

THE FOOD (CONTROL) ACT No. 2 OF 1981

To prevent the display, sale and storage of unfit food.

Be it enacted by the President and Parliament as follows :-

Interpretation.

1. In this Act unless the context otherwise requires -
"analyst" means a person appointed by the Minister as an analyst for the purpose of this Act and whose appointment has been notified in the Vanuatu Gazette;
"Health Inspector" means a person appointed as such by the Minister and whose appointment has been notified in the Vanuatu Gazette;
"Director of Health" means either the Director of Health of the Government or the Principal Health Inspector;
"Minister" means the Minister responsible for public health or any Minister acting on his behalf;
"person" includes any corporate body, partnership or association of persons;
"premises" means any building or part of a building and any private forecourt yard or land to which members of the public have access for the purpose of retail or wholesale marketing of food or where food is stored for such purposes.

Persons not to display, store or sell food unfit for human consumption.

2. No person shall on any premises store, have on display or sell food for consumption by persons which is unfit for human consumption.

Officers of health inspectors to enter premises and take samples.

3. (1) A health inspector may enter any premises for the purpose of inspecting any food that is stored or for sale therein.
(2) A health inspector who suspects that any food intended for consumption by persons and displayed for sale or stored on any premises is unfit for human consumption may -
 - (a) take a sample for analysis by an analyst; and
 - (b) place an embargo on the sale of the remainder of the food from which the sample has been taken which shall be in form "A" in the Schedule.

identity cards.

- 8. (1) A health inspector who enters any premises in the course of his duties shall carry an identity card in form "D".
- (2) A health inspector shall produce his identity card before requiring admittance to any part of any premises where food is not displayed for sale or, if he has not already produced his identity card, before taking a sample.

9.

The Minister for the better carrying out of the provisions of this Act may make orders not inconsistent with this Act which shall be published in the Vanuatu Gazette.

offences and penalties.

- 10. (1) Any person who fails to comply with a lawful direction under this Act or who fails to comply with an embargo or obstructs a health inspector in carrying out the functions under this Act or contravenes this Act or an order made under Section 9 commits an offence and is liable on conviction to a fine not exceeding VT 60,000 or imprisonment not exceeding 3 years or both such fine and imprisonment.
- (2) Where a person liable to conviction under subsection (1) becomes so liable when acting in the course of his employment by a corporate body by which he is employed it may be convicted and fined in his place or in addition to him.

SCHEDULE

FORM A

(Section 3 (2) (b))

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EMBARGO

.....Health Inspector having this day
 taken a sample of.....from the premises known as.....
HEREBY place an embargo on the display or sale of.....
(here insert approximate quantity by weight or number of
 items etc) of.....held by.....
 at the premises on this day
 Dated.....198...
 Signed.....Health Inspector.
 Name of officer in block letters.....

FORM B

(Section 4 (1))

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DECLARATION AND DIRECTION
BY DIRECTOR OF HEALTH

.....Director of Health/Principal Health Inspector
.....on the.....day of.....19.....examined the report
.....analyst declare that the sample of food taken by
.....health officer at.....(District)
.....the premises of.....fit/unfit for human consumption*
and I DIRECT that the.....(quantity by weight, number of
.....etc) in respect of which an embargo was made by.....
health inspector on the.....day of.....19.....

-shall no longer be subject to embargo;
-be marked as unfit for human consumption but fit for animal consumption only;
-be taken under the supervision of a health inspector and buried in the land
.....within.....days from the date hereof;
-be taken under the supervision of a health inspector and dumped at sea within
.....days from the date hereof;
-be destroyed.

Dated the.....day of.....198.....

Signed.....
Director of Health/Principal Health Inspector.

.....whichever is not applicable.

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CERTIFICATE OF DISPOSAL OF FOOD

.....Health Inspector HEREBY CERTIFY ON THIS.....
of.....198....that.....(quantity) of.....
.....found by me at the premises of.....
.....and in my opinion likely to be unfit for human
consumption has this day been -

and as unfit for human consumption but fit for animal consumption;
under my supervision and buried in the land at.....;
under my supervision and dumped at sea;
destroyed.

the.....day of.....198.....

.....Health Inspector

of Inspector in BLOCK LETTERS.....

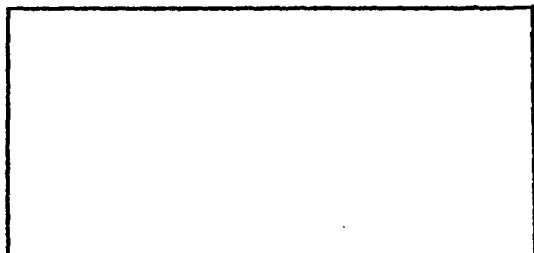
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IDENTITY CARD

MISS/MRS.....

Health Inspector for the purpose of the
(Control) Act 1981 No. and must be given
assistance in accordance with the Act.

.....



of expiry of this Identity Card.....198.....

issued on.....198.....until.....198.....