



NORTHERN TERRITORY OF AUSTRALIA

No. 60 of 1990

AN ACT

to amend the *Food Act* and the *Weights and Measures (Date-marking of Pre-packaged Foods) Regulations*

[Assented to 14 December 1990]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Food Amendment Act 1990*.

2. COMMENCEMENT

This Act shall come into operation on the commencement of section 21 of the *Trade Measurement Administration Act 1990*.

3. WEIGHTS AND MEASURES (DATE-MARKING OF PRE-PACKAGED FOODS) REGULATIONS

Section 58(1) of the *Food Act* is amended by omitting paragraph (b).

4. AMENDMENT OF REGULATIONS

(1) The *Weights and Measures (Date-marking of Pre-packaged Foods) Regulations* continued in force by section 58 of the *Food Act* are amended by omitting regulation 4 and substituting the following:

"4. PRE-PACKAGED FOOD FOR RETAIL TO BE MARKED WITH DATE

"(1) These Regulations apply to pre-packaged food which is or is to be supplied by retail sale or retail exchange, or which is to be exhibited, exposed or had in possession for the purpose of retail sale or retail exchange, other than such food packed before 1 July 1982."

Food Amendment

"(2) Where pre-packaged food to which these Regulations apply has been packed for sale in a primary package on which there is not marked, in the prescribed manner, either -

- (a) the date on which the food was packed; or
- (b) the date by which the food should be used,

the person who packed the food is guilty of an offence.

Penalty: \$200.

"(3) A person who sells pre-packaged food to which these Regulations apply that has been, whether inside or outside the Territory, packed for sale in a primary package on which there is not marked, in the prescribed manner, either -

- (a) the date on which the food was packed; or
- (b) the date by which the food should be used,

is guilty of an offence.

Penalty: \$200.

"(4) Where a person who has been convicted of an offence against subregulation (2) or (3) is subsequently convicted of an offence against either of those subregulations committed after the date of the first-mentioned offence, that person is liable, on the subsequent conviction for such an offence, to a fine not exceeding \$400."

(2) The regulation substituted by subsection (1) may be repealed or amended by regulations made under the *Food Act*.
