

CHAPTER 326

BREWERY

ARRANGEMENT OF SECTIONS

SECTION

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CHAPTER 326

BREWERY

An Act to regulate the brewing of beer and to impose certain duties thereon. 1950-18.
1968-44.
1975-10.
1975-37.
1977-37.
L.N. 168/
1967.

[31st March, 1950] Commence-
ment.

1. This Act may be cited as the Brewery Act. Short title.

2. For the purposes of this Act— Interpretation.

“ beer ” includes ale, porter, spruce beer, black beer and any other description of beer and any liquor which is made or sold as a description of beer or as a substitute for beer and which on analysis of a sample thereof at any time shall be found to contain more than two per cent of proof spirit or to have an original gravity exceeding one thousand and twelve degrees:

Provided that the Minister responsible for Finance shall have power to modify this definition or permit such exemption as may be found desirable;

“ brewer ” means a brewer of beer for sale, that is to say, any person who brews beer for the use of any other person at any place other than the premises of the person for whose use the beer shall be brewed, and any person licensed to deal in or retail beer, who brews beer;

“ officer ” means the Comptroller or any officer of Customs for the time being employed or acting as such;

“ wort ” means any extract or solution convertible into beer.

3. (1) There shall be paid to the Comptroller of Customs to be paid by him into the Consolidated Fund a duty of seven hundred dollars on a licence to be taken out annually by a brewer in the Island. Licence to brew.
1968-44.
1975-10.
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(2) Every such licence shall be in such form as the Comptroller directs and shall, whenever issued, be granted only on payment of the duty in full and shall expire on the thirty-first day of December in each year.

(3) Such licence shall not authorise the brewer to sell beer other than that brewed by himself, and the quantity to be sold at any one time shall not be less than one gallon or twelve reputed pint bottles.

(4) Any person who brews beer for sale without having in force a proper licence under this Act shall be liable to a fine of five hundred dollars, and all wort, beer, vessels, utensils and materials for brewing in his possession shall be liable to be forfeited.

(5) Any brewer who sells any quantity of beer less than one gallon or twelve reputed pint bottles shall be deemed to be a retailer and shall be liable to the penalty for retailing beer without a licence.

Adulteration
of beer.

4. (1) A brewer shall not adulterate beer or add any matter or thing thereto (except finings for the purpose of clarification or other matter or thing sanctioned by the Minister responsible for Health) before it is delivered for consumption, and any beer found to be adulterated or mixed with any other matter or thing (except as aforesaid) in the possession of a brewer shall be liable to be forfeited, and the brewer shall be liable to a fine of two hundred and fifty dollars.

(2) A dealer in or retailer of beer shall not adulterate or dilute beer or add any other matter or thing thereto (except finings for the purpose of clarification), and any beer found to be adulterated or diluted or mixed with any other matter or thing (except finings) in the possession of a dealer in or retailer of beer shall be liable to be forfeited and he shall be liable to a fine of two hundred and fifty dollars.

Obstruction
of officers.

5. Any person who by himself, or by any person in his employ, obstructs, hinders or molests an officer in the execution of his duty or any person acting in the aid of such officer shall be liable to a fine of five hundred dollars.

6. (1) Whenever it appears to the satisfaction of the Minister responsible for Health that any substance or liquor is, or is capable of being, used in the manufacture or preparation for sale of beer and that such substance or liquor is of a noxious or detrimental nature or, being a chemical or artificial extract or product, may affect prejudicially the interest of the revenue, it shall be lawful for the Minister, by order published in the *Official Gazette*, to prohibit use of such substance or liquor in the manufacture or preparation for sale of beer and by like order to withdraw such prohibitions at any time.

Power to prohibit use of certain substances in beer.

(2) Where, after the publication of any such order of prohibition in the *Official Gazette* any person uses the substance or liquor thereby prohibited in the manufacture or preparation for sale of beer, he shall be liable to a fine of two hundred and fifty dollars, and any such substance or liquor found in the possession of any brewer and also the article in the manufacture or preparation whereof any such substance or liquor may have been used shall be liable to be forfeited.

7. All offences under this Act shall be prosecuted summarily before a magistrate. Procedure.

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