



Food Act 1984

1984 CHAPTER 30

PART I

FOOD GENERALLY

Composition and labelling of food

5 Ministers' power to obtain particulars of ingredients

- (1) To enable the Ministers to exercise their functions under section 4—
 - (a) they may by order require every person who at the date of the order or at any subsequent time carries on a business which includes the production, importation or use of substances of any class specified in the order to provide the Minister (within such time as may be so specified) with the particulars mentioned in paragraph (b);
 - (b) those particulars shall be such as may be so specified of the composition and use of any such substance sold in the course of that business for use in the preparation of food for human consumption, or used for that purpose in the course of that business.
- (2) Without prejudice to the generality of subsection (1), an order made under that subsection may require the following particulars to be provided in respect of any substance—
 - (a) particulars of the composition and chemical formula of the substance;
 - (b) particulars of the manner in which the substance is used or proposed to be used in the preparation of food;
 - (c) particulars of any investigations carried out by or to the knowledge of the person carrying on the business in question, for the purpose of determining whether and to what extent the substance, or any product formed when the substance is used as mentioned above, is injurious to, or in any other way affects, health;
 - (d) particulars of any investigations or inquiries carried out by or to the knowledge of the person carrying on the business in question for the purpose of

Status: This is the original version (as it was originally enacted).

determining the cumulative effect on the health of a person consuming the substance in ordinary quantities.

- (3) No particulars provided in accordance with an order under this section, and no information relating to any individual business obtained by means of such particulars, shall, without the previous consent in writing of the person carrying on the business in question, be disclosed except—
- (a) in accordance with directions of the Minister, so far as may be necessary for the purposes of section 4 or of any corresponding enactment for the time being in force in Scotland or Northern Ireland,
 - (b) for the purposes of any proceedings for an offence against tile order or any report of those proceedings,
- and a person who discloses any such information or particulars in contravention of this subsection is guilty of an offence.
- (4) Section 51 of the Patents Act 1949 (which secures inventions against anticipation in certain cases) applies in relation—
- (a) to the disclosure of any invention made in pursuance of an order under this section, and
 - (b) to anything done in consequence of any such disclosure,
- as it applies in relation to such communications of inventions as are therein mentioned, and to anything done in consequence of such communications.
- (5) So far as this section relates to importation it applies to Northern Ireland, and accordingly the words "production" and "or use" shall be omitted from subsection (1).