
STATUTORY INSTRUMENTS

1991 No. 762

The Food Safety(Northern Ireland) Order 1991

PART II

GENERAL PROVISIONS AS TO FOOD

Consumer protection

Selling food not of the nature or substance or quality demanded

13.—(1) Any person who sells to the purchaser's prejudice any food which is not of the nature or substance or quality demanded by the purchaser shall be guilty of an offence.

(2) In paragraph (1) the reference to sale shall be construed as a reference to sale for human consumption; and in proceedings under that paragraph it shall not be a defence that the purchaser was not prejudiced because he bought for analysis or examination.

Falsely describing or presenting food

14.—(1) Any person who gives with any food sold by him, or displays with any food offered or exposed by him for sale or in his possession for the purpose of sale, a label, whether or not attached to or printed on the wrapper or container, which—

- (a) falsely describes the food; or
- (b) is likely to mislead as to the nature or substance or quality of the food,

shall be guilty of an offence.

(2) Any person who publishes, or is a party to the publication of, an advertisement (not being such a label given or displayed by him as mentioned in paragraph (1)) which—

- (a) falsely describes any food; or
- (b) is likely to mislead as to the nature or substance or quality of any food,

shall be guilty of an offence.

(3) Any person who sells, or offers or exposes for sale, or has in his possession for the purpose of sale, any food the presentation of which is likely to mislead as to the nature or substance or quality of the food shall be guilty of an offence.

(4) In proceedings for an offence under paragraph (1) or (2), the fact that a label or advertisement in respect of which the offence is alleged to have been committed contained an accurate statement of the composition of the food shall not preclude the court from finding that the offence was committed.

(5) In this Article references to sale shall be construed as references to sale for human consumption.