



ANNO VICESIMO QUINTO

GEORGII V REGIS.

A.D. 1934.

No. 2163.

An Act relating to the manufacture and sale of margarine, and for purposes incidental thereto.

[Assented to, November 8th, 1934.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Margarine Act, 1934". Short title

2. In this Act, unless the context otherwise requires— Interpretation

"margarine" means any substance—

- (a) which resembles butter or is capable of being used as a substitute for butter; and
- (b) which is prepared wholly or mainly from fats or oils or a combination of fats and oils; and
- (c) the fatty contents of which are not derived exclusively from milk.

"sell" includes barter, exchange, agree or offer to sell, barter, or exchange, or expose or have in possession for sale, barter, or exchange, and "sale" has a corresponding meaning.

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Restrictions
on the
manufacture
and sale of
margarine.

3. No person shall—

- (a) manufacture or sell any margarine which contains any butter fat: Provided always that it shall be permissible to manufacture or sell margarine in the manufacture of which skim milk which contains not more than .05 per centum of butterfat has been used as an emulsifying agent:
- (b) deliver any margarine on sale in a box, wrapper, package, or other container unless at the time of the delivery there is written or printed thereon in bold-faced sans-serif black capital letters of not less than 30 points face measurement the word "margarine".
- (c) deliver on sale any bread, rolls, or other like foodstuff on which margarine is spread, or any margarine for consumption on the premises on which it is supplied, unless there is posted in a conspicuous place on the wall of the room in which the delivery takes place a notice containing in bold-faced sans-serif black capital letters of not less than 108 points face measurement the words "Margarine is served here".

Registration
of margarine
factories.

4. (1) No person shall manufacture any margarine except on premises which are registered by the Minister under this Act as a margarine factory.

(2) Registration of a margarine factory may be obtained on application to the Minister and payment of the prescribed annual fee.

(3) The registration of a margarine factory shall expire at the end of twelve months from the day when it was effected, but may be renewed on payment of the prescribed annual fee.

Offences in
connection
with the use
of the word
"butter".

5. (1) The Governor may by regulation declare that any word formed from the word "butter" by the addition or omission or re-arrangement of letters or syllables shall be a prohibited word within the meaning of this section.

(2) Any person who applies the word "butter" or any prohibited word (either alone or in conjunction with any other word or words) to any substance which does not contain at least eighty per cent. by weight of butter fat shall be guilty of an offence.

(3) A person shall be deemed to apply a word to any substance if—

- (a) he applies it to the substance itself; or

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(b) he applies it to any covering, label, or container in or with which the substance is sold ; or

(c) he uses the word (either orally or in writing) in connection with any substance in any manner calculated to lead to the belief that the word denotes that substance.

(4) A word shall be deemed to be applied to any thing if it is written, printed, or impressed on, woven in, or worked into, or annexed or affixed to that thing.

6. The Governor may make regulations regulating the manufacture and sale of margarine and prescribing any matters necessary or convenient for carrying this Act into effect, and may by any regulation impose penalties not exceeding ten pounds recoverable summarily for breach of any regulation. Regulations.

7. Any person who contravenes any provision of this Act shall be guilty of an offence and liable to a fine not exceeding twenty pounds. Penalty for offences.

8. Proceedings for offences against this Act shall be disposed of summarily. Summary proceedings.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.