



Fertilisers and Feeding Stuffs Act 1926

1926 CHAPTER 45

Administrative Provisions, Sampling and Analysis

12 Powers of entry and sampling

- (1) An inspector appointed by a council under this Act may at all reasonable times enter any premises in which he has reasonable cause to believe that there is any article included in the first column of the First Schedule to this Act which has been prepared for sale or consignment, or any article included in the first column of the First or Second Schedule to this Act which is stored for use and not for sale or manufacture, and may take samples in the prescribed manner of any article on such premises which he has reasonable cause to believe to be such an article as aforesaid :

Provided that an inspector shall not exercise such power as aforesaid in respect of any premises situate outside the county or county borough for which he acts without the consent of the council of the county or county borough in which the said premises are situate or of some officer of that council to whom powers of giving such consent may have been delegated by that council.

- (2) An inspector appointed by a council under this Act may for the purposes of this Act take a sample otherwise than in the prescribed manner of any article which has been sold for use as a fertiliser of the soil or as food for cattle or poultry, or which he has reasonable cause to believe to be intended for sale as such; but the name of the seller or purchaser or owner of the article of which a sample is so taken shall not be communicated to any person.
- (3) An inspector appointed by the Minister may, if specially authorised in that behalf, exercise in any county or county borough the powers conferred by this section on an inspector appointed by the council thereof.

If, in the opinion of the Minister, the council of a county or county borough have insufficiently exercised their powers under this Act, either generally or in any particular case, the inspector appointed by the Minister may submit to the agricultural analyst for the county or county borough the samples so taken by him within that county or county borough; and the amount of any expenses certified by the Minister to have been incurred by an inspector appointed by him in the exercise of such powers

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as aforesaid shall, on demand, be repaid to the Minister by the council in default, and shall be recoverable from the council either as a debt due to the Crown or summarily as a civil debt.

- (4) Where a sample of a parcel packed ready for retail sale which is of fourteen pounds weight or less and is exposed for sale by retail is taken under this section, the retailer may require the inspector to purchase the parcel on behalf of the local authority or of the Minister, as the case may be.
- (5) In the exercise at any railway station or upon any railway premises of the powers conferred upon him by this Act an inspector shall conform to such reasonable requirements of the railway company owning or using such station or premises as are necessary to prevent the working of the traffic thereat being obstructed or interfered with.