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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 291**

**The Cocoa and Chocolate Products (Scotland) Regulations 2003**

**Application of various provisions of the Food Safety Act 1990**

**11.** The following provisions of the Act shall apply for the purposes of these Regulations with the modification that any reference in those provisions to the Act or Part thereof shall be construed for the purposes of these Regulations as a reference to these Regulations:—

- (a) section 2 (extended meaning of sale etc.);
- (b) section 3 (presumptions that food is intended for human consumption);
- (c) section 20 (offences due to fault of another person);
- (d) section 21 (defence of due diligence) as it applies for the purposes of section 8, 14 or 15 of the Act;
- (e) section 22 (defence of publication in the course of business);
- (f) section 30(8) (which relates to documentary evidence);
- (g) section 33 (obstruction of officers etc.);
- (h) section 35(1) to (3) (punishment of offences) in so far as it relates to offences under section 33(1) or (2) as applied by sub-paragraph (g) above;
- (i) section 36 (offences by bodies corporate);
- (j) section 36A <sup>M1</sup> (offences by Scottish partnerships); and
- (k) section 44 (protection of officers acting in good faith).

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**Marginal Citations**

**M1** [Section 36A](#) was inserted by paragraph 16 of Schedule 5 to the 1999 Act.

**Changes to legislation:**

There are currently no known outstanding effects for the The Cocoa and Chocolate Products (Scotland) Regulations 2003, Section 11.