



Food Safety Act 1990

1990 CHAPTER 16

PART II

MAIN PROVISIONS

Consumer protection

14 Selling food not of the nature or substance or quality demanded.

- (1) Any person who sells to the purchaser's prejudice any food which is not of the nature or substance or quality demanded by the purchaser shall be guilty of an offence.
- (2) In subsection (1) above the reference to sale shall be construed as a reference to sale for human consumption; and in proceedings under that subsection it shall not be a defence that the purchaser was not prejudiced because he bought for analysis or examination.

15 Falsely describing or presenting food.

- (1) Any person who gives with any food sold by him, or displays with any food offered or exposed by him for sale or in his possession for the purpose of sale, a label, whether or not attached to or printed on the wrapper or container, which—
 - (a) falsely describes the food; or
 - (b) is likely to mislead as to the nature or substance or quality of the food,shall be guilty of an offence.
- (2) Any person who publishes, or is a party to the publication of, an advertisement (not being such a label given or displayed by him as mentioned in subsection (1) above) which—
 - (a) falsely describes any food; or
 - (b) is likely to mislead as to the nature or substance or quality of any food,shall be guilty of an offence.

Changes to legislation: *Food Safety Act 1990, Cross Heading: Consumer protection is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (3) Any person who sells, or offers or exposes for sale, or has in his possession for the purpose of sale, any food the presentation of which is likely to mislead as to the nature or substance or quality of the food shall be guilty of an offence.
- (4) In proceedings for an offence under subsection (1) or (2) above, the fact that a label or advertisement in respect of which the offence is alleged to have been committed contained an accurate statement of the composition of the food shall not preclude the court from finding that the offence was committed.
- (5) In this section references to sale shall be construed as references to sale for human consumption.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 37\(2\)\(a\)](#) repealed by [2007 c. 15 Sch. 23 Pt. 1](#)