



1927

c 269 Fruit Sales Act

Ontario

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CHAPTER 269.

The Fruit Sales Act.

Penalty for

1. Every person who with intent to defraud;—altering or
defacing
marks;

(a) alters, effaces, obliterates, or covers wholly or partially, or causes to be altered, effaced, obliterated or covered, any packer's marks or brands made on any article in which any fruit is offered for sale; or

counterfeiting
marks;

(b) counterfeits any such marks or brands, or writes the same on any such article after the same has been once marked; or

using marked
article im-
properly;

(c) empties or partially empties any such marked article, in order to put into the same any other fruit of the same or any other kind not contained therein at the time of the original marking; or

using article
previously
marked;

(d) uses for the purpose of packing fruit any article bearing marks or brands previously made by any other packer; or

making false
marks.

(e) falsely states the grade of fruit packed in the article marked, or the name or address of the packer, or the weight or measure of the fruit so packed,

Packing so as
to conceal
defects in
fruit.

and every person who knowingly and with intent to defraud so places or arranges apples, pears, plums, peaches, nectarines, cherries, grapes, apricots or berries of any description in any box, crate, barrel, basket or other article for delivery to any other person in such a manner as to conceal defects in size or quality in any portion of such fruit by covering the same with fruit of larger size or better quality or otherwise, shall incur a penalty of not less than \$1 nor more than \$5, recoverable under *The Summary Convictions Act*. R.S.O. 1914, c. 225, s. 2.

Rev. Stat.
c. 121.Consignee to
notify con-
signor of
particulars
of sales.

2. Every person receiving fruit of any kind mentioned in the preceding section for sale in bulk on commission shall, when requested to do so by the consignor in writing, furnish the consignor, within one week after receiving notice or after disposing of the fruit as may be requested, with a written detailed statement in regard to the sale or disposal of the same, giving the price or prices received therefor and the names and addresses of the purchasers. R.S.O. 1914, c. 225, s. 3.

3. No prosecution or conviction under this Act shall be a bar to any proceeding for the recovery of penalties which may be imposed under any other Act, nor to any action for the recovery of damages which may be brought by any person injured or defrauded by the sale of fruit in violation of the provisions of this Act, but all such penalties may be recovered and all such actions may be brought in the same manner as if this Act had not been passed. R.S.O. 1914, c. 225, s. 4.
