

Grade "No. 2 Canadian." **7.** No person shall sell, offer, expose or have in his possession for sale any apples or pears packed in a closed package and intended for export which are disqualified from being marked "A No. 1 Canadian" or "No. 1 Canadian," unless such package is marked "No. 2 Canadian" in a plain and indelible manner. 5

False marking of packages. **8.** No person shall sell, offer, expose or have in his possession for sale any apples or pears packed in a closed package and intended for export upon which is marked any designation of size, grade or variety which falsely represents such fruit; 10 and it shall be considered a false representation when more than ten per cent of such fruit are substantially smaller in size than, or inferior in grade to, or different in variety from the marks on such package.

Penalty for violation of Act. **9.** Every person who, by himself or through the agency of 15 another person, violates any of the provisions of this Act shall, for each offence, upon summary conviction, be liable to a fine not exceeding one dollar and not less than fifty cents for each package which is packed, sold, offered, exposed or had in possession for sale contrary to the provisions of this Act, to- 20 gether with the costs of prosecution, and in default of payment of such fine and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding one month, unless such fine and the costs of enforcing it are sooner paid.

Inspector's duty as to false marks. **10.** Whenever any apples or pears packed in a closed pack- 25 age are found to be falsely marked, any inspector charged with the enforcement of this Act may efface such false marks and mark the words "falsely marked" in a plain and indelible manner on such package.

Tampering with marks. **11.** Every person who wilfully alters, effaces or obliterates 30 wholly or partially, or causes to be altered, effaced or obliterated, any inspector's marks on any package which has undergone inspection, shall incur a penalty of forty dollars.

Who shall be liable. **12.** The person on whose behalf any apples or pears are 35 packed, sold, offered or had in possession for sale, contrary to the provisions of the foregoing sections of this Act, shall be *primâ facie* liable for the violation of this Act.

Right to make examination of packages. **13.** It shall be lawful for any person charged with the en- 40 forcement of this Act to enter upon any premises to make an examination of any packages of apples or pears suspected of being falsely marked in violation of the provisions of this Act, whether such packages are on the premises of the owner, or on other premises, or in the possession of a railway or steam- 45 ship company; and any person who obstructs or refuses to permit the making of any such examination, shall, upon summary conviction, be liable to a penalty not exceeding five hundred dollars and not less than twenty-five dollars, together with the costs of prosecution, and in default of payment of such penalty and costs, shall be liable to imprisonment, with or 50 without hard labour, for a term not exceeding six months, unless the said penalty and costs of enforcing it are sooner paid.