



1960

c 39 Bread Sales Act

Ontario

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CHAPTER 39

The Bread Sales Act

1. In this Act,

Interpre-
tation

- (a) "bake shop" means a building, premises, workshop, room or place in which bread is made for sale or sold;
- (b) "inspector" means an inspector appointed by a municipal council under this Act or a member of the Ontario Provincial Police Force. R.S.O. 1950, c. 39, s. 1.

2. The council of every city, town and village shall, and the council of every township may, appoint an inspector for the purpose of enforcing this Act. R.S.O. 1950, c. 39, s. 2. <sup>Appoint-
ment of
inspector</sup>

3.—(1) Every person conducting a bake shop shall do so only under a licence to be issued by the municipality, and under regulations and conditions prescribed by by-law of the municipality, and no licence shall be issued until the medical officer of health gives a certificate that all regulations and conditions have been fully complied with. <sup>Bake shops
to be
licensed</sup>

(2) Any licence issued under this Act may be revoked by the council of the municipality. ^{Revocation}

(3) The fee for the licence shall not exceed \$1. R.S.O. 1950, c. 39, s. 3. ^{Fee}

4.—(1) Except as provided in subsection 2, no person shall make bread for sale or sell or offer for sale bread except in loaves weighing 16, 24 or 48 ounces avoirdupois. <sup>Weight
of bread</sup>

(2) Small-bread may be made for sale, offered for sale and sold in any weight not exceeding 12 ounces avoirdupois. R.S.O. 1950, c. 39, s. 4. ^{Small-bread}

5. Every person making bread for sale shall keep in a conspicuous and convenient place in the bake shop scales and weights suitable for weighing bread, and shall weigh the bread offered for sale by him at the request of any person desiring <sup>Scales and
weights in
bake shop</sup>

to purchase the bread, and the inspector may use such scales at any time for the purpose of weighing bread found by him in the bake shop. R.S.O. 1950, c. 39, s. 5.

Offences

6. Every person who makes for sale or sells or offers for sale bread in contravention of the preceding sections, or who neglects to comply with section 5, is guilty of an offence. R.S.O. 1950, c. 39, s. 6.

Offence of using deleterious material

7.—(1) Every person who uses an adulterant or deleterious material in the making of bread for sale, or who knowingly sells or offers for sale any bread containing adulterant or deleterious material, is guilty of an offence, and is also liable as part of the costs of conviction to pay any expenses incurred in procuring an analysis of such bread.

Prima facie evidence of offence

(2) The keeping in any place where bread is made for sale of any adulterant or deleterious material that may be used in the making of bread is *prima facie* evidence of an offence against subsection 1. R.S.O. 1950, c. 39, s. 7.

Offence of interfering with inspector

8. Every person who refuses the inspector admittance to his bake shop or who interferes with the inspector in the performance of his duties is guilty of an offence. R.S.O. 1950, c. 39, s. 8.

Inspector's powers

9.—(1) An inspector may at any time prior to the delivery to a purchaser, weigh any bread made or offered for sale, and may take away any bread and cause it to be tested for the purpose of determining if any adulterant or deleterious material has been used in the making thereof.

Destruction of adulterated bread

(2) If the bread is found to contain any such adulterant or deleterious material, the inspector shall destroy it.

Disposal of light-weight bread

(3) Where the inspector, upon weighing the bread, finds that it is of less than the prescribed weight, he shall seize and remove it and hand it over to some charitable institution. R.S.O. 1950, c. 39, s. 9.

Duties of inspector

10. It is the duty of the inspector to see that this Act is complied with, and he shall make a report quarterly to the council showing the prosecutions taken and the quantity of bread seized or tested under this Act. R.S.O. 1950, c. 39, s. 10.

11. No person is liable to the penalties prescribed by this Act for making or offering for sale short-weight bread unless in the case of a manufacturer there are found at least ten short-weight loaves and in the case of a retailer there are found at least five short-weight loaves, at one time, but all short-weight loaves are nevertheless liable to seizure as hereinbefore provided. R.S.O. 1950, c. 39, s. 11.

When
penalty
not to be
imposed

12. In any prosecution under this Act, the certificate of the analyst or assistant analyst of the Department of Health in writing stating the result of any test made by him under this Act and purporting to be signed by him is *prima facie* evidence of the facts therein set forth and is receivable without proof of the signature or of the official character of the person who appears to have signed it. R.S.O. 1950, c. 39, s. 12.

Certificate
of analyst
as evidence

13. Every person guilty of an offence under this Act, on summary conviction, is liable to a fine of not less than \$10 and not more than \$100 for the first offence, and not less than \$25 and not more than \$200 for any subsequent offence. R.S.O. 1950, c. 39, s. 13.

Offence
