



Food Act 1984

1984 CHAPTER 30

PART VI

ADMINISTRATION, ENFORCEMENT AND LEGAL PROCEEDINGS

Legal proceedings

99 Analysis by Government Chemist

- (1) The court before which any proceedings are taken under this Act may, if it thinks fit, and upon the request of either party shall, cause the part of any sample produced before the court under section 95(6) to be sent to the Government Chemist, who shall—
 - (a) make an analysis, and
 - (b) transmit to the court a certificate of its result,and the costs of the analysis shall be paid by the prosecutor or the defendant as the court may order.
- (2) If, in a case where an appeal is brought, no action has been taken under subsection (1), its provisions shall apply also in relation to the court by which the appeal is heard.
- (3) Any certificate of the results of an analysis transmitted by the Government Chemist under this section shall be signed by or on behalf of the Government Chemist, but—
 - (a) the analysis may be made by any person acting under the direction of the person by whom the certificate is signed; and
 - (b) any certificate so transmitted by the Government Chemist shall be evidence of the facts stated in it unless any party to the proceedings requires that the person by whom it is signed shall be called as a witness.