



ANNO VICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1976

No. 69 of 1976**An Act to amend the Food and Drugs Act, 1908-1976.***[Assented to 2nd December, 1976]*

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

Short titles.

1. (1) This Act may be cited as the "Food and Drugs Act Amendment Act, 1976".

(2) The Food and Drugs Act, 1908-1976, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Food and Drugs Act, 1908-1976".

**Commence-
ment.**

2. This Act shall come into operation on a day to be fixed by proclamation.

**Amendment of
principal Act,
s. 5—
Interpretation.**

3. Section 5 of the principal Act is amended by striking out the definition of "inspector" and inserting in lieu thereof the following definition:—

"health surveyor" means a person appointed under this Act to be a health surveyor and includes the Chief Health Surveyor: .

**Amendment of
principal Act,
s. 7—
Officers to be
appointed
under this
Act.**

4. Section 7 of the principal Act is amended—

(a) by striking out the passage "Chief Inspector of Food and Drugs and inspectors of food and drugs" and inserting in lieu thereof the passage "Chief Health Surveyor and health surveyors";

(b) by striking out the passage "an inspector" and inserting in lieu thereof the passage "a health surveyor";

and

(c) by inserting after the present contents as amended by this section (which are hereby designated subsection (1) thereof) the following subsection:—

(2) Any person for the time being appointed to be the Chief Inspector of Food and Drugs or an inspector of food and drugs under this Act shall, on and after the commencement of the Food and Drugs Act Amendment Act, 1976, be deemed to have been appointed to be the Chief Health Surveyor or a health surveyor, respectively, under this Act.

5. Section 10 of the principal Act is amended—

(a) by striking out from subsection (1) the passage “inspectors of food and drugs” and inserting in lieu thereof the passage “health surveyors”;

(b) by striking out from subsection (2) the passage “inspector of food and drugs” and inserting in lieu thereof the passage “health surveyor”;

and

(c) by inserting after subsection (2) the following subsection:—

(3) Any person for the time being appointed by a local authority to be an inspector of food and drugs under this Act shall, on and after the commencement of the Food and Drugs Act Amendment Act, 1976, be deemed to have been appointed to be a health surveyor under this Act.

Amendment of principal Act, s. 10—
Appointment and duties of officers of local authorities.

6. Section 12 of the principal Act is amended by striking out the passage “an inspector” and inserting in lieu thereof the passage “a health surveyor”.

Amendment of principal Act, s. 12—
Officer of health to have powers of health surveyor.

7. Section 13 of the principal Act is amended by striking out the word “inspector”, firstly occurring, and inserting in lieu thereof the passage “health surveyor”.

Amendment of principal Act, s. 13—
Powers of health surveyors.

8. Section 30a of the principal Act is amended—

(a) by striking out from subsection (2) the word “inspector”, twice occurring, and inserting in lieu thereof, in each case, the passage “health surveyor”;

and

(b) by striking out from subsection (3) the word “inspector”, twice occurring, and inserting in lieu thereof, in each case, the passage “health surveyor”.

Amendment of principal Act, s. 30a—
Employment of diseased persons in handling food and drugs.

9. Section 33 of the principal Act is amended by striking out the word “inspector”, wherever it occurs, and inserting in lieu thereof, in each case, the passage “health surveyor”.

Amendment of principal Act, s. 33—
Health surveyor to be furnished with list of vendors.

10. Section 34 of the principal Act is amended by striking out the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of principal Act, s. 34—
Power to inspect food and drugs prepared or offered for sale.

11. Section 35 of the principal Act is amended by striking out the word “inspector”, twice occurring, and inserting in lieu thereof, in each case, the passage “health surveyor”.

Amendment of principal Act, s. 35—
Diseased or unsound food or drugs may be seized and destroyed.

Amendment of
principal Act,
s. 36—
Search warrant
may be
granted by
justice.

12. Section 36 of the principal Act is amended by striking out the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 38—
Testing of
spirits.

13. Section 38 of the principal Act is amended by striking out the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 40—
Officer or
constable
obtaining a
sample of food
or drug in
course of
transit or
during delivery
to submit for
analysis.

14. Section 40 of the principal Act is amended by striking out from subsection (1) the word “inspector”, wherever it occurs, and inserting in lieu thereof, in each case, the passage “health surveyor”.

Amendment of
principal Act,
s. 41—
Inspection and
sampling of
food and
drugs.

15. Section 41 of the principal Act is amended—

- (a) by striking out from subsection (1) the word “inspector” and inserting in lieu thereof the passage “health surveyor”;
- (b) by striking out from subsection (2) the word “inspector”, twice occurring, and inserting in lieu thereof, in each case, the passage “health surveyor”;
- and
- (c) by striking out from subsection (3) the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 45—
Obstruction of
officer in
discharge of
his duties.

16. Section 45 of the principal Act is amended by striking out the word “inspector”, twice occurring, and inserting in lieu thereof, in each case, the passage “health surveyor”.

Amendment of
principal Act,
s. 46—
Local
authority etc.,
indemnified.

17. Section 46 of the principal Act is amended by striking out the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

Amendment of
principal Act,
s. 61a—
Provision as to
regulations.

18. Section 61a of the principal Act is amended by striking out from subsection (2) the passage “an inspector” and inserting in lieu thereof the passage “a health surveyor”.

Amendment of
principal Act,
s. 65—
Licence
required for
manufacture of
ice cream and
aerated waters.

19. Section 65 of the principal Act is amended by striking out from subsection (3) the word “inspector” and inserting in lieu thereof the passage “health surveyor”.

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

D. NICHOLLS, Governor