

R+R 8/1950

CHAPTER 12. No. 5.

FOOD AND DRUGS.

AN ORDINANCE RELATING TO THE SALE AND THE ADULTERATION OF FOOD AND DRUGS.

Ordinance Ch.12. No.5-1940.

[1st March, 1917.]

Commencement.

1. This Ordinance may be cited as the Food and Drugs Ordinance. Short title.

2. In this Ordinance—

Interpretation

“ Chemist ” means the person or persons appointed as Government Chemist or Chemists under the authority of this Ordinance;

“ butter ” means the substance usually known as butter, made exclusively from milk or cream or both, with or without salt or other preservative, and with or without the addition of colouring matter;

“ deal ” and “ dealing ” include dealing whether by wholesale or retail, or as a manufacturer or importer, or as a consignor or consignee; or as a commission agent or otherwise;

“ drug ” includes medicines for external or internal use;

“ food ” includes every article used for food or drink by man, other than drugs or water, and any article which ordinarily enters into or is used in the composition or preparation of food; and also includes flavouring matters or condiments, and cocoa beans in any stage of preparation for sale or export;

“ hogs’ lard ” means the substance made from the pure fat of swine unmixed with any other oil or fat;

“ hogs' lard substitute ” includes any substance, compound, or mixture prepared in imitation of lard;

“ margarine ” includes any substance, compound, or mixture prepared in imitation of butter, and whether mixed with butter or not;

“ vessel ” includes demijohn, bottle, or any other vessel used or capable of being used for the purpose of containing liquids.

#### STANDARDS.

Governor  
may fix  
standards.

3. (1) It shall be lawful for the Governor in Council, by order, to fix standards for any article of food or any drug: Provided that any such article for which a standard is not fixed shall be dealt with as provided in this Ordinance.

Publication  
of order.

(2) Every such order shall be laid before the Legislative Council, and, if not disapproved by resolution thereof within a period of one month, shall be published in the *Royal Gazette*, and shall come into operation at such time as the Governor may, by proclamation, determine.

Penalty for  
selling article  
below  
standard.

4. (1) No person shall sell to the prejudice of the purchaser any article of food or drug which does not comply with the standard fixed therefor under the provisions of this Ordinance.

(2) Any person contravening the provisions of the preceding subsection shall be liable for a first offence to a fine of ninety-six dollars, and for any subsequent offence to a fine of not less than forty-eight dollars and not exceeding two hundred and forty dollars.

#### IMPORTATION OF FOOD OR DRUGS NOT COMPLYING WITH STANDARD.

Penalty on  
importing  
adulterated  
or im-  
poverished  
articles.

5. (1) (a) If there is imported into the Colony any of the articles for which standards are fixed under section 3, and if it is certified by the Chemist that such article does not comply with any such standard, the importer shall, unless such article is imported in packages or vessels conspicuously and durably marked so as to show the nature and extent of its variation from such standard, be liable for a first offence to a fine of ninety-six dollars, for a second offence

to a fine of two hundred and forty dollars, and for any subsequent offence to a fine of four hundred and eighty dollars.

(b) Prosecutions for offences under this section shall be undertaken by the Comptroller of Customs and Excise.

(2) (a) Any article in respect of which an offence under the preceding subsection is committed, may whether proceedings have or have not been taken against the importer thereof, be declared by the Governor to be, and the same shall thereupon become, forfeited.

(b) Notwithstanding any such forfeiture having been declared, the Governor may waive the same and may give such orders for the disposal of the goods under such terms and subject to such conditions as to him may seem right.

(3) The term "importer" includes any person who, whether as owner, consignor, consignee, agent, or broker, is in possession of, or in anywise entitled to the custody or control of, the article.

(4) The Comptroller of Customs and Excise may take or cause to be taken such samples of consignments of imported articles of food or of imported drugs as may be necessary for the enforcement of the provisions of this section.

(5) Where the Comptroller of Customs and Excise takes or causes to be taken a sample of any consignment, he shall divide it or cause it to be divided into not less than three parts, and shall send one part to the importer and one part to the Chemist and shall retain one part.

(6) In any proceeding under this section, the certificate of the Chemist of the result of the analysis shall be sufficient evidence of the facts therein stated, unless the defendant require that the person who made the analysis be called as a witness.

(7) If in any case the Comptroller of Customs and Excise is of opinion that an offence against this section has been committed, he shall communicate to the Chemist for his information the name of the importer, and such other

facts as he possesses or may obtain as to the destination of the consignments.

(8) Where a sample taken under this section is certified by the Chemist as not complying with the standard fixed for such article, the Comptroller of Customs and Excise shall, upon receiving the certificate, forthwith notify the importer thereof, who shall thereupon be liable to pay to the Chemist such fee as may be prescribed by the Governor in Council.

#### ADULTERATED FOOD AND DRUGS.

Prohibition  
of adultera-  
tion of food.

6. (1) No person shall mix, colour, stain, or powder, or order or permit any other person to mix, colour, stain, or powder, any article of food with any ingredient or material so as to render the article injurious to health with intent that the same may be sold in that state; and no person shall sell any such article so mixed, coloured, stained, or powdered.

Adulteration  
of drugs.

(2) No person shall, except for the purpose of compounding as in this Ordinance described, mix, colour, stain, or powder, or order or permit any other person to mix, colour, stain, or powder, any drug with any ingredient or material so as to affect injuriously the quality or potency of such drug, with intent that the same may be sold in that state; and no person shall sell any drug so mixed, coloured, stained, or powdered.

(3) The quality or potency of a drug shall be deemed to have been injuriously affected under the following circumstances, that is to say—

(a) if, when sold under or by a name recognised in the British Pharmacopoeia, it differs from the standard of strength, quality, or purity therein specified; or

(b) if, when sold under or by a name not recognised in the British Pharmacopoeia but to be found in some other Pharmacopoeia, whether of the United Kingdom or of any foreign country, it differs materially from the standard of strength, quality, or purity therein specified; or

(c) if its strength, quality, or purity falls below the professed standard under which it is sold:

Provided that the circumstances above enumerated shall

not in any way affect or restrict the general operation of the provisions of subsection (2) of this section.

7. (1) Any person contravening any of the provisions of the last preceding section shall be liable for a first offence to a fine of two hundred and forty dollars, and for any subsequent offence to a fine of not less than forty-eight dollars and not exceeding four hundred and eighty dollars. Penalties.

(2) All articles of food found to be mixed, stained, coloured, or powdered so as to be injurious to health, and all drugs found to be mixed, stained, coloured, or powdered so that the quality or potency of such drug is injuriously affected and in respect of which any person shall have been convicted, shall be absolutely forfeited and shall forthwith be destroyed.

8. No person shall be liable to be convicted under section 6 in respect of the sale of any article of food or drug, if he shows to the satisfaction of the Magistrate before whom he is charged that he did not know that the article of food or drug sold by him was mixed, coloured, stained, or powdered, contrary to the provisions of such section, and that he could not, with usual caution and diligence, have obtained such knowledge. Where no guilty knowledge.

9. (1) No person shall sell to the prejudice of the purchaser— Selling goods not of the proper quality.

(a) any milk diluted with water or mixed or adulterated with any other substance, matter, or thing; or

(b) any butter or hogs' lard which is not of the nature, or not of the substance, or not of the quality defined by section 2; or

(c) any article of food or drug liable to customs duty on importation which is found on analysis to contain or to be mixed with or adulterated with any article, substance, or thing admitted at a lower rate of duty or free of duty; or

(d) any article of food or drug which is either not of the nature or not of the substance, or not of the quality demanded by such purchaser.

(2) Any person contravening the provisions of paragraph (a) of subsection (1) of this section shall be liable—

(a) in cases of milk adulteration by added water, for every one per centum of added water, to a fine of two dollars and forty cents for a first offence, four dollars and eighty cents for a second or subsequent offence, and for a third or subsequent offence to imprisonment for six months;

(b) in case of milk adulteration other than by added water, for a first offence to a fine of ten dollars, for a second offence to a fine of twenty-four dollars, and for any subsequent offence to a fine of forty-eight dollars.

(3) Any person contravening any of the provisions of paragraphs (b), (c), or (d) of subsection (1) of this section shall be liable for a first offence to a fine of ninety-six dollars, and for any subsequent offence to a fine of not less than forty-eight dollars and not exceeding two hundred and forty dollars.

Exemptions.

**10.** An offence shall not be deemed to have been committed under the last preceding section in any of the following cases, that is to say—

(a) where any matter or ingredient not injurious to health is added to an article of food or drug because the same is required for the production or preparation of such article or drug as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight, or measure of the food or drug or conceal the inferior quality thereof;

(b) where the drug or food is a proprietary medicine or is the subject of a patent in force and is supplied in the state required by the specification of the patent;

(c) where the food or drug is compounded as in this Ordinance mentioned;

(d) where the food or drug is unavoidably mixed with some extraneous matter in the process of collection or preparation;

(e) where the food or drug was entrusted to some person for sale or delivery and was or might have been received by such person of the nature, substance, and quality demanded by the purchaser, and was, after or

at the time of reception by such person and without the knowledge or consent of the person by whom he was entrusted, altered or permitted to be altered.

11. (1) No person shall sell any compounded article of food or compounded drug which is not composed of ingredients in accordance with the demand of the purchaser. Compounded articles.

(2) Every person contravening the provisions of this section shall be liable to a fine of ninety-six dollars.

12. No person shall be guilty of an offence against this Ordinance in respect of the sale of any article of food or drug mixed with any matter or ingredient not injurious to health, and not intended fraudulently to increase its bulk, weight, or measure, or to conceal its inferior quality, if at the time of the sale of such article or drug he gives to the person purchasing the same notice by label, distinctly and legibly printed in capital letters not less than a quarter of an inch square on or with the article or drug, to the effect that the same is mixed. Exception where notice is given by label.

13. (1) No person shall, with intent that the same may be sold without notice in its altered state, abstract from an article of food any part of it so as injuriously to affect its nature or its substance or its quality, and no person shall sell any article so altered without making disclosure of the alteration. Alteration by abstraction.

(2) Every person contravening this section shall be liable to a fine of ninety-six dollars.

14. Any person who, being entrusted with any article of food or drug, alters the same or permits it to be altered so as injuriously to affect its nature or its substance or its quality, with intent that the same may be sold without notice in its altered state, shall be liable to a fine of ninety-six dollars. Alteration of articles of food or drug, by persons entrusted with.

DEALING IN HOGS' LARD SUBSTITUTE, MARGARINE, ETC.

15. (1) The Governor in Council may make regulations relating to the business of dealing in hogs' lard substitute Regulations relating to dealing in certain articles.

and margarine and in such other articles as the Governor in Council may from time to time, by proclamation, declare to be included within the provisions of this section.

(2) Such regulations may particularly, but without in any way limiting the general power conferred in the preceding subsection, provide—

(a) for the manner of exposing such articles for sale, whether by wholesale or retail; and

(b) for ensuring that the nature of the article is brought to the attention of a purchaser or intending purchaser.

(3) Every such regulation shall be laid before the Legislative Council, and, if not disapproved by resolution thereof within a period of one month, shall be published in the *Royal Gazette* and shall as from such publication have the force of law.

Sale of  
substances  
resembling  
vinegar or  
olive oil.

16. (1) No person shall deal in any substance purporting to be, and resembling or intended to resemble or to be or pass as, vinegar or olive oil, and not being vinegar or olive oil, as the case may be, unless the package or vessel which contains the particular substance is distinctly and legibly labelled, branded, or marked in such manner as clearly to indicate its nature, origin, or composition.

(2) "Sweet oil," "salad oil," and other indefinite names applied to oil dealt in or used as a substitute for olive oil shall, unless sold under labels clearly denoting their nature, origin, or composition, be deemed to mean pure olive oil unmixed with any other oil or substance whatsoever: Provided that no person shall be deemed to have committed an offence against this section in respect of the sale of pure coconut oil (whether deodorised or not) unmixed with any other substance.

Penalties.

17. Any person who contravenes any regulation made under section 15 or any of the provisions of the last preceding section shall be liable for a first or second offence to a fine of forty-eight dollars, for a third offence to a fine of ninety-six dollars, and for any subsequent offence to a fine of not less than ninety-six dollars and not exceeding two hundred and forty dollars.

ANALYSIS OF FOOD AND DRUGS.

18. The Governor may appoint any person or persons possessing competent skill and knowledge to be Government Chemist or Chemists for the purpose of analysing all articles of food and drugs imported into or sold in the Colony, and may at his pleasure remove any such Chemist or Chemists:

Government Chemists.

Provided that no person shall be appointed a Government Chemist who is directly or indirectly engaged or interested in any trade or business connected with the importation into, or sale in, the Colony of any food or drugs.

19. It shall be the duty of the Chemist to transmit to the Colonial Secretary a quarterly report specifying the names of all the persons charged with offences against this Ordinance, the articles of food or drugs analysed, the nature and extent of adulteration found upon analysis, the person or functionary or officer by whom the sample was taken for analysis, the result of the prosecution, and the penalties, if any, imposed.

Reports by Chemist to Colonial Secretary.

20. The following officers and persons, who are in this Ordinance referred to as "functionaries," that is to say—

Samples for analysis.

(a) any Gazetted Police Officer, or any subordinate police officer, or any constable or other person in that behalf authorised in writing under the hand of any subordinate police officer, or

(b) the Comptroller of Customs and Excise or any officer in that behalf authorised by the Comptroller, or

(c) any Medical Officer or Warden, or any person in that behalf authorised in writing under the hand of such Medical Officer or Warden, or

(d) any person or persons in that behalf authorised in writing by the Medical Board under the hand of the secretary of such Board, or

(e) any person or persons in that behalf authorised in writing by the Central Board of Health under the hand of the secretary of such Board, or

(f) any person or persons authorised in writing by

the Council of any city or borough under the hand of the Town Clerk, sealed with the seal of such city or borough,

may procure for the purpose of analysis—

(i) samples of food or drugs from any person who in any warehouse, store, shop, building, vessel, boat, or other place, shall sell or have or keep or expose the same for sale, whether by wholesale or retail;

(ii) any sample of milk in course of delivery or at the place of delivery to a purchaser or consignee or at any place where milk is sold or kept or exposed for sale.

Mode of  
procuring  
samples.

**21.** Such samples may be procured by any functionary by purchasing the same or by requiring the person in whose warehouse, store, shop, building, vessel, boat, or other place the same may be to produce the same to him, and to permit him to inspect all such articles of food or drugs, and the place or places wherein any such articles or drugs are kept or stored in any such warehouse, store, shop, building, vessel, boat, or other place, and, on payment or tender of the current market value of the sample of any article of food or drug required by any such functionary for analysis, to deliver the same to him.

Refusing to  
produce  
goods for  
inspection  
or sale.

**22.** (1) Any person, or his clerks, agents, or servants, selling or having or keeping or exposing for sale, whether by wholesale or retail, any articles of food or drugs in any warehouse, store, shop, building, vessel, boat, or other place as aforesaid, refusing to produce, or refusing permission to any functionary to inspect, all such articles of food or drugs and the place or places wherein the same may be stored or kept, or, on payment or tender of the proper value of the sample of any food or drug required by any such functionary for analysis, refusing to sell or deliver the same to him, shall be liable for a first offence to a fine of twenty-four dollars, for a second offence to a fine of forty-eight dollars, and for any subsequent offence to a fine of not less than forty-eight dollars and not exceeding ninety-six dollars.

(2) Notwithstanding anything in this section contained, where any article of food or drug is exposed for sale in an unopened tin or packet duly labelled, no person shall

be required to sell it except in the unopened tin or packet in which it is contained.

23. (1) Any person or purchaser other than a functionary, and any functionary, purchasing any article of food or drug or demanding to purchase any article of food or drug under the provisions of this Ordinance with the intention of submitting the same to analysis shall, if the seller or his agent or servant demand it, but not otherwise, then and there divide the article of food or drug in the presence of such seller, agent, or servant into three parts.

Mode of dealing with articles purchased for analysis.

(2) He shall cause each of such parts to be marked and sealed or otherwise fastened up in such manner as the nature of such article of food or drug will permit.

(3) He shall thereupon deliver one of such parts to the seller or his agent or his servant, or leave the same upon the premises wherein the purchase shall have been made.

(4) He shall retain one other part for future comparison or verification, and shall submit the third part to the Chemist for analysis.

(5) If no demand as hereinbefore provided is made by the seller, or his agent or servant, the Chemist receiving the article for analysis shall divide the same into two parts and shall seal or fasten up one of those parts and shall cause it to be delivered, at or before the time when he supplies his certificate, to the purchaser, who shall retain the same for production in case proceedings shall afterwards be taken in the matter.

24. Any purchaser of an article of food or a drug shall, on payment to the Chemist of such fee as the Governor in Council may by regulation prescribe, be entitled to have such article of food or drug analysed by such Chemist, and to receive from him a certificate of the result of the analysis.

Power to obtain analysis.

25. If the Chemist does not reside within two miles of the residence or place of business of the person requiring the article to be analysed, such article may be forwarded to the Chemist by parcel post, subject to any postal regulations which may be in force in reference to the carrying and delivery of such articles, and the charge for the postage

Sending articles to Chemist by post.

and carriage of such articles shall be deemed a charge incurred in the execution of this Ordinance or of a prosecution under this Ordinance, as the case may be.

Form of  
certificate.  
1st Schedule.

26. The Chemist, after completing an analysis under this Ordinance, shall give a certificate of the result of such analysis, which shall be in the form in the First Schedule hereto, with such variations as circumstances may require.

#### PROCEEDINGS AGAINST OFFENDERS.

Recovery  
and appro-  
priation of  
penalties.

27. Subject to the express provisions of this Ordinance, all offences, fines, penalties, forfeitures, costs, and expenses under this Ordinance may be prosecuted, sued for, and recovered by any functionary, and the procedure shall be according to the Summary Courts Ordinance.

Chemist's  
certificate—  
evidence.

28. (1) At the hearing of any complaint of an offence against this Ordinance, the production of a certificate signed by the Chemist shall be sufficient evidence of all the facts therein stated, unless the defendant require that the Chemist be summoned as a witness, in which case the Magistrate shall cause the Chemist to be summoned to appear on a date and at a time to be specified in the summons.

(2) No proof need be given of the signature or official character of the Chemist.

(3) The parts of the article retained by the person who purchased the same shall be produced for comparison or verification.

Costs.

(4) If the defendant be convicted, he shall, in addition to the penalty imposed upon him, be ordered to pay the following sums, that is to say—

(a) the sum of \$5.04 for every day or part of a day on or during which the Chemist in obedience to such summons shall have attended in court;

(b) the travelling expenses of the Chemist;

(c) all other expenses whatsoever incurred in procuring, delivering, and analysing any food or drugs under this Ordinance;

which said several sums so ordered to be paid shall be costs

in the case and shall be recoverable in the same manner as costs are recoverable in any case before a Magistrate.

29. In any prosecution under this Ordinance, where the fact of an article having been sold in a mixed state has been proved, the defendant shall desire to rely upon any exception or provision contained in this Ordinance, it shall be incumbent upon him to prove the same.

Defendant to prove that he is protected by exception or provision.

30. In any prosecution under the provisions of this Ordinance for selling to the prejudice of the purchaser any article of food or any drug which is not of the nature nor of the substance nor of the quality of the article demanded by such purchaser, or which does not comply with the standard fixed therefor under the provisions of this Ordinance, it shall be no defence to any such prosecution to allege that the purchaser, having bought only for analysis, was not prejudiced by such sale. Neither shall it be a good defence to prove that the article of food or drug in question, though defective in nature or in substance or in quality or in purity, was not defective in all four respects.

No defence to allege purchase for analysis only.

31. (1) If the defendant in any prosecution under this Ordinance proves that he purchased the article in question as the same in nature or substance or quality or purity as that demanded of him by the complainant, and with a written warranty to that effect from the vendor resident in the Colony from whom he shall have purchased such article, and further that he had no reason to believe, and that he had no means of acquiring the knowledge by reasonable care and diligence, that at the time when he sold the article or had possession of the same for the purposes of sale the article was otherwise, and that he sold it in the same state as when he purchased it, then and in every such case the Magistrate shall cause the vendor or his servant or his agent to be summoned to appear before him at a time and place to be specified in such summons, to be examined upon oath touching such alleged warranty.

Discharge of defendant in certain cases.

(2) Subject to the provisions of the next succeeding section, if upon such examination it shall be proved to the satisfaction of the Magistrate that such warranty was given by the alleged vendor, and in relation to the articles of food

or drugs the subject of the prosecution, then and in such case, but not otherwise, the defendant shall be discharged from the prosecution, but he shall nevertheless be liable to pay the costs incurred by the prosecution.

Use of  
warranty as  
defence.

**32.** (1) A warranty shall not be available as a defence to any proceeding under this Ordinance, unless the defendant has, within seven days after service of the summons, sent to the purchaser a copy of such warranty, with a written notice that he intends to rely on the warranty, and specifying the name and address of the person from whom he received it, and has also sent a like notice of his intention to such person.

(2) The person by whom such warranty is alleged to have been given shall be entitled to appear at the hearing and to give evidence, and the court may, if it thinks fit, adjourn the hearing to enable him to do so.

Form of  
warranty.  
2nd Schedule

**33.** A warranty under this Ordinance shall be in the form in the Second Schedule hereto.

Misappli-  
cation of  
certificate or  
warranty.

**34.** (1) Any person who wilfully applies to an article of food or drug in any proceedings under this Ordinance a certificate or warranty given in relation to any other article or drug shall be liable to a fine of ninety-six dollars.

False  
warranty  
or label.

(2) Any person who gives a false warranty in writing as to the nature or substance or quality or purity of any article of food or drug sold by him as principal or agent or as consignee or on commission, and every person who gives a label with any article of food or drug sold by him which falsely describes the articles sold, shall be liable to a fine of ninety-six dollars.

Assaulting  
functionary  
and  
tampering  
with article  
required for  
analysis.

**35.** If any person shall—

(a) assault, hinder, or obstruct any functionary in the execution of his duty under this Ordinance, or

(b) in the presence of any functionary, destroy, mix, or tamper with any article of food or drug which a functionary shall have purchased or shall be about to purchase or shall have demanded to purchase for analysis under this Ordinance, or shall do or commit

any act by which a true and correct analysis of any such food or drug shall in anywise be hindered or prevented,

every such person shall be liable to a fine of ninety-six dollars.

36. (1) Nothing in this Ordinance shall affect the power of proceeding by indictment, or take away any other remedy against any offender under this Ordinance, or in any way interfere with contracts or bargains or the rights and remedies belonging thereto.

Proceedings by indictment and contracts not to be affected.

(2) Provided that in any action brought by any person for a breach of contract on the sale of any article of food or drug, such person may recover, either alone or in addition to any other damages recoverable by him, the amount of any penalty which he may have been compelled to pay under this Ordinance, together with the costs paid in consequence of the conviction or incurred in and about his defence, if he proves that the article or drug, the subject of such conviction, was sold to him as and for an article or drug of the same nature, substance, quality, and purity as that which was demanded of him, and that he purchased it not knowing it to be otherwise, and afterwards sold it in the same state in which he purchased it; the defendant in such action being nevertheless at liberty to prove that the conviction was wrongful, or that the amount of costs awarded or incurred was unreasonable.

37. It shall be lawful for the Governor, by warrant, to authorise the payment from the Treasury of such sums of money as from time to time he may deem fit to defray the expenses of executing this Ordinance.

Expenses.

38. No matter or thing done by any functionary or other person under this Ordinance shall, if the matter or thing was done *bona fide* for the purpose of executing this Ordinance, subject them or any of them to any action, liability, claim, or demand whatsoever.

Official protection.

## SCHEDULES.

### FIRST SCHEDULE.

#### THE FOOD AND DRUGS ORDINANCE.

##### Certificate of Chemist.

[Here state the functionary.]

To

I, the undersigned Government Chemist, do hereby certify that I received on the day of \_\_\_\_\_, 19\_\_\_\_, from \_\_\_\_\_ a sample of \_\_\_\_\_ for analysis and have analysed the same, and declare the result of my analysis to be as follows:—

I am of opinion that the said sample contained the parts as under or the percentages of foreign ingredients as under:

##### OBSERVATIONS :

*No change that would interfere with the analysis had taken place in the constitution of the sample.*

As witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Government Chemist.

### SECOND SCHEDULE.

#### THE FOOD AND DRUGS ORDINANCE.

##### Form of Warranty.

(Section 33.)

I, the undersigned, *A.B.*, of [address] [occupation], do hereby warrant that the following articles, namely [here describe the articles] purchased from me, the undersigned, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by *C.D.*, of \_\_\_\_\_, are in every respect the same in nature, substance, quality, and purity as were demanded of me by the above-named *C.D.* [the purchaser].

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Signed) *A B.*