing agent or any other person authorised to represent the occupier;

(19) “package” includes every article in which goods for carriage or for sale are cased, covered, enclosed, contained or packed;

(20) “pre-packed” means packed or made up in advance ready for retail sale in a wrapper or container;

(21) “prescribed” means prescribed by rules;

(22) “Public Analyst” means a Public Analyst appointed under section 17;

(23) “retail sale” means any sale to a person buying otherwise than for the purpose of re-sale;

(24) “rules” means rules made under this Act;

(25) “sale”, in relation to food, means a transfer of ownership either by way of barter or in exchange for a price paid or promised or part paid or part promised;

(26) “standardised milk” means milk which has been reduced to the prescribed level of milk fat by removal of fat;

(27) “toned milk” means milk which has been standardised to the prescribed level of milk fat and solids not fat by addition of reconstituted milk solids;

(28) “transit” includes all stages of transportation from the place of manufacture or other source of origin to the consumer; and

(29) “wholesale” means any sale other than retail sale.

PART II

GENERAL PROVISIONS

**False
warranty**

3. No person shall, in respect of any food sold by him or given by him for sale to an agent, give to the purchaser or the agent a false warranty in writing.

**Prohibition
of mixing,
colouring,
staining or
powdering
of food, etc.**

4. (1) No person shall mix, colour, stain or powder or direct or permit any other person to mix, colour, stain or powder any food with any matter or ingredient-

(a) in contravention of the rules; or

(b) so as to render the food injurious to health, with intent that the same may be sold in that state.

(2) No person shall keep or store for sale or sell or offer to sell any food so mixed, coloured, stained or powdered.

**Prohibition
of
preparation,
manufacture,
sale, etc., of
adulterated
and other
foods**

5. (1) No person shall, directly or indirectly, himself or by any other person, prepare, manufacture, keep or store for sale, or sell or offer to sell,-

(i) any adulterated food;

(ii) any misbranded food;

(iii) any article of food for the sale of which a licence is required otherwise than in accordance with the conditions of the licence; or

(iv) any article of food in contravention of any other provision of this Act or the rules.

(2) The Government may, by notification in the official Gazette, prohibit or regulate the keeping, in any factory or wholesale business premises in which such articles of food as are specified in the notification are manufactured or stored, of any substance which is likely to be used as an adulterant and is so specified.

**Manufacture,
import and
sale of
unwholesome
food**

6. No person shall, directly or indirectly, himself or by any other person,-

(a) prepare, manufacture, keep or store for sale, or sell or offer to sell any food which is unsound, unwholesome, injurious to health or unfit for human consumption; or