

TRINIDAD AND TOBAGO.

No. 44.—1916.

I ASSENT,

[L.S.]

J. R. CHANCELLOR,
Governor.

28th December, 1916.

AN ORDINANCE relating to the sale and the adulteration
of Food and Drugs.

[On Proclamation.]

BE it enacted by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative
Council thereof as follows:—

1. This Ordinance may be cited as the Food and Drugs Short Title.
Ordinance, 1916.

2. In this Ordinance, unless the context otherwise Interpretation.
requires:—

“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 shall also include flavouring
matters or condiments; and cacao beans in any stage of
preparation for sale or export.

“Drug” includes medicines for external or internal use;

“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 ;

“Lard” means the substance usually known as lard made from the pure fat of swine unmixed with any other oil or fat ;

“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 demijean, bottle or any other vessel used or capable of being used for the purpose of containing liquids ;

“The Analyst” means the person or persons appointed as Government Analyst or Analysts under the authority of this Ordinance, and includes any person holding any such appointment at the commencement of this Ordinance ;

“Summary Conviction” means summary conviction before a Magistrate ;

“Deal,” “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.

Standards.

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

(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.

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Governor may fix standards.
Publication of order

(3.) Production of a copy of the *Royal Gazette* containing any such order shall be sufficient evidence in all courts of the making and tenor of such order and the coming into force thereof.

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. Penalty for selling article below standard.

(2.) Any person contravening the provisions of the preceding sub-section is liable on summary conviction for a first offence to a penalty not exceeding twenty pounds, and for any subsequent offence to a penalty not less than ten pounds and not exceeding fifty pounds.

Importation of Food or Drugs not complying with standard.

5.—(1.) (a.) If there is imported into the Colony any of the articles for which standards are fixed under Section 3 of this Ordinance, and if it is certified by the Analyst that such article does not comply with any such standard, the importer is, 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, liable, on summary conviction, for the first offence to a fine not exceeding twenty pounds, for the second offence to a fine not exceeding fifty pounds, and for any subsequent offence to a fine not exceeding one hundred pounds. Penalty on importing adulterated or impoverished articles.

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

(2.) (a.) Any article in respect of which an offence under the preceding sub-section 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 word "importer" includes any person who, whether as owner, consignor, or consignee, agent or broker, is in possession of, or in anywise entitled to the custody or control of the article.

(4.) The Collector of Customs 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 Collector of Customs 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 send one part to the importer and one part to the Analyst and retain one part.

(6.) In any proceeding under this section the certificate of the Analyst 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 Collector of Customs is of opinion that an offence against this section has been committed, he shall communicate to the Analyst 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 Analyst as not complying with the standard fixed for such article, the Collector of Customs shall upon receiving the certificate forthwith notify the importer thereof.

Adulterated Food and Drugs.

Prohibition of
adulteration 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 Pharmacopœia 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 Pharmacopœia but to be found in some other Pharmacopœia, 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 always that the circumstances above enumerated shall not in any way affect or restrict the general operation of the provisions of Sub-section (2) of this section.

7.—(1.) Any person contravening any of the provisions of Penalties. Section 6 of this Ordinance is liable on summary conviction

- (a.) For the first offence to a penalty not exceeding Fifty Pounds;
- (b.) For any subsequent offence to a penalty not less than Ten Pounds and not exceeding One Hundred Pounds.

(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 Where no guilty knowledge. 6 of this Ordinance 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.

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

- (a.) Any Milk diluted with water or mixed or adulterated with any other substance, matter, or thing; or
- (b.) Any Butter, or Lard, which is not of the nature, or not of the substance, or not of the quality defined by Section 2 of this Ordinance; or
- (c.) Any Rum, Brandy, Whiskey, or Gin of a lower strength than is hereinafter limited and prescribed by Sub-section (b) of Section 10 of this Ordinance; or
- (d.) Any article of food or drug liable to Custom 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
- (e.) 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 Sub-section (a) of this section is liable, on summary conviction:—

- (i.) In cases of milk adulteration by added water: for every one per centum of added water to a penalty of ten shillings for a first offence, one pound for a second or subsequent offence, and in addition for a third or subsequent offence to imprisonment with or without hard labour for a period not exceeding six months.

(ii.) In case of milk adulteration other than by added water :—

For a first offence to a penalty of Two Pounds ;

For a second offence to a penalty of Five Pounds ;

For any subsequent offence to a penalty of Ten Pounds.

(3.) Any person contravening any of the provisions of Sub-sections (b) (c) (d) or (e) of this section is liable on summary conviction :—

For a first offence to a penalty not exceeding Twenty Pounds,

For any subsequent offence to a penalty not less than Ten Pounds and not exceeding Fifty Pounds.

10. An offence shall not be deemed to have been committed Exceptions. 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 water only is added to any Rum, Brandy or Whiskey but not so as to reduce the strength of the Spirit more than 25 degrees under proof; or to any Gin, but not so as to reduce the strength of the Spirit more than 35 degrees under proof.

The strength of such Spirits shall be ascertained and determined by means of Sykes' Hydrometer.

(c.) 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.

- (d.) Where the food or drug is compounded as in this Ordinance mentioned.
- (e.) Where the food or drug is unavoidably mixed with some extraneous matter in the process of collection or preparation.
- (f.) 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.

Compounded articles.

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.

(2.) Every person contravening the provisions of this section is liable on summary conviction to a penalty not exceeding Twenty Pounds.

Exception where notice is given by label.

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.

Alteration by abstraction.

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.

(2.) Every person contravening this section is liable on summary conviction to a penalty not exceeding Twenty Pounds.

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, is liable on summary conviction to a penalty not exceeding Twenty Pounds.

Alteration of articles of food, &c., by persons entrusted with.

Dealing in Lard Substitute, Margarine, &c.

15.—(1.) The Governor in Executive Council may make regulations relating to the business of dealing in Lard substitute and Margarine and in such other articles as the Governor in Executive Council may from time to time by Proclamation in the *Royal Gazette* declare to be included within the provisions of this section.

Regulations relating to dealing in certain articles.

(2.) Such regulations may particularly, but without in any way limiting the general power conferred in the preceding sub-section, provide:—

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

(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.

16.—(1.) No person shall deal in any substance purporting to be and resembling or intended to resemble or to be or pass as

Sale of substances resembling, &c., vinegar or olive oil.

(a.) Vinegar; or

(b.) 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.

Penalties.

17. Any person who contravenes any regulation made under Section 15 of this Ordinance or any of the provisions of the last preceding section is liable on summary conviction:—

- (a.) For a first or second offence to a penalty not exceeding Ten Pounds;
- (b.) For a third offence to a penalty not exceeding Twenty Pounds;
- (c.) For any subsequent offence to a penalty not less than Twenty Pounds and not exceeding Fifty Pounds.

Analysis of Food and Drugs.

Government Analysts.

18.—(1.) The Governor may from time to time appoint any person or persons possessing competent skill and knowledge to be Government Analyst or Analysts of all articles of food and drugs imported into or sold in the Colony, and may at his pleasure remove any such Analyst or Analysts.

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

Reports by Analyst to Colonial Secretary.

19. It shall be the duty of the Analyst 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.

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

- (a.) The Inspector-General of Constabulary, or any Commissioned or Non-commissioned Officer of Constabulary, or any Constable or other person in that behalf authorized in writing under the hand of any Commissioned or Non-commissioned Officer of Constabulary; or
- (b.) The Collector of Customs or any officer in that behalf authorized by the Collector of Customs; or
- (c.) Any Government Medical Officer or Warden, or any person in that behalf authorized in writing under the hand of such Medical Officer or Warden; or
- (d.) Any person or persons in that behalf authorized in writing by the Medical Board, signed by the Secretary of such Board; or
- (e.) Any person or persons in that behalf authorized in writing by the Central Board of Health under the hand of the Secretary of such Board; or
- (f.) Any person or persons authorized 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—

- (1.) Samples of food or drugs from any person who in any warehouse, store, shop, building, vessel or boat, or other place, shall sell or have or keep or expose the same for sale, whether by wholesale or retail;
- (2.) 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 or 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 or 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 or 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, is liable on summary conviction:—

- (a.) For a first offence to a penalty not exceeding Five Pounds,
- (b.) For a second offence to a penalty not exceeding Ten Pounds,
- (c.) For any subsequent offence to a penalty not less than Ten Pounds and not exceeding Twenty Pounds.

(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.

Mode of
dealing with
articles
purchased for
analysis.

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.

(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 Analyst for analysis.

(5.) If no demand as hereinbefore provided is made by the seller, his agent or servant, the Analyst 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 Analyst of such fee as the Governor in Executive Council may by Regulation prescribe, be entitled to have such article of food or drug analysed by such Analyst, and to receive from him a certificate of the result of the analysis. Power to obtain analysis.

25. If the Analyst 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 Analyst 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 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. Sending articles to Analyst by post.

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

Proceedings against Offenders.

Recovery and
appropriation
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 Conviction Offences (Procedure) Ordinance No. 1.

Analyst's
certificate—
evidence.

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

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

(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 one guinea for every day or part of a day on or during which the Analyst in obedience to such summons shall have attended in Court;

(b.) The travelling expenses of the Analyst;

(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.

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

29. In any prosecution under this Ordinance, where the fact of an article having been sold in a mixed state has been proved, if 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.

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.

No defence to allege purchase for analysis only.

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.

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 this 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.

32. 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

Use of warranty as a defence.

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.

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.

33. A warranty under this Ordinance shall be in the form in Schedule B to this Ordinance.

Forgery of
certificates,
warranties,
&c.

34. Any person who forges or utters, knowing it to be forged, any certificate of the result of an analysis under this Ordinance, or who forges or utters, knowing it to be forged, any written warranty or writing purporting to contain a warranty, is guilty of a misdemeanour and is liable on conviction on indictment to imprisonment with or without hard labour for any term not exceeding two years.

Misapplication
of certificate
or warranty.

35.—(1.) Any person who wilfully applies to an article of food or a drug in any proceedings under this Ordinance a certificate or warranty given in relation to any other article or drug is liable on Summary Conviction to a penalty not exceeding Twenty Pounds.

(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, is liable to a penalty not exceeding Twenty Pounds, and every person who gives a label with any article of food or drug sold by him which falsely describes the articles sold is liable on summary conviction to a penalty not exceeding Twenty Pounds.

Assaulting
functionary
and tampering
with article
required for
analysis.

36. If any person shall—

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

(b.) Shall 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 is liable on summary conviction to a penalty not exceeding Twenty Pounds.

37.—(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.

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

39. No matter or thing done by any functionary or other person under this Ordinance shall, if the matter or thing Official protection.

were done *bona fide* for the purpose of executing this Ordinance, subject them or any of them to any action, liability, claim or demand whatsoever.

Repeal.

40. The Ordinances referred to in Schedule C to this Ordinance are hereby repealed to the extent specified in the third column of such Schedule.

Commence-
ment.

41. This Ordinance shall commence on a day to be fixed by the Governor by proclamation in the *Royal Gazette*.

Passed in Council this First day of December, in the year of Our Lord one thousand nine hundred and sixteen.

J. M. FARFAN,
Acting Clerk of the Council.

1.3.17
P.D. 2/19/17

SCHEDULE A.

THE FOOD AND DRUGS ORDINANCE.

(Section 26).

To _____
 (Here state the functionary).
 I, the undersigned Government Analyst, 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 Analyst at
 Port-of-Spain.

SCHEDULE B.

THE FOOD AND DRUGS ORDINANCE.

(Section 33.)

FORM OF WARRANTY.

I, the undersigned, A.B. of No. _____ Street, in the Town of
 Merchant, 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.

SCHEDULE C.

REPEAL.

No. of Ordinance.	Short Title.	Extent of Repeal.
No. 162 ...	The Food and Drugs Ordinance	.. Sections 4 to 17 (both inclusive); Section 18 (except as to the persons who are therein described as functionaries); Sections 19 to 21 (both inclusive); Sections 23 to 34 (both inclusive); Sections 37 to 40 (both inclusive); Schedules A. and B.
No. 28 of 1905	The Food and Drugs (Standards) Ordinance 1905	... The whole.
No. 30 of 1909	The Food and Drugs Ordinance, 1909	... The whole.
No. 18 of 1911	The Food and Drugs Ordinance, 1911	... The whole.