

1937

c 305 Bread Sales Act

Ontario

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CHAPTER 305.

The Bread Sales Act.

1. In this Act,—

(a) "Bake shop" shall mean any building, premises, workshop, room or place in which bread is made for sale, or sold;

Interpretation.
"Bake-shop."

(b) "Inspector" shall mean and include an inspector appointed by a municipal council under this Act and any member of the Ontario Provincial Police Force. R.S.O. 1927, c. 268, s. 1.

"Inspector."

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 the provisions of this Act. R.S.O. 1927, c. 268, s. 2.

Appointment of inspector.

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

Bake shops to be licensed.

(2) Any license issued hereunder may be revoked by the council of the municipality.

Revocation.

(3) The fee for the license shall not exceed \$1. R.S.O. 1927, c. 268, 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 twenty-four ounces or forty-eight ounces avoirdupois.

Weight of bread.

(2) Small-bread may be made for sale, offered for sale and sold in any weight not exceeding twelve ounces avoirdupois. R.S.O. 1927, c. 268, 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 to purchase the same, and the inspector may use such scales

Scales and weights in bake shop.

at any time for the purpose of weighing bread found by him in the bake shop. R.S.O. 1927, c. 268, s. 5.

Penalty for making bread, etc., contrary to provisions of Act.

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 the provisions of section 5, shall be guilty of an offence under this Act. R.S.O. 1927, c. 268, s. 6.

Penalty for 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 shall be guilty of an offence under this Act, and shall also be 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 which may be used in the making of bread shall be *prima facie* evidence of an offence against subsection 1. R.S.O. 1927, c. 268, s. 7.

Penalty for 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 shall be guilty of an offence under this Act. R.S.O. 1927, c. 268, 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 the same 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 the same.

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 the bread and hand the same over to some charitable institution. R.S.O. 1927, c. 268, s. 9.

Duties of inspector.

10. It shall be the duty of the inspector to see that the provisions of this Act are 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. 1927, c. 268, s. 10.

When penalty not to be imposed.

11. No person shall be 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 be found at least ten short weight loaves and in the case of a retailer there be

found at least five short weight loaves, at one time, but all short weight loaves shall nevertheless be liable to seizure as hereinbefore provided. R.S.O. 1927, c. 268, s. 11.

12. 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 the Act and purporting to be signed by him, shall be *prima facie* evidence of the facts therein set forth, and shall be receivable without proof of the signature or of the official character of the person who appears to have signed the same in any prosecution under this Act. R.S.O. 1927, c. 268, s. 12. Certificate of analyst as evidence.

13. Every person guilty of an offence under this Act shall incur a penalty of not less than \$10 nor more than \$100 for the first offence, and not less than \$25 nor more than \$200 for the second or any subsequent offence, recoverable under *The Summary Convictions Act*. R.S.O. 1927, c. 268, s. 13. Penalties. Rev. Stat., c. 136.
