



Sale of Food and Drugs Act 1875

1875 CHAPTER 63 38 and 39 Vict

Special Provision as to Tea

30 Tea to be examined by the Customs on importation

From and after the first day of January one thousand eight hundred and seventy-six all tea imported as merchandise into and landed at any port in Great Britain or Ireland shall be subject to examination by persons to be appointed by the Commissioners of Customs, subject to the approval of the Treasury, for the inspection and analysis thereof, for which purpose samples may, when deemed necessary by such inspectors, be taken and with all convenient speed be examined by the analysts to be so appointed; and if upon such analysis the same shall be found to be mixed with other substances or exhausted tea, the same shall not be delivered unless with the sanction of the said commissioners, and on such terms and conditions as they shall see fit to direct, either for home consumption or for use as ships stores or for exportation; but if on such inspection and analysis it shall appear that such tea is in the opinion of the analyst unfit for human food, the same shall be forfeited and destroyed or otherwise disposed of in such manner as the said commissioners may direct.

31 Interpretation of Act

Tea to which the term “exhausted” is applied in this Act shall mean and include any tea which has been deprived of its proper quality, strength, or virtue by steeping, infusion, decoction, or other means.

32 Provision for the liberty of a cinque port

For the purposes of this Act every liberty of a cinque port not comprised within the jurisdiction of a borough shall be part of the county in which it is situated, and subject to the jurisdiction of the justices of such county.

33 Application of the Act to Scotland

In the application of this Act to Scotland the following provisions shall have effect:

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

1. The term “misdemeanor ” shall mean " a crime or offence :"
2. The term “defendant ” shall mean “defender ” and include " respondent;"
3. The term “information ” shall include " complaint:"
4. This Act shall be read and construed as if for the term “justices,” wherever it occurs therein, the term “sheriff” were substituted:
5. The term “sheriff” shall include " sheriff substitute :
6. The term borough " shall mean any royal burgh and any burgh returning or contributing to return a member to Parliament:
7. The expenses of executing this Act shall be borne in Scotland, in counties, by the county general assessment, and in burghs, by the police assessment:
8. This Act shall be read and construed as if for the expression “the Local Government Board,” wherever it occurs therein, the expression " one of Her Majesty's Principal Secretaries of State " were substituted:
9. All penalties provided by this Act to be recovered in a summary manner shall be recovered before the sheriff of the county in the sheriff court, or at the option of the person seeking to recover the same in. the police court, in any place where a sheriff officiates as a police magistrate under the provisions of “The Summary Procedure Act, 1864, ” or of the Police Act in force for the time in any place in which a sheriff officiates as aforesaid, and all the jurisdiction, powers, and authorities necessary for this purpose are hereby conferred on sheriffs:

Every such penalty may be recovered at the instance of the procurator fiscal of the jurisdiction, or of the person who caused the analysis to be made from which it appeared that an offence had been committed against some one of the provisions of this Act:

Every penalty imposed and recovered under this Act shall be paid to the clerk of court, and by him shall be accounted for and paid to the treasurer of the county general assessment, or the police assessment of the burgh, as the sheriff shall direct:

10. Every penalty imposed by this Act may be reduced or mitigated according to the judgment of the sheriff:
11. It shall be competent to any person aggrieved by any conviction by a sheriff in any summary proceeding under this Act to appeal against the same to the next circuit court, or where there are no circuit courts to the High Court of Justiciary at Edinburgh, in the manner prescribed by such of the provisions of the Act of the twentieth year of the reign of King George the Second, chapter forty-three, and any Acts amending the same, as relate to appeals in matters criminal, and by and under the rules, limitations, conditions, and restrictions contained in the said provisions.

34 Interpretation of terms in application of Act to Ireland

In the application of this Act to Ireland,—

The term “borough ” shall mean any borough subject to the Act of the session of the third and fourth years of the reign of Her present Majesty, chapter one hundred and eight, intituled “An Act for the regulation of Municipal Corporations in ” Ireland :"

The term “county ” shall include a county of a city and a county of a town not being a borough :

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The term “assizes ” shall, with respect to the county of Dublin, mean "presenting term :"

The term “treasurer of the county ” shall include any person or persons or bank in any county performing duties analogous to those of the treasurer of the county in counties, and, with respect to the county of Dublin, it shall mean the finance committee :

The term “police constable ” shall mean, with respect to the police district of Dublin metropolis, constable of the Dublin Metropolitan Police, and with respect to any other part of Ireland, constable of the Royal Irish Constabulary,

35 Commencement of the Act

This Act shall commence on the first day of October one thousand eight hundred and seventy-five.

36 Title of the Act

This Act may be cited as " The Sale of Food and Drugs Act, 1875."