

14—Sale of unsafe food

- (1) A person must not sell food that the person knows is unsafe.

Maximum penalty:

- (a) If the offender is a body corporate—\$500 000.
- (b) If the offender is a natural person—\$100 000 or imprisonment for four years.

- (2) A person must not sell food that the person ought reasonably to know is unsafe.

Maximum penalty:

- (a) If the offender is a body corporate—\$375 000.
- (b) If the offender is a natural person—\$75 000.

15—False description of food

- (1) A person must not cause food intended for sale to be falsely described if the person knows that a consumer of the food who relies on the description will, or is likely to, suffer physical harm.

Maximum penalty:

- (a) If the offender is a body corporate—\$500 000.
- (b) If the offender is a natural person—\$100 000 or imprisonment for four years.

- (2) A person must not cause food intended for sale to be falsely described if the person ought reasonably to know that a consumer of the food who relies on the description is likely to suffer physical harm.

Maximum penalty:

- (a) If the offender is a body corporate—\$375 000.
- (b) If the offender is a natural person—\$75 000.

- (3) A person must not sell food that the person knows—

- (a) is falsely described; and
- (b) will cause, or is likely to cause, physical harm to a consumer of the food who relies on the description.

Maximum penalty:

- (a) If the offender is a body corporate—\$500 000.
- (b) If the offender is a natural person—\$100 000 or imprisonment for four years.

- (4) A person must not sell food that the person ought reasonably to know—

- (a) is falsely described; and
- (b) is likely to cause physical harm to a consumer of the food who relies on the description.

Maximum penalty:

- (a) If the offender is a body corporate—\$375 000.
- (b) If the offender is a natural person—\$75 000.

Note—

Examples of food that is falsely described are contained in section 22.