

1933
Mai
19.
Nr. 3

*noyge. loven. for our tilsyn med nærings-
midler m.v., 1933.*

ACT RELATING TO THE SUPERVISION AND CONTROL
OF FOOD AND SIMILAR PRODUCTS OF 19 MAY 1933

Section 1

Sale, included import and export, and manufacture for sale of food and similar products, shall for the purpose of safeguarding and promoting the public health, be subject to regulations, supervision and control decreed by the Crown.

The regulations may aim at:

preventing manufacture and sale of harmful food and similar products,

securing cleanliness and satisfactory hygienic conditions,

prescribing in what manner the goods shall be manufactured, what they shall contain and the requirements they must comply with to be offered for sale,

preventing false conceptions of the origin, nature, quality, quantity and composition of the goods or other circumstances which affect the public health.

To the extent it is deemed necessary the Crown may order a person who carry on commercial activity in food and similar products to report to the Board of Health in so far the activity takes place from a permanent establishment or sale's location.

On the same condition the Crown may order the enterprise to keep such books which are deemed necessary for the supervision and control.

Section 2

The Crown may also issue regulations as stated in section 1 on objects of every day use and articles of consumption which may be harmful to health.

Section 3

The Crown may issue regulations with regard to the requirements demanded for drinking water and water used in connection with the sale and manufacture for sale of food and similar products, and regulations on the supervision and control of the construction and operation of waterworks.

Section 4

The supervision and control with regard to that regulations pursuant to this Act are complied with, lies with the Boards of Health or the persons who on their behalf perform the supervision and control, and also with the Police and the Customs Service. The Crown issues further regulations to this respect.

Utenriksdepartementets

Bibliotek

15 DES. 1969

The Crown may also entrust the supervision and control to other persons or institutions.

The Crown may permit a Board of Health to supervise and control enterprises outside its district provided these enterprises manufacture food and similar product which are placed on sale within the district of the Board of Health.

Section 5

The supervising authorities have access to premises where goods dealt with in sections 1 and 2 are sold or manufactured for sale, stored or dispatched, and may require the books mentioned in section 1 submitted for inspection.

The supervising authorities are entitled to take samples which shall be given free of charge if there is reason to believe that the food is harmful to health. The supervisors shall maintain secrecy as to the procedures and processes which come to their knowledge in the exercise of their duties, and to abstain from copying devices and procedures disclosed to them in virtue of their office.

They must not on their own accord or through an enterprise, the management of which they are wholly or partly entrusted with, compete with or depend on the enterprise they shall control nor carry on trade with it. A supervisor must not be a member of the Board of or in any other way participate in the management of such trade nor have a position which makes him dependent on any person engaged in the management of the enterprise.

The Crown may issue more detailed regulations for the supervision and control, and rules for the sampling, examination and evaluation of the samples.

Section 6

The Board of Health or the persons or institutions authorized by the Board, may within its district prohibit the sale of and seize goods which the Board of Health deems harmful to health. The Crown may delegate the same authority to the persons or institutions which have been conferred a special supervision pursuant to section 4.

An injunction on sale or an order of seizure shall immediately be notified to the person in possession of the goods with information about the time limit within and in what way the decision may be appealed. Injunction on sale or seizure which has not been ordered by the Board of Health, may be appealed to the Board without delay and at latest within eight days.

Appeal of a decision of a Board of Health shall be placed before the proper Ministry (Ministry of Social Affairs) within a time limit fixed by the Ministry.

Appeal pursuant to this section shall not have the effect of postponing the enforcement of seizure and injunction on sale.

Section 7

An enterprise which pursuant to section 4 is subject to special supervision may be imposed to pay the cost of the supervision by further provisions issued by the Crown.

All expenses in connection with the supervision and control carried out by the Board of Health, shall be defrayed by the municipality. Other expenses shall be defrayed by the national treasury.

In case of infringement of the provisions of this Act, expenses incurred by the taking of samples, by dispatch and examinations of the samples may be imposed on the trader or the enterprise.

Section 8

The Crown may decide who shall undertake the laboratory examinations or other examinations which the supervising authorities are not equipped to undertake. The Crown shall draw up more detailed rules for such examinations and establish the remuneration to be rendered.

Section 9

Violations of the provisions of this Act or regulations issued by virtue of this Act, shall be punished pursuant to section 339 of the Penal Code in so far no other and more severe clauses in the Penal Code may be applied.

In case a person is convicted for intentional manufacture or sale of harmful or inferior food or similar product, the sentence may stipulate that the conviction alone or the sentence in connection with a summary of the premises of the judgement if deemed necessary in the public interests, shall be published in one or several public newspapers at the charge of the convicted.

Harmful, adulterated or goods improperly designated may be seized for the benefit of the national treasury in accordance with the clauses of the Penal Code.

Section 10

The provisions of this Act are not valid for goods manufactured abroad and which enter the country as goods in transit.

The Crown may issue more detailed provisions on supplies transported from unrestricted warehouses or transit stores to Norwegian vessels.

Section 11

Regulations relating to the manufacture and sale of food and similar products and articles of consumption and objects of every day use, issued or to be issued by authority of Health Act of 16 May 1860, continue to be valid in so far they are not contrary to this Act or regulations issued by authority of this Act.

Section 12

This Act comes into force on the day fixed by the Crown.
(1 July 1935)