Food Safety Act 1990

1990 CHAPTER 16

PART II

MAIN PROVISIONS

Modifications etc. (not altering text)

C1 Pts. I-III (ss. 1-39): functions transferred (10.1.1992) by S.I. 1991/2913, art. 8, **Sch. 2**
Pts. I-III (ss. 1-39): certain functions transferred (7.8.1991) by S.I. 1991/1773, art. 8(1)(3), **Sch. 2**

C2 Pts. I-III (ss. 1-39) applied (with modifications) (7.8.1991) by S.I. 1991/1773, art. 8(2)(3), **Sch. 2**

C3 Pt. II modified (6.4.2010) by The Cornwall Port Health Authority Order 2010 (S.I. 2010/1215), arts. 1(1), 4, **Sch.** (with art. 2)

C4 Pt. II modified (6.4.2010) by The Southampton Port Health Authority Order 2010 (S.I. 2010/1218), arts. 1(1), 4, **Sch.**

C5 Pt. II applied (with modifications) (24.3.2011) by The Hull and Goole Port Health Authority Order 2011 (S.I. 2011/939), arts. 1(1), 9, **Sch. 2**

C6 Pt. II functions etc. assigned to the port health authority and modified (31.3.2017) by The Weymouth Port Health Authority Order 2017 (S.I. 2017/558), arts. 1(1), 9, **Sch. 2** (with art. 9(3))

Food safety

7 Rendering food injurious to health.

(1) Any person who renders any food injurious to health by means of any of the following operations, namely—

(a) adding any article or substance to the food;

(b) using any article or substance as an ingredient in the preparation of the food;

(c) abstracting any constituent from the food; and

(d) subjecting the food to any other process or treatment,

with intent that it shall be sold for human consumption, shall be guilty of an offence.

Changes to legislation: *Food Safety Act 1990, Part II is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[[F1](2) In determining for the purposes of this section whether any food is injurious to health, regard shall be had to the matters specified in sub–paragraphs (a) to (c) of Article 14(4) of Regulation (EC) No. 178/2002.**]**

[F2](3) . . . . . .

Textual Amendments

F1 S. 7(2) substituted (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **9(a)**

F2 S. 7(3) omitted (1.1.2005) by virtue of General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **9(b)**

8 Selling food not complying with food safety requirements.

[F3](1) . . . . . .

[[F4](2) For the purposes of this Part food fails to comply with food safety requirements if it is unsafe within the meaning of Article 14 of Regulation (EC) No. 178/2002 and references to food safety requirements or to food complying with such requirements shall be construed accordingly.**]**

(4) For the purposes of this Part, any part of, or product derived wholly or partly from, an animal—

(a) which has been slaughtered in a knacker's yard, or of which the carcase has been brought into a knacker's yard; or

(b) in Scotland, which has been slaughtered otherwise than in a slaughterhouse,

shall be deemed to be unfit for human consumption.

(5) In subsection (4) above, in its application to Scotland, "animal" means any description of cattle, sheep, goat, swine, horse, ass or mule; and paragraph (b) of that subsection shall not apply where accident, illness or emergency affecting the animal in question required it to be slaughtered as mentioned in that paragraph.

Textual Amendments

F3 S. 8(1) omitted (1.1.2005) by virtue of General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **10(a)**

F4 S. 8(2) substituted for s. 8(2)(3) (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **10(b)**

Modifications etc. (not altering text)

C7 S. 8(2) applied (with modifications) (17.11.1997) by S.I. 1997/2537, **reg. 9(2)**

9 Inspection and seizure of suspected food.

(1) An authorised officer of a food authority may at all reasonable times inspect any food intended for human consumption which—

(a) has been sold or is offered or exposed for sale; [F5]...

(b) is in the possession of, or has been deposited with or consigned to, any person for the purpose of sale or of preparation for sale;

[[F6]or

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(c) is otherwise placed on the market within the meaning of Regulation (EC) No. 178/2002.**]**

and subsections (3) to (9) below shall apply where, on such an inspection, it appears to the authorised officer that any food fails to comply with food safety requirements.

(2) The following provisions shall also apply where, otherwise than on such an inspection, it appears to an authorised officer of a food authority that any food is likely to cause food poisoning or any disease communicable to human beings.

(3) The authorised officer may either—

(a) give notice to the person in charge of the food that, until the notice is withdrawn, the food or any specified portion of it—

(i) is not to be used for human consumption; and

(ii) either is not to be removed or is not to be removed except to some place specified in the notice; or

(b) seize the food and remove it in order to have it dealt with by a justice of the peace;

and any person who knowingly contravenes the requirements of a notice under paragraph (a) above shall be guilty of an offence.

(4) Where the authorised officer exercises the powers conferred by subsection (3)(a) above, he shall, as soon as is reasonably practicable and in any event within 21 days, determine whether or not he is satisfied that the food complies with food safety requirements and—

(a) if he is so satisfied, shall forthwith withdraw the notice;

(b) if he is not so satisfied, shall seize the food and remove it in order to have it dealt with by a justice of the peace.

(5) Where an authorised officer exercises the powers conferred by subsection (3)(b) or (4)(b) above, he shall inform the person in charge of the food of his intention to have it dealt with by a justice of the peace and—

(a) any person who under section 7 **[**[F7], regulation 19(1) of the Food Safety and Hygiene (England) Regulations 2013, so far as relating to the second entry in the list of specified EU provisions set out in column 1 of Schedule 2 to those Regulations**]**[F8]or regulation **[**[F9]4(a)**]**[F9]4(b)**]** of the General Food Regulations 2004**]** might be liable to a prosecution in respect of the food shall, if he attends before the justice of the peace by whom the food falls to be dealt with, be entitled to be heard and to call witnesses; and

(b) that justice of the peace may, but need not, be a member of the court before which any person is charged with an offence under that section in relation to that food.

(6) If it appears to a justice of the peace, on the basis of such evidence as he considers appropriate in the circumstances, that any food falling to be dealt with by him under this section fails to comply with food safety requirements, he shall condemn the food and order—

(a) the food to be destroyed or to be so disposed of as to prevent it from being used for human consumption; and

(b) any expenses reasonably incurred in connection with the destruction or disposal to be defrayed by the owner of the food.

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(7) If a notice under subsection (3)(a) above is withdrawn, or the justice of the peace by whom any food falls to be dealt with under this section refuses to condemn it, the food authority shall compensate the owner of the food for any depreciation in its value resulting from the action taken by the authorised officer.

(8) Any disputed question as to the right to or the amount of any compensation payable under subsection (7) above shall be determined by arbitration.

(9) In the application of this section to Scotland—

(a) any reference to a justice of the peace includes a reference to the sheriff and to a magistrate;

(b) paragraph (b) of subsection (5) above shall not apply;

(c) any order made under subsection (6) above shall be sufficient evidence in any proceedings under this Act of the failure of the food in question to comply with food safety requirements; and

(d) the reference in subsection (8) above to determination by arbitration shall be construed as a reference to determination by a single arbiter appointed, failing agreement between the parties, by the sheriff.

Textual Amendments

F5 Word in s. 9(1) omitted (1.1.2005) by virtue of General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **11(a)(i)**

F6 S. 9(1)(c) and word inserted (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **11(a)(ii)**

F7 Words in s. 9(5)(a) inserted (E.) (31.12.2013) by The Food Safety and Hygiene (England) Regulations 2013 (S.I. 2013/2996), regs. 1(1)(c), **36** (with reg. 1(2))

F8 Words in s. 9(5) substituted (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **11(b)**

F9 Word in s. 9(5)(a) substituted (S.) (1.1.2014) by The Food (Miscellaneous Amendments) (Scotland) Regulations 2013 (S.S.I. 2013/336), regs. 1, **4**; and word in s. 9(5)(a) substituted (W.) (1.1.2014) by The Food (Miscellaneous Amendments) (Wales) Regulations 2013 (S.I. 2013/3049), regs. 1(2), **5**

Modifications etc. (not altering text)

C8 S. 9 extended (with modifications) (8.1.1992) by S.I. 1991/2843, **reg. 22(2)**

C9 S. 9 applied: (9.4.1992) by S.I. 1992/496, **reg. 7(3)**; (31.12.1992) by S.I. 1992/3236, **reg. 11(3)**
S. 9 applied (14.7.1993) by S.I. 1993/1520, **reg. 2(4)**
S. 9 applied: (1.4.1994) by S.I. 1994/743, **reg. 8(3)**; (3.10.1994) by S.I. 1994/2328, **reg. 11(c)**
S. 9 applied: (9.5.1995) by S.I. 1995/1086, **reg. 20(4)**; (15.6.1995) by S.I. 1995/1372, **reg. 20(4)**
S. 9 applied: (S.) (1.1.2003) by S.S.I. 2002/523, **reg. 5(3)**; (W.) (9.1.2003) by S.I. 2002/3157, **reg. 5(3)**; (E.) (13.1.2003) by S.I. 2002/3169, **reg. 5(3)**

C10 S. 9 applied (with modifications): (20.9.1995) by S.I. 1995/2148, **reg. 17**; (1.1.1996) by S.I. 1995/3205, **reg. 14**
S. 9 applied (with modifications): (5.7.1996) by S.I. 1996/1743, **reg. 5** (which S.I. was revoked (1.9.1996) by S.I. 1996/2097, **reg. 8**); (1.9.1996) by S.I. 1996/2097, **reg. 6**
S. 9 applied (with modifications): (11.8.1997) by: S.I. 1997/1729, **reg. 34(2)**; S.I. 1997/1729, **reg. 34(3)**; (16.12.1997) by S.I. 1997/2959, **reg. 11**; (1.1.1998) by S.I. 1997/2965, **reg. 30** (with reg. 32)
S. 9 applied (with modifications): (S.) (20.8.1999) by S.S.I. 1999/32, **art. 5(1)** and S.S.I. 1999/33, **art. 5(1)**; (S.) (17.12.1999) by S.S.I. 1999/186, **art. 9**; (5.6.1999) by S.I. 1999/1542, **art. 4(1)** and S.I. 1999/1543, **art. 4(1)**; (21.7.1999) by S.I. 1999/2025, **art. 5(1)** and S.I. 1999/2026, **art. 5(1)**; (S.) (29.7.1999) by S.S.I. 1999/15, **reg. 5**; (18.8.1999) by S.I. 1999/2332, **art. 5(1)** and S.I. 1999/2333,

art. 5(1); (12.10.1999) by S.I. 1999/2798, **art. 5(1)** and S.I. 1999/2799, **art. 5(1)**; (23.12.1999) by S.I. 1999/3421, **art. 5(1)** and S.I. 1999/3422, **art. 5(1)**
S. 9 applied (with modifications): (S.) (17.2.2000) by S.S.I. 2000/15, **art. 5(1)** and S.S.I. 2000/16, **art. 5(1)**; (E.W.) (8.3.2000) by S.I. 2000/587, **art. 5(1)** and S.I. 2000/588, **art. 5(1)**
S. 9 applied (with modifications): (E.) (2.2.2002) by S.I. 2002/183, **reg. 6(2)(3)** (which S.I. was revoked (20.6.2002) by S.I. 2002/1614, reg. 6); (W.) (2.2.2002) by S.I. 2002/203, **reg. 6(2)(3)** (which S.I. was revoked (12.7.2002) by S.I. 2002/1798, reg. 6); (S.) (2.2.2002) by S.S.I. 2002/36, **reg. 6(2)(3)** (which S.S.I. was revoked (24.6.2002) by S.S.I. 2002/300, reg. 6); (E.) (16.2.2002) by S.I. 2002/334, **art. 5(2)(3)**; (S.) (16.2.2002) by S.S.I. 2002/64, **art. 5(2)(3)**; (W.) (23.2.2002) by S.I. 2002/402, **art. 5(2)(3)**; (E.) (23.3.2002) by S.I. 2002/773, **reg. 5(2)(3)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2351, reg. 7); (E.) (23.3.2002) by S.I. 2002/774, **reg. 5(2)(3)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2350, reg. 7); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/148, regs. 1(1), **5(2)(3)** (which S.S.I. was revoked by S.S.I. 2002/424, reg. 7); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/149, regs. 1(1), **5(2)(3)** (which S.S.I. was revoked by S.S.I. 2002/425, reg. 7); (W.) (26.3.2002) by S.I. 2002/820, **reg. 5(2)(3)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2295, reg. 7); (W.) (26.3.2002) by S.I. 2002/821, **reg. 5(2)(3)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2296, reg. 7); (E.) (4.4.2002) by S.I. 2002/931, **reg. 5(2)(3)**; (W.) (16.4.2002) by S.I. 2002/1090, **reg. 5(2)(3)**; (E.) (19.4.2002) by S.I. 2002/843, **reg. 77(1)(a)(3)**; (W.) (27.5.2002) by S.I. 2002/1416, **reg. 77(1)(a)(3)**; (E.) (18.6.2002) by S.I. 2002/890, **reg. 7(2)-(4)**; (S.) (19.6.2002) by S.S.I. 2002/255, **reg. 76(1)(a)(3)**; (E.) (20.6.2002) by S.I. 2002/1614, **reg. 5(2)(3)**; (S.) (24.6.2002) by S.S.I. 2002/300, **reg. 5(2)(3)**; (S.) (1.7.2002) by S.S.I. 2002/267, **reg. 7(2)-(4)**; (W.) (12.7.2002) by S.I. 2002/1798, **reg. 5(2)(3)**; (W.) (2.8.2002) by S.I. 2002/1886, **reg. 7(2)-(4)**

C11 S. 9 applied (with modifications) (E.) (30.6.2003) by Contaminants in Food (England) Regulations 2003 (S.I. 2003/1478), regs. 1, **7(2)**, 7(3)

C12 S. 9 applied (with modifications) (1.7.2003) by Contaminants in Food (Scotland) Regulations 2003 (S.S.I. 2003/289), regs. 1(1), **7(2)** (with reg. 7(3))

C13 S. 9 amendment to earlier affecting provision SI 2002/931 reg. 5(2) (17.4.2004) by Food (Jelly Confectionery) (Emergency Control) (England) (Amendment) Regulations 2004 (S.I. 2004/1151), regs. 1, **2(5)**

C14 S. 9 applied (with modifications) (4.10.2004) by Genetically Modified Food (England) Regulations 2004 (S.I. 2004/2335), regs. 1(b), **7(2)**

C15 S. 9 applied (with modifications) (15.11.2004) by Genetically Modified Food (Scotland) Regulations 2004 (S.S.I. 2004/432), regs. 1(1), **6(4)**

C16 S. 9 applied (with modifications) (17.12.2004) by Genetically Modified Food (Wales) Regulations 2004 (S.I. 2004/3220), regs. 1(b), **7(2)**

C17 S. 9 applied (with modifications) (20.12.2004) by Contaminants in Food (England) Regulations 2004 (S.I. 2004/3062), regs. 1, **7(2)**, 7(3)

C18 S. 9 applied (with modifications) (25.12.2004) by Contaminants in Food (Scotland) Regulations 2004 (S.S.I. 2004/525), regs. 1(1), **7(2)**, 7(3)

C19 S. 9 applied (with modifications) (1.3.2005) by The Contaminants in Food (Wales) Regulations 2005 (S.I. 2005/364), regs. 1, **7(2)**

C20 S. 9 applied (with modifications) (1.1.2006) by Contaminants in Food (Scotland) Regulations 2005 (S.S.I. 2005/606), regs. 1(1), **6(2)**, 6(3)

C21 S. 9 applied (with modifications) (1.1.2006) by The Food Hygiene (Wales) Regulations 2005 (S.I. 2005/3292), regs. 1, **23**

C22 S. 9 applied (with modifications) (1.1.2006) by Food Hygiene (Scotland) 2005 (S.S.I. 2005/505), regs. 1(b), **23**

C23 S. 9 applied (with modifications) (1.1.2006) by Contaminants in Food (England) Regulations 2005 (S.I. 2005/3251), regs. 1, **6(2)**, 6(3)

C24 S. 9 applied (with modifications) (1.1.2006) by The Food Hygiene (England) Regulations 2005 (S.I. 2005/2059), regs. 1(b), **23**

C25 S. 9 applied (with modifications) (11.1.2006) by The Food Hygiene (England) Regulations 2006 (S.I. 2006/14), regs. 1(b), **23**

C26 S. 9 applied (11.1.2006) by Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3), regs. 1(1), **23** (with reg. 35)

C27 S. 9 applied (11.1.2006) by The Food Hygiene (Wales) Regulations 2006 (S.I. 2006/31), regs. 1, **23**

C28 S. 9 applied (with modifications) (1.3.2006) by The Contaminants in Food (Wales) Regulations 2006 (S.I. 2006/485), regs. 1, **6(2)**, 6(3)

C29 S. 9 applied (with modifications) (1.7.2006) by Contaminants in Food (Scotland) Regulations 2006 (S.S.I. 2006/306), regs. 1(1), **5(2)**, 5(3)

C30 S. 9 applied (with modifications) (1.7.2006) by Contaminants in Food (England) Regulations 2006 (S.I. 2006/1464), regs. 1, **5(2)**, 5(3)

C31 S. 9 applied (with modifications) (13.7.2006) by Contaminants in Food (Wales) (No.2) Regulations 2006 (S.I. 2006/1850), regs. 1, **5(2)**, 5(3)

C32 S. 9 applied (with modifications) (14.7.2006) by Kava-kava in Food (Wales) Regulations 2006 (S.I. 2006/1851), regs. 1(b), **5(2)**

C33 S. 9 applied (with modifications) (1.3.2007) by Contaminants in Food (England) Regulations 2007 (S.I. 2007/210), regs. 1, **5(2)**, 5(3)

C34 S. 9 applied (with modifications) (1.3.2007) by Contaminants in Food (Scotland) Regulations 2007 (S.S.I. 2007/29), regs. 1(1), **5(2)**, 5(3)

C35 S. 9 modified (15.3.2007) by Contaminants in Food (Wales) Regulations 2007 (S.I. 2007/840), regs. 1, **5(2)**, 5(3) (with art. 3)

C36 S. 9 applied (with modifications) (1.7.2009) by Contaminants in Food (Scotland) Regulations 2009 (S.S.I. 2009/215), regs. 1(1), **5(2)**, 5(3)

C37 S. 9 applied (with modifications) (1.7.2009) by Contaminants in Food (England) Regulations 2009 (S.I. 2009/1223), regs. 1, **5(2)**

C38 S. 9 applied (with modifications) (1.7.2009) by The Contaminants in Food (Wales) Regulations 2009 (S.I. 2009/1386), regs. 1, **5(2)**, 5(3)

C39 S. 9 applied (31.7.2009) by The Food Irradiation (Wales) Regulations 2009 (S.I. 2009/1795), regs. 1(1), **11(2)** (with reg. 2)

C40 S. 9 applied (with modifications) (31.7.2009) by The Food Irradiation (Scotland) Regulations 2009 (S.S.I. 2009/261), regs. 1(b), **11(2)** (with reg. 2)

C41 S. 9 applied (with modifications) (31.7.2009) by The Food Irradiation (England) Regulations 2009 (S.I. 2009/1584), regs. 1, **11(2)** (with reg. 2)

C42 S. 9 applied (with modifications) (20.1.2010) by Food (Jelly Mini-Cups) (Emergency Control) (England) Regulations 2009 (S.I. 2009/3230), regs. 1(1), **5(2)**, 5(3)

C43 S. 9 applied (with modifications) (20.1.2010) by The Food (Jelly Mini-Cups) (Emergency Control) (Wales) Regulations 2009 (S.I. 2009/3379), regs. 1(1), **5(2)**, 5(3)

C44 S. 9 applied (with modifications) (20.1.2010) by Food (Jelly Mini-Cups) (Emergency Control) (Scotland) Regulations 2009 (S.S.I. 2009/437), regs. 1(1), **5(2)**, 5(3)

C45 S. 9 applied (with modifications) (20.10.2010) by The Contaminants in Food (England) Regulations 2010 (S.I. 2010/2228), regs. 1, **5(2)**

C46 S. 9 applied (with modifications) (20.10.2010) by The Contaminants in Food (Scotland) Regulations 2010 (S.S.I. 2010/329), regs. 1, **5(2)**

C47 S. 9 applied (with modifications) (22.10.2010) by The Contaminants in Food (Wales) Regulations 2010 (S.I. 2010/2394), **art. 5(2)**(3)reg. 1

C48 S. 9 modified (20.1.2011) by The Flavourings in Food (England) Regulations 2010 (S.I. 2010/2817), regs. 1(c), **6**

C49 S. 9 modified (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013 (S.I. 2013/2591), regs. 1, **18**

C50 S. 9 applied (with modifications) (31.10.2013) by The Contaminants in Food (England) Regulations 2013 (S.I. 2013/2196), regs. 1, **8(2)** (with reg. 8(3))

C51 S. 9 modified (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations 2013 (S.I. 2013/2210), regs. 1, **18**

C52 S. 9 applied (with modifications) (31.12.2013) by The Food Safety and Hygiene (England) Regulations 2013 (S.I. 2013/2996), regs. 1(1)(c), **25** (with reg. 1(2))

C53 S. 9 applied (with modifications) (1.7.2015) by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England and Scotland) Regulations 2015 (S.I. 2015/787), regs. 1(1), **32(2)**, (3)

C54 S. 9 applied (with modifications) (W.) (1.1.2018) by The Novel Foods (Wales) Regulations 2017 (S.I. 2017/1103), regs. 1(3), 5(2), **Sch. 2 Pt. 2** (with reg. 5(4))

C55 S. 9 applied (S.) (1.1.2018) by The Novel Foods (Scotland) Regulations 2017 (S.S.I. 2017/415), regs. 1, **5(2)**

C56 S. 9 applied (with modifications) (E.) (8.3.2018) by The Novel Foods (England) Regulations 2018 (S.I. 2018/154), regs. 1, **7(2)**

C57 S. 9 applied (with modifications) (W.) (28.3.2019) by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019 (S.I. 2019/569), regs. 1(3), **33(2)**(3)

C58 S. 9 applied (with modifications) (S.) (1.10.2013) by The Contaminants in Food (Scotland) Regulations 2013 (S.S.I. 2013/217), regs. 1, **8(2)**, (3) (as amended (31.12.2020) by The Food and Feed Safety and Hygiene (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/52), regs. 1(1), **12(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**)

C59 S. 9 applied (with modifications) (31.10.2013) by The Contaminants in Food (Wales) Regulations 2013 (S.I. 2013/2493), regs. 1(2), **8(2)** (as amended (26.7.2018) by The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018 (S.I. 2018/806), regs. 1(3), **23(6)(b)** and (31.12.2020) by The Food and Feed Hygiene and Safety (Miscellaneous Amendments and Saving Provision) (Wales) (EU Exit) Regulations 2020 (S.I. 2020/1581), regs. 1(3), **12(3)**)

C60 S. 9(2)-(9) applied (with modifications) (21.5.1998) by S.I. 1998/1277, **art. 4(1)(a)(2)**

C61 S. 9(3) applied (with modifications) (W.) (31.7.2003) by The Contaminants in Food (Wales) Regulations 2003 (S.I. 2003/1721), regs. 1, **7(2)**

C62 S. 9(3)-(9) applied (with modifications) (S.) (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013 (S.S.I. 2013/266), regs. 1, **16(2)**

10 Improvement notices.

(1) If an authorised officer of an enforcement authority has reasonable grounds for believing that the proprietor of a food business is failing to comply with any regulations to which this section applies, he may, by a notice served on that proprietor (in this Act referred to as an "improvement notice")—

(a) state the officer's grounds for believing that the proprietor is failing to comply with the regulations;

(b) specify the matters which constitute the proprietor's failure so to comply;

(c) specify the measures which, in the officer's opinion, the proprietor must take in order to secure compliance; and

(d) require the proprietor to take those measures, or measures which are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice.

(2) Any person who fails to comply with an improvement notice shall be guilty of an offence.

(3) This section and section 11 below apply to any regulations under this Part which make provision—

(a) for requiring, prohibiting or regulating the use of any process or treatment in the preparation of food; or

(b) for securing the observance of hygienic conditions and practices in connection with the carrying out of commercial operations with respect to food or food sources.

Modifications etc. (not altering text)

C63 S. 10 applied (3.10.1994) by S.I. 1994/2328, **reg. 11(c)**

C64 S. 10 applied (with modifications) (2.9.2013) by The Fish Labelling Regulations 2013 (S.I. 2013/1768), regs. 1(1)(b), **7**

C65 S. 10 applied (with modifications) (26.9.2013) by The Fish Labelling (Wales) Regulations 2013 (S.I. 2013/2139), regs. 1(2), **5**

C66 S. 10 applied (with modifications) (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), regs. 1(3), 4(1), **Sch. 2 Pt. 1** (as amended (1.3.2017) by S.I. 2017/62, regs. 1(3), **3**)

C67 S. 10 applied (with modifications) (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), regs. 1(3), 4(1), **Sch. 2 Pt. 1**

C68 S. 10 applied (with modifications) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2022 in so far as not already in force) by The Food for Specific Groups (Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula) (Information and Compositional Requirements) (Amendment etc.) (England) Regulations 2020 (S.I. 2020/43), regs. 1(1)(2), 4(1), **Sch. 2 para. 1** (as amended by S.I. 2021/168, **reg. 2(2)**)

C69 S. 10(1)(2) applied (with modifications) (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013 (S.I. 2013/2591), regs. 1, **7(1)**

C70 S. 10(1)(2) applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (England) Regulations 2013 (S.I. 2013/2775), regs. 1(2), **17**

C71 S. 10(1)(2) applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (Wales) Regulations 2013 (S.I. 2013/2750), regs. 1(2), **17** (with reg. 22(1)(2))

C72 S. 10(1)(2) applied (with modifications) (19.9.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information (Wales) Regulations 2014 (S.I. 2014/2303), regs. 1(3)(4)(b)(5)(b), 12(1), **Sch. 4 Pt. 1** (with reg. 12(6)) (as amended (1.10.2021) by S.I. 2020/295, regs. 1(2), **2(9)**)

C73 S. 10(1)(2) applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (Wales) Regulations 2014 (S.I. 2014/3087), regs. 1(2), 7, **Sch. 2** (with reg. 3)

C74 S. 10(1)(2) applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (England) Regulations 2014 (S.I. 2014/3001), reg. 7(1)(2) (with reg. 3)

C75 S. 10(1)(2) applied (with modifications) (1.4.2015) by The Country of Origin of Certain Meats (England) Regulations 2015 (S.I. 2015/518), regs. 1(1), 6(1), **Sch. para. 1**

C76 S. 10(1)(2) applied (with modifications) (6.4.2015) by The Condensed Milk and Dried Milk (England) Regulations 2015 (S.I. 2015/675), regs. 1(1), 6, **Sch. 3 Pt. 1**

C77 S. 10(1)(2) applied (with modifications) (24.6.2015) by The Honey (England) Regulations 2015 (S.I. 2015/1348), reg. 1(1), **Sch. 2** (with regs. 4, 5, 21)

C78 S. 10(1)(2) applied (with modifications) (3.8.2015) by The Honey (Wales) Regulations 2015 (S.I. 2015/1507), reg. 1(2), **Sch. 2** (with reg. 22)

C79 S. 10(1)(2) applied (with modifications) (10.8.2015) by The Country of Origin of Certain Meats (Wales) Regulations 2015 (S.I. 2015/1519), regs. 1(2), 6(1), **Sch. Pt. 1**

C80 S. 10(1)(2) applied (with modifications) (28.11.2015) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015 (S.I. 2015/1867), regs. 1(2), 33(1), **Sch. 12** Table 1 (with regs. 3, 33(2))

C81 S. 10(1)(2) applied (with modifications) by S.I. 2000/845, reg. 5A(1), **Sch. Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), reg. 1(3), **Sch. 3 para. 2(b)(c)**) (as amended (22.2.2020) by S.I. 2020/43, reg. 1(1), **Sch. 5 para. 2(2)(a)**)

C82 S. 10(1)(2) applied (with modifications) by S.I. 2007/3521, reg. 28A(1), **Sch. Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements)

(England) Regulations 2016 (S.I. 2016/688), reg. 1(3), **Sch. 3 para. 4(b)(c)**) (as amended (22.2.2020) by S.I. 2020/43, reg. 1(1), **Sch. 5 para. 4(2)(a)**)

C83 S. 10(1)(2) applied (with modifications) by S.I. 1997/2182, reg. 6A(1), **Sch. 3 Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), reg. 1(3), **Sch. 3 para. 1(h)(j)**) (as amended (22.2.2020) by S.I. 2020/43, reg. 1(1), **Sch. 5 para. 1(2)(a)**)

C84 S. 10(1)(2) applied (with modifications) by S.I. 2009/3051, reg. 3A(1), **Sch. 2 Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), reg. 1(3), **Sch. 3 para. 5(a)(c)**) (as amended (22.2.2020) by S.I. 2020/43, reg. 1(1), **Sch. 5 para. 5(3)(a)**)

C85 S. 10(1)(2) applied (with modifications) by S.I. 2003/3207, reg. 10A(1), **Sch. 9 Pt. 1** (as inserted (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), reg. 1(3), **Sch. 3 para. 3(b)(c)**) (as amended (22.2.2020) by S.I. 2020/43, reg. 1(1), **Sch. 5 para. 3(2)(a)**)

C86 S. 10(1)(2) applied (with modifications) by S.I. 2007/3573, reg. 28A(1), Sch. Pt. 1 (as inserted (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), reg. 1(3), **Sch. 3 para. 4(b)**)

C87 S. 10(1)(2) applied (with modifications) by S.I. 2009/3254, reg. 3A(1), Sch. 2 Pt. 1 (as inserted (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), reg. 1(3), **Sch. 3 para. 5(a)**)

C88 S. 10(1)(2) applied (with modifications) by S.I. 2004/314, reg. 10A(1), Sch. 9 Pt. 1 (as inserted (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), reg. 1(3), **Sch. 3 para. 3(b)**)

C89 S. 10(1)(2) applied (with modifications) by S.I. 1997/2182, **reg. 6A**(1,) Sch. 3 Pt. 1 (as inserted (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), reg. 1(3), **Sch. 3 para. 1(g)**)

C90 S. 10(1)(2) applied (with modifications) by S.I. 2000/1866, reg. 5A(1), Sch. Pt. 1 (as inserted (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), reg. 1(3), **Sch. 3 para. 2(b)**)

C91 S. 10(1)(2) applied (with modifications) (15.8.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information Regulations 2014 (S.I. 2014/1855), reg. 12(1), **Sch. 4 Pt. 1** (with regs. 1(9)(b), 12(6)) (as amended (1.10.2021) by S.I. 2019/1218, regs. 1, **2(11)** and (19.5.2022) by S.I. 2022/481, regs. 1(1), **2(7)**)

C92 S. 10(1)(2) applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Wales) Regulations 2016 (S.I. 2016/1130), regs. 1(3), 8(1), **Sch. 5 Pt. 1** (with regs. 3, 8(3))

C93 S. 10(1)(2) applied (with modifications) (26.9.2017) by The Caseins and Caseinates (England) Regulations 2017 (S.I. 2017/848), regs. 1(1), 7, **Sch. 5**

C94 S. 10(1)(2) applied (with modifications) (1.1.2018) by The Novel Foods (Wales) Regulations 2017 (S.I. 2017/1103), regs. 1(3), 5(1), **Sch. 2 Pt. 1** (with reg. 5(4))

C95 S. 10(1)(2) applied (with modifications) (26.3.2018) by The Jam and Similar Products (Wales) Regulations 2018 (S.I. 2018/274), reg. 1(3), **Sch. 5** (with reg. 3)

C96 S. 10(1)(2) applied (with modifications) (26.3.2018) by The Condensed Milk and Dried Milk (Wales) Regulations 2018 (S.I. 2018/275), regs. 1(3), 6(1)(3), **Sch. 3 Pt. 1**

C97 S. 10(1)(2) applied (with modifications) by S.I. 2007/2785, **Sch. 13** (as inserted (6.4.2018) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations 2018 (S.I. 2018/352), reg. 1(1), **Sch. 2**)

C98 S. 10(1)(2) applied (with modifications) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2021 in so far as not already in force) by The Infant Formula and Follow-on Formula (Wales) Regulations 2020 (S.I. 2020/89), regs. 1(1)(2), 4(1), **Sch. 2 para. 1** (with savings in reg. 5(4)(5), Sch. 4 para. 26(1)(2) (as inserted (16.9.2021) by S.I. 2021/955, reg. 2(2), **Sch.**))

C99 S. 10(1)(2) applied (with modifications) by S.I. 2012/2705, reg. 27, **Sch. 2 Pt. 1** (as substituted (14.9.2017) by The Materials and Articles in Contact with Food (Wales) (Amendment) Regulations

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2017 (S.I. 2017/832), regs. 1(3), **13**)) (as amended (6.9.2018) by S.I. 2018/913, **reg. 9** and (31.12.2020) by S.I. 2020/1581, regs. 1(2), **2(3)(c)**)

11 Prohibition orders.

(1) If—

(a) the proprietor of a food business is convicted of an offence under any regulations to which this section applies; and

(b) the court by or before which he is so convicted is satisfied that the health risk condition is fulfilled with respect to that business,

the court shall by an order impose the appropriate prohibition.

(2) The health risk condition is fulfilled with respect to any food business if any of the following involves risk of injury to health, namely—

(a) the use for the purposes of the business of any process or treatment;

(b) the construction of any premises used for the purposes of the business, or the use for those purposes of any equipment; and

(c) the state or condition of any premises or equipment used for the purposes of the business.

[[F10](2A) In subsection (2) above and in sections 12(4) and 13(1) "injury" includes any impairment, whether permanent or temporary.**]**

(3) The appropriate prohibition is—

(a) in a case falling within paragraph (a) of subsection (2) above, a prohibition on the use of the process or treatment for the purposes of the business;

(b) in a case falling within paragraph (b) of that subsection, a prohibition on the use of the premises or equipment for the purposes of the business or any other food business of the same class or description;

(c) in a case falling within paragraph (c) of that subsection, a prohibition on the use of the premises or equipment for the purposes of any food business.

(4) If—

(a) the proprietor of a food business is convicted of an offence under any regulations to which this section applies by virtue of section 10(3)(b) above; and

(b) the court by or before which he is so convicted thinks it proper to do so in all the circumstances of the case,

the court may, by an order, impose a prohibition on the proprietor participating in the management of any food business, or any food business of a class or description specified in the order.

(5) As soon as practicable after the making of an order under subsection (1) or (4) above (in this Act referred to as a "prohibition order"), the enforcement authority shall—

(a) serve a copy of the order on the proprietor of the business; and

(b) in the case of an order under subsection (1) above, affix a copy of the order in a conspicuous position on such premises used for the purposes of the business as they consider appropriate;

and any person who knowingly contravenes such an order shall be guilty of an offence.

(6) A prohibition order shall cease to have effect—

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(a) in the case of an order under subsection (1) above, on the issue by the enforcement authority of a certificate to the effect that they are satisfied that the proprietor has taken sufficient measures to secure that the health risk condition is no longer fulfilled with respect to the business;

(b) in the case of an order under subsection (4) above, on the giving by the court of a direction to that effect.

(7) The enforcement authority shall issue a certificate under paragraph (a) of subsection (6) above within three days of their being satisfied as mentioned in that paragraph; and on an application by the proprietor for such a certificate, the authority shall—

(a) determine, as soon as is reasonably practicable and in any event within 14 days, whether or not they are so satisfied; and

(b) if they determine that they are not so satisfied, give notice to the proprietor of the reasons for that determination.

(8) The court shall give a direction under subsection (6)(b) above if, on an application by the proprietor, the court thinks it proper to do so having regard to all the circumstances of the case, including in particular the conduct of the proprietor since the making of the order; but no such application shall be entertained if it is made—

(a) within six months after the making of the prohibition order; or

(b) within three months after the making by the proprietor of a previous application for such a direction.

(9) Where a magistrates' court or, in Scotland, the sheriff makes an order under section 12(2) below with respect to any food business, subsection (1) above shall apply as if the proprietor of the business had been convicted by the court or sheriff of an offence under regulations to which this section applies.

(10) Subsection (4) above shall apply in relation to a manager of a food business as it applies in relation to the proprietor of such a business; and any reference in subsection (5) or (8) above to the proprietor of the business, or to the proprietor, shall be construed accordingly.

(11) In subsection (10) above "manager", in relation to a food business, means any person who is entrusted by the proprietor with the day to day running of the business, or any part of the business.

Textual Amendments

F10 S. 11(2A) inserted (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **12**

12 Emergency prohibition notices and orders.

(1) If an authorised officer of an enforcement authority is satisfied that the health risk condition is fulfilled with respect to any food business, he may, by a notice served on the proprietor of the business (in this Act referred to as an "emergency prohibition notice"), impose the appropriate prohibition.

(2) If a magistrates' court or, in Scotland, the sheriff is satisfied, on the application of such an officer, that the health risk condition is fulfilled with respect to any food business, the court or sheriff shall, by an order (in this Act referred to as an "emergency prohibition order"), impose the appropriate prohibition.

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(3) Such an officer shall not apply for an emergency prohibition order unless, at least one day before the date of the application, he has served notice on the proprietor of the business of his intention to apply for the order.

(4) Subsections (2) and (3) of section 11 above shall apply for the purposes of this section as they apply for the purposes of that section, but as if the reference in subsection (2) to risk of injury to health were a reference to imminent risk of such injury.

(5) As soon as practicable after the service of an emergency prohibition notice, the enforcement authority shall affix a copy of the notice in a conspicuous position on such premises used for the purposes of the business as they consider appropriate; and any person who knowingly contravenes such a notice shall be guilty of an offence.

(6) As soon as practicable after the making of an emergency prohibition order, the enforcement authority shall—

(a) serve a copy of the order on the proprietor of the business; and

(b) affix a copy of the order in a conspicuous position on such premises used for the purposes of that business as they consider appropriate;

and any person who knowingly contravenes such an order shall be guilty of an offence.

(7) An emergency prohibition notice shall cease to have effect—

(a) if no application for an emergency prohibition order is made within the period of three days beginning with the service of the notice, at the end of that period;

(b) if such an application is so made, on the determination or abandonment of the application.

(8) An emergency prohibition notice or emergency prohibition order shall cease to have effect on the issue by the enforcement authority of a certificate to the effect that they are satisfied that the proprietor has taken sufficient measures to secure that the health risk condition is no longer fulfilled with respect to the business.

(9) The enforcement authority shall issue a certificate under subsection (8) above within three days of their being satisfied as mentioned in that subsection; and on an application by the proprietor for such a certificate, the authority shall—

(a) determine, as soon as is reasonably practicable and in any event within 14 days, whether or not they are so satisfied; and

(b) if they determine that they are not so satisfied, give notice to the proprietor of the reasons for that determination.

(10) Where an emergency prohibition notice is served on the proprietor of a business, the enforcement authority shall compensate him in respect of any loss suffered by reason of his complying with the notice unless—

(a) an application for an emergency prohibition order is made within the period of three days beginning with the service of the notice; and

(b) the court declares itself satisfied, on the hearing of the application, that the health risk condition was fulfilled with respect to the business at the time when the notice was served;

and any disputed question as to the right to or the amount of any compensation payable under this subsection shall be determined by arbitration or, in Scotland, by a single arbiter appointed, failing agreement between the parties, by the sheriff.

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13 Emergency control orders.

(1) If it appears to **[**[F11]the Secretary of State**]** that the carrying out of commercial operations with respect to food, food sources or contact materials of any class or description involves or may involve imminent risk of injury to health, he may, by an order (in this Act referred to as an "emergency control order"), prohibit the carrying out of such operations with respect to food, food sources or contact materials of that class or description.

(2) Any person who knowingly contravenes an emergency control order shall be guilty of an offence.

(3) **[**[F12]The Secretary of State**]**[[F13]or the Food Standards Agency**]**may consent, either unconditionally or subject to any condition that **[**[F14]the authority giving the consent**]** considers appropriate, to the doing in a particular case of anything prohibited by an emergency control order.

(4) It shall be a defence for a person charged with an offence under subsection (2) above to show—

(a) that consent had been given under subsection (3) above to the contravention of the emergency control order; and

(b) that any condition subject to which that consent was given was complied with.

(5) **[**[F15]The Secretary of State**]**— **[**[F16]or the Food Standards Agency**]**

(a) may give such directions as appear to **[**[F17]the authority giving the directions**]** to be necessary or expedient for the purpose of preventing the carrying out of commercial operations with respect to any food, food sources or contact materials which **[**[F17]the authority giving the directions**]**believes, on reasonable grounds, to be food, food sources or contact materials to which an emergency control order applies; and

(b) may do anything which appears to **[**[F17]the authority giving the directions**]** to be necessary or expedient for that purpose.

(6) Any person who fails to comply with a direction under this section shall be guilty of an offence.

(7) If **[**[F18]the Secretary of State**]**[[F19]or the Food Standards Agency**]**does anything by virtue of this section in consequence of any person failing to comply with an emergency control order or a direction under this section, **[**[F20]that authority**]** may recover from that person any expenses reasonably incurred by him under this section.

[[F21](8) In the application of this section to Scotland, the references to the Food Standards Agency are to be ignored.**]**

Textual Amendments

F11 Words in s. 13(1) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 8** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F12 Words in s. 13(3) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(2)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F13 Words in s. 13(3) inserted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(2)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F14 Words in s. 13(3) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(2)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

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F15 Words in s. 13(5) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(3)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F16 Words in s. 13(5) inserted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(3)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F17 Words in s. 13(5) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(3)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F18 Words in s. 13(7) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(4)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F19 Words in s. 13(7) inserted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(4)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F20 Words in s. 13(7) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 11(1)(4)** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F21 S. 13(8) inserted (S.) (1.4.2015) by Food (Scotland) Act 2015 (asp 1), s. 63(2), **sch. para. 3(3)** (with s. 62); S.S.I. 2015/99, art. 2

Modifications etc. (not altering text)

C100 S. 13 transfer of functions (23.3.2005) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849), art. 1, **Sch.** (with art. 6)

C101 S. 13(1) amended (1.4.2000) by 1999 c. 28, **s. 17(1)(b)** (with s. 38); S.I. 2000/1066, **art. 2**

C102 S. 13(3) amended (1.4.2000) by 1999 c. 28, s. 18, Sch. 3 Pt. I para. 1, **3** (with s. 38); S.I. 2000/1066, **art. 2**

Consumer protection

14 Selling food not of the nature or substance or quality demanded.

(1) Any person who sells to the purchaser's prejudice any food which is not of the nature or substance or quality demanded by the purchaser shall be guilty of an offence.

(2) In subsection (1) above the reference to sale shall be construed as a reference to sale for human consumption; and in proceedings under that subsection it shall not be a defence that the purchaser was not prejudiced because he bought for analysis or examination.

15 Falsely describing or presenting food.

(1) Any person who gives with any food sold by him, or displays with any food offered or exposed by him for sale or in his possession for the purpose of sale, a label, whether or not attached to or printed on the wrapper or container, which—

(a) falsely describes the food; or

(b) is likely to mislead as to the nature or substance or quality of the food,

shall be guilty of an offence.

(2) Any person who publishes, or is a party to the publication of, an advertisement (not being such a label given or displayed by him as mentioned in subsection (1) above) which—

(a) falsely describes any food; or

(b) is likely to mislead as to the nature or substance or quality of any food,

shall be guilty of an offence.

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(3) Any person who sells, or offers or exposes for sale, or has in his possession for the purpose of sale, any food the presentation of which is likely to mislead as to the nature or substance or quality of the food shall be guilty of an offence.

(4) In proceedings for an offence under subsection (1) or (2) above, the fact that a label or advertisement in respect of which the offence is alleged to have been committed contained an accurate statement of the composition of the food shall not preclude the court from finding that the offence was committed.

(5) In this section references to sale shall be construed as references to sale for human consumption.

[F22 Food information

Textual Amendments

F22 Ss. 15A-15D and cross-heading inserted (S.) (1.4.2015) by Food (Scotland) Act 2015 (asp 1), **ss. 33**, 63(2) (with s. 62); S.S.I. 2015/99, art. 2

15A Meaning of "food information" etc.

In this Act—

(a) "food information" has the same meaning as it has in Regulation (EU) No. 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers;

(b) "food information law" means any enactment relating to food information as the Scottish Ministers may by regulations specify.

15B Contravention of food information law: seizure of food etc.

(1) This section applies where it appears to an authorised officer of a food authority, on an inspection carried out under section 9 above or otherwise, that food information law is being, or has been, contravened in relation to any food intended for human consumption which is placed on the market within the meaning of Regulation (EC) No. 178/2002.

(2) The authorised officer may—

(a) give notice that, until the notice is withdrawn—

(i) the food, or any specified portion of it, is not to be used for human consumption; and

(ii) the food, or any specified portion of it, and any related food information, or any specified part of it, is not to be removed (or is not to be removed except to some place specified in the notice); or

(b) seize the food and remove it in order to have it dealt with by the sheriff.

(3) Notice under subsection (2)(a) above is to be given to—

(a) the person in charge of the food; and

(b) the owner of the food (where not the person in charge of the food).

(4) But notice need not be given in pursuance of subsection (3)(b) above if the authorised officer, after making reasonable inquiries, does not know who owns the food.

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(5) Any person who knowingly contravenes the requirements of a notice under subsection (2)(a) above commits an offence.

(6) An authorised officer who gives a notice under subsection (2)(a) above must, as soon as is reasonably practicable and in any event within 21 days, determine whether or not food information law has been contravened in relation to the food in respect of which the notice was given.

(7) After making a determination under subsection (6) above, the authorised officer must—

(a) if satisfied that food information law has not been contravened, forthwith withdraw the notice; or

(b) if not so satisfied, seize the food and remove it in order to have it dealt with by the sheriff.

(8) An authorised officer who seizes and removes food under subsection (2)(b) or (7)(b) above may also—

(a) copy, make extracts of or take away any food information relating to the food that has been seized;

(b) where any such food information is in electronic form, require the information to be produced in a legible form in which it may be copied or taken away.

(9) An authorised officer who seizes and removes food under subsection (2)(b) or (7)(b) above must inform the person in charge of the food and the owner of the food (where not the person in charge of the food) of the officer's intention to have it dealt with by the sheriff.

(10) But the owner of the food need not be informed in pursuance of subsection (9) above if the authorised officer, after making reasonable inquiries, does not know who owns the food.

(11) Any person who might be liable to a prosecution for contravening food information law in relation to any food seized and removed under subsection (2)(b) or (7)(b) above is, if the person attends before the sheriff by whom the food falls to be dealt with, entitled to be heard and to call witnesses.

(12) If it appears to the sheriff that food information law has been contravened in relation to any food seized and removed under subsection (2)(b) or (7)(b) above, the sheriff may make such order as the sheriff considers appropriate in respect of the food and any food information relating to it.

(13) An order made under subsection (12) above may, in particular, order—

(a) that the food be destroyed or otherwise disposed of so as to prevent it from being used for human consumption;

(b) that any food information relating to the food be modified, destroyed or otherwise disposed of;

(c) that any food which is fit for human consumption (and any related food information, modified as the sheriff considers appropriate) be—

(i) returned to the person who was in charge of the food; or

(ii) distributed to such other person as the sheriff may determine.

(14) An order made under subsection (12) above—

(a) must, where the owner of the food is known, require the owner to meet any expenses reasonably incurred in connection with any destruction, modification, disposal, return or distribution of any food or food information which is carried out in pursuance of the order; and

(b) may require the owner of the food to meet any expenses reasonably incurred by the food authority in connection with any action taken by the authorised officer, or otherwise by or on behalf of the authority, in respect of any food or food information to which the order relates.

(15) Subsection (16) below applies if—

(a) a notice under subsection (2)(a) above is withdrawn; or

(b) the sheriff refuses to make an order under subsection (12) above in respect of any food seized and removed under subsection (2)(b) or (7)(b) above (or any food information which relates to it).

(16) Where this subsection applies, the food authority must compensate the owner of the food for any depreciation in its value resulting from the action taken by the authorised officer.

(17) Any disputed question as to the right to or the amount of any compensation payable under subsection (16) above is to be submitted to arbitration for resolution.

(18) Until the Arbitration (Scotland) Act 2010 is in force in relation to any arbitration carried out in pursuance of subsection (17) above, that Act applies as if it were in force in relation to that arbitration.

15C Duty to report non-compliance with food information law

(1) A food business operator must as soon as reasonably practicable inform Food Standards Scotland if the food business operator—

(a) is, or has been, in charge of any food which is intended for human consumption and has been placed on the market within the meaning of Regulation (EC) No. 178/2002; and

(b) considers or has reason to believe that food information law is being contravened in relation to the food.

(2) Any person who fails to comply with subsection (1) above shall be guilty of an offence.

(3) For the purposes of subsection (1)(a) above, a food business operator is to be treated as being, or having been, in charge of any food which it has—

(a) received;

(b) imported;

(c) produced;

(d) processed;

(e) manufactured;

(f) distributed; or

(g) otherwise placed on the market within the meaning of Regulation (EC) No. 178/2002.

(4) For the purposes of this Act, “food business operator” is to be construed in accordance with Article 3 of Regulation (EC) No 178/2002.

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15D Power to obtain information

(1) This section applies where a food business operator has informed Food Standards Scotland under section 15C(1) above.

(2) The food business operator must as soon as reasonably practicable provide any further information which is reasonably required by Food Standards Scotland which relates to—

(a) the food (and any food information relating to it);

(b) the circumstances which led the food business operator to inform Food Standards Scotland under section 15C(1) above.

(3) Any person who fails to comply with a requirement under subsection (2) above shall be guilty of an offence.**]**

Regulations

16 Food safety and consumer protection.

(1) **[**[F23]the Secretary of State**]** may by regulations make—

(a) provision for requiring, prohibiting or regulating the presence in food or food sources of any specified substance, or any substance of any specified class, and generally for regulating the composition of food;

(b) provision for securing that food is fit for human consumption and meets such microbiological standards (whether going to the fitness of the food or otherwise) as may be specified by or under the regulations;

(c) provision for requiring, prohibiting or regulating the use of any process or treatment in the preparation of food;

(d) provision for securing the observance of hygienic conditions and practices in connection with the carrying out of commercial operations with respect to food or food sources;

[[F24](da) provision for a food hygiene information scheme;**]**

(e) provision for imposing requirements or prohibitions as to, or otherwise regulating, the labelling, marking, presenting or advertising of food, and the descriptions which may be applied to food; and

(f) such other provision with respect to food or food sources, including in particular provision for prohibiting or regulating the carrying out of commercial operations with respect to food or food sources, as appears to them to be necessary or expedient—

(i) for the purpose of securing that food complies with food safety requirements or in the interests of the public health; or

(ii) for the purpose of protecting or promoting the interests of consumers.

(2) **[**[F23]the Secretary of State**]** may also by regulations make provision—

(a) for securing the observance of hygienic conditions and practices in connection with the carrying out of commercial operations with respect to contact materials which are intended to come into contact with food intended for human consumption;

(b) for imposing requirements or prohibitions as to, or otherwise regulating, the labelling, marking or advertising of such materials, and the descriptions which may be applied to them; and

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(c) otherwise for prohibiting or regulating the carrying out of commercial operations with respect to such materials.

(3) Without prejudice to the generality of subsection (1) above, regulations under that subsection may make any such provision as is mentioned in Schedule 1 to this Act.

[[F25](3A) Regulations under subsection (1)(e) may amend Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers.

(3B) The inclusion in that Regulation of savings in respect of the power to make regulations under this Act of a particular kind is not to be taken as in any way limiting the generality of the provision that may be made by virtue of subsections (1)(e) and (3A).**]**

(4) In making regulations under subsection (1) above, **[**[F23]the Secretary of State**]** shall have regard to the desirability of restricting, so far as practicable, the use of substances of no nutritional value as foods or as ingredients of foods.

(5) In subsection (1) above and Schedule 1 to this Act, unless the context otherwise requires—

(a) references to food shall be construed as references to food intended for sale for human consumption; and

(b) references to food sources shall be construed as references to food sources from which such food is intended to be derived.

Textual Amendments

F23 Words in s. 16(1)(2)(4) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 8** (with s. 38, 40(2)); S.I. 2000/1066, **art. 2**

F24 S. 16(1)(da) inserted (S.) (1.4.2015) by Food (Scotland) Act 2015 (asp 1), **ss. 34(1)**, 63(2) (with s. 62); S.S.I. 2015/99, art. 2

F25 S. 16(3A)(3B) inserted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 174(1)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

Modifications etc. (not altering text)

C103 S. 16 transfer of functions (23.3.2005) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849), art. 1, **Sch.** (with art. 6)

17 Enforcement of [[F26]EU] provisions.

(1) **[**[F27]the Secretary of State**]** may by regulations make such provision with respect to food, food sources or contact materials, including in particular provision for prohibiting or regulating the carrying out of commercial operations with respect to food, food sources or contact materials, as appears to **[**[F28]him **]**to be called for by any **[**[F26]EU**]** obligation.

(2) As respects any directly applicable **[**[F26]EU**]** provision which relates to food, food sources or contact materials and for which, in **[**[F28]his**]** opinion, it is appropriate to provide under this Act, **[**[F27]the Secretary of State**]** may by regulations—

(a) make such provision as **[**[F28]he considers**]** necessary or expedient for the purpose of securing that the **[**[F26]EU**]** provision is administered, executed and enforced under this Act; and

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(b) apply such of the provisions of this Act as may be specified in the regulations in relation to the **[**[F26]EU**]** provision with such modifications, if any, as may be so specified.

(3) In subsections (1) and (2) above references to food or food sources shall be construed in accordance with section 16(5) above.

Textual Amendments

F26 Words in Act substituted (22.4.2011) by The Treaty of Lisbon (Changes in Terminology) Order 2011 (S.I. 2011/1043), arts. 2, **3**, 6 (with art. 3(2)(3)4(2)6(4)(5))

F27 Words in s. 17(1)(2) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 8** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F28 Words in s. 17(1)(2) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 12** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

Modifications etc. (not altering text)

C104 S. 17 transfer of functions (23.3.2005) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849), art. 1, **Sch.** (with art. 6)

18 Special provisions for particular foods etc.

(1) **[**[F29]the Secretary of State**]** may by regulations make provision—

(a) for prohibiting the carrying out of commercial operations with respect to novel foods, or food sources from which such foods are intended to be derived, of any class specified in the regulations;

(b) for prohibiting the carrying out of such operations with respect to genetically modified food sources, or foods derived from such food sources, of any class so specified; or

(c) for prohibiting the importation of any food of a class so specified,

and (in each case) for excluding from the prohibition any food or food source which is of a description specified by or under the regulations and, in the case of a prohibition on importation, is imported at an authorised place of entry.

(2) **[**[F30]The Secretary of State**]** may also by regulations—

(a) prescribe, in relation to milk of any description, such a designation (in this subsection referred to as a "special designation") as **[**the Secretary of State considers**]** appropriate;

(b) provide for the issue by enforcement authorities of licences to producers and sellers of milk authorising the use of a special designation; and

(c) prohibit, without the use of a special designation, all sales of milk for human consumption, other than sales made with **[**the Secretary of State's**]**.

(3) In this section—

"authorised place of entry" means any port, aerodrome or other place of entry authorised by or under the regulations and, in relation to food in a particular consignment, includes any place of entry so authorised for the importation of that consignment;

"description", in relation to food, includes any description of its origin or of the manner in which it is packed;

"novel food" means any food which has not previously been used for human consumption in Great Britain, or has been so used only to a very limited extent.

(4) For the purposes of this section a food source is genetically modified if any of the genes or other genetic material in the food source—

(a) has been modified by means of an artificial technique; or

(b) is inherited or otherwise derived, through any number of replications, from genetic material which was so modified;

and in this subsection "artificial technique" does not include any technique which involves no more than, or no more than the assistance of, naturally occurring processes of reproduction (including selective breeding techniques or *in vitro* fertilisation).

Textual Amendments

F29 Words in s. 18(1) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 8** (with s. 38, 40(2)); S.I. 2000/1066, **art. 2**

F30 Words in s. 18(2) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 12** (with s. 38, 40(2)); S.I. 2000/1066, **art. 2**

Modifications etc. (not altering text)

C105 S. 18 transfer of functions (23.3.2005) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849), art. 1, **Sch.** (with art. 6)

19 Registration and licensing of food premises.

(1) **[**[F31]the Secretary of State**]** may by regulations make provision—

(a) for the registration by enforcement authorities of premises used or proposed to be used for the purposes of a food business, and for prohibiting the use for those purposes of any premises which are not registered in accordance with the regulations; or

(b) subject to subsection (2) below, for the issue by such authorities of licences in respect of the use of premises for the purposes of a food business, and for prohibiting the use for those purposes of any premises except in accordance with a licence issued under the regulations.

(2) **[**[F31]the Secretary of State**]** shall exercise the power conferred by subsection (1)(b) above only where it appears to **[**[F32]him**]** to be necessary or expedient to do so—

(a) for the purpose of securing that food complies with food safety requirements or in the interests of the public health; or

(b) for the purpose of protecting or promoting the interests of consumers.

Textual Amendments

F31 Words s. 19(1)(2) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 8** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

F32 Words in s. 19(2) substituted (1.4.2000) by 1999 c. 28, s. 40(1), **Sch. 5 para. 14** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

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Modifications etc. (not altering text)

C106 S. 19: functions of local authority not to be responsibilty of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), **Sch. 1**

C107 S. 19 transfer of functions (23.3.2005) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849), art. 1, **Sch.** (with art. 6)

Defences etc.

20 Offences due to fault of another person.

Where the commission by any person of an offence under any of the preceding provisions of this Part is due to an act or default of some other person, that other person shall be guilty of the offence; and a person may be charged with and convicted of the offence by virtue of this section whether or not proceedings are taken against the first-mentioned person.

Modifications etc. (not altering text)

C108 S. 20 applied by S.I. 1991/370, **reg. 3(2)**

S. 20 applied: (9.4.1992) by S.I. 1992/496, **reg. 7(1)(c)**; (29.5.1992) by S.I. 1992/1122, **reg.4** (which S.I. was revoked (24.7.1992) by S.I. 1992/1601, **reg. 6**); (24.7.1992) by S.I. 1992/1601, **reg. 4**; (13.9.1992) by S.I. 1992/1971, **reg. 9(c)**; (14.9.1992) by S.I. 1992/1978, **reg. 7(c)**; (1.10.1992) by S.I. 1992/2037, **reg. 23(b)** (which S.I. was revoked (1.4.1995) by S.I. 1995/539, reg. 25, Sch. 22 (with regs. 3(2), 25, **Sch. 22**))

S. 20 applied: (14.7.1993) by S.I. 1993/1520, **reg. 2(2)(c)**; (29.7.1993) by S.I. 1993/1658, **reg. 7(c)**

S. 20 applied (4.9.1996) by S.I. 1996/2265, **reg. 7(3)** (which S.I. was revoked (15.3.1997) by S.I. 1997/389, **reg. 14**)

S. 20 applied (15.3.1997) by S.I. 1997/389, **reg. 10(3)** (which S.I. was revoked (1.8.1997 at 6.00 p.m.) by S.I. 1997/1905, **reg. 20**); (11.8.1997) by S.I. 1997/1729, **reg. 34(1)(c)**; (1.8.1997 at 6.00 p.m.) by S.I. 1997/1905, **reg. 16(3)**

S. 20 applied (30.6.1999) by S.I. 1999/ 1513, reg. 6(2)(a)

S. 20 applied (W.) (1.4.2001) by S.I. 2001/1360, **reg. 7(1)(b)**

C109 S. 20 applied (with modifications) (5.11.1991) by S.I. 1991/2486, **reg. 7(1)**

S. 20 applied (with modifications): (1.1.1993 for certain purposes and 15.1.1993 otherwise) by S.I. 1992/3163, **regs. 1**, 18(1) (which S.I. was revoked (29.4.1998) by S.I. 1998/994, reg. 59(1), **Sch. 5**); (1.1.1993 for certain purposes and 15.1.1993 otherwise) by S.I. 1992/3164, **regs. 1**, 19(1) (which S.I. was revoked (29.4.1998) by S.I. 1998/994, reg. 59(1), **Sch. 5**); (18.12.1992 for certain purposes and 1.1.1993 otherwise) by S.I. 1992/3165, **regs. 1**, 7(2) (which S.I. was revoked (29.4.1998) by S.I. 1998/994, reg. 59(1), **Sch. 5**); (31.12.1992) by S.I. 1992/3236, **reg. 11(1)**

S. 20 applied (with modifications): (1.4.1994) by S.I. 1994/743, **reg. 8(1)(c)**; (1.5.1994) by S.I. 1994/1029, **reg. 25(b)** (which S.I. was revoked (1.4.1995) by S.I. 1995/540, **reg. 26** (with reg. 3(5))); (2.9.1994) by S.I. 1994/2127, **reg. 5**; (1.1.1995) by S.I. 1994/3082, **reg. 21**

S. 20 applied (with modifications): (1.3.1995) by S.I. 1995/77, **reg. 23**; (1.4.1995) by S.I. 1995/539, **reg. 22**; (1.4.1995) by S.I. 1995/540, **reg. 24**; (1.4.1995) by S.I. 1995/614, **reg. 11**; (9.5.1995) by S.I. 1995/1086, **reg. 20(1)(c)**; (15.6.1995) by S.I. 1995/1372, **reg. 20(1)(c)**; (10.7.1995) by S.I. 1995/1544, **reg. 10**; (15.9.1995) by S.I. 1995/1763, **reg. 7(c)**; (15.9.1995) by S.I. 1995/2200, **reg. 18**; (20.9.1995) by S.I. 1995/2148, **reg. 17**; (1.1.1996) by: S.I. 1995/3116, **reg. 8**; S.I. 1995/3123, **reg. 9(c)**; S.I. 1995/3124, **reg. 11(c)**; S.I. 1995/3240, **reg. 10(c)** (which S.I. was revoked (1.7.1996) by S.I. 1996/1499, reg. 49, **Sch. 9**); (1.1.1996) by S.I. 1995/3187, **reg. 9**; (1.1.1996) by S.I. 1995/3202, **reg. 11**; (1.1.1996) by S.I. 1995/3205, **reg. 14**

S. 20 applied (with modifications): (29.3.1996) by S.I. 1996/961, **art. 4(c)**; (1.7.1996) by S.I. 1996/1499, **reg. 48**; (1.7.1996) by S.I. 1996/1502, **reg. 6**
S. 20 applied (with modifications): (16.6.1997) by S.I. 1997/1335, **reg. 6**; (30.6.1997) by S.I. 1995/1544, **reg. 10(1)** (as substituted (30.6.1997) by S.I. 1997/1414, **reg. 3**); (4.7.1997) by S.I. 1997/1499, **reg. 6(1)** (which S.I. was revoked (18.6.2002 (E.), 1.7.2002 (S.), 2.8.2002 (W.)) by S.I. 2002/890, reg. 11, **Sch.**; S.S.I. 2002/267, reg. 11, **Sch.**; S.I. 2002/1886, reg. 11, **Sch.**); (17.11.1997) by S.I. 1997/2537, **reg. 9**; (16.12.1997) by S.I. 1997/2959, **reg. 11**; (1.1.1998) by S.I. 1997/2965, **reg. 30** (with reg. 32); (31.3.1999) by S.I. 1997/2042, **reg. 9**; (31.3.1999) by S.I. 1997/2182, **reg. 9**
S. 20 applied (with modifications): (19.2.1998) by S.I. 1998/141, **reg. 10(c)**; (1.4.1998) by S.I. 1998/616, **reg. 6(1)(c)**; (29.4.1998) by S.I. 1998/994, **reg. 55(1)(b)**; (31.10.1998) by S.I. 1998/2424, **reg. 8(c)**
S. 20 applied (with modifications): (S.) (1.10.1999) by S.S.I. 1999/34, **reg. 8(1)**; (S.) (17.2.1999) by S.S.I. 1999/186, **art. 9**; (19.3.1999) by S.I. 1996/1499 reg. 48 (as substituted by S.I. 1999/747, **reg. 11**); (30.6.1999) by S.I. 1999/1540, **reg. 19(1)(c)**; (1.10.1999) by S.I. 1999/2457, **reg. 8(1)**
S. 20 applied (with modifications): (E.) (10.4.2000) by S.I. 2000/768, **reg. 10(1)**; (S.) (10.4.2000) by S.S.I. 2000/83, **reg. 10(1)**; (W.) (25.7.2000) by S.I. 2000/1925, **reg. 10(1)**; (E.) (15.1.2001) by S.I. 2000/3323, **reg. 10(c)**
S. 20 applied (with modifications): (W.) (1.11.2001) by S.I. 2000/1866, **reg. 7(c)**; (S.) (1.11.2001) by S.S.I. 2000/130, **reg. 7(c)**; (E.) (1.11.2001) by S.I. 2000/845, **reg. 7(c)**
S. 20 applied (with modifications): (S.) (17.3.2001) by S.S.I. 2001/38, **reg. 10**; (W.) (1.5.2001) by S.I. 2001/1361, **reg. 8(1)**; (W.) (1.5.2001) by S.I. 2001/1440, **reg. 10(c)**
S. 20 applied (with modifications): (E.) (2.2.2002) by S.I. 2002/183, **reg. 6(1)** (which S.I. was revoked (20.6.2002) by S.I. 2002/1614, reg. 6); (W.) (2.2.2002) by S.I. 2002/203, **reg. 6(1)** (which S.I. was revoked (12.7.2002) by S.I. 2002/1798, reg. 6); (S.) (2.2.2002) by S.S.I. 2002/36, **reg. 6(1)** (which S.S.I. was revoked (24.6.2002) by S.S.I. 2002/300, reg. 6); (E.) (16.2.2002) by S.I. 2002/334, **art. 5(1)(b)**; (S.) (16.2.2002) by S.S.I. 2002/64, **art. 5(1)(b)**; (W.) (23.2.2002) by S.I. 2002/402, **art. 5(1)(b)**; (E.W.) (8.3.2002) by S.I. 2002/333, **reg. 6(c)**; (S.) (8.3.2002) by S.S.I. 2002/50, **reg. 6(c)**; (E.) (23.3.2002) by S.I. 2002/773, **reg. 5(1)(a)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2351, reg. 7); (E.) (23.3.2002) by S.I. 2002/774, **reg. 5(1)(a)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2350, reg. 7); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/148, regs. 1(1), **5(1)(a)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/424, reg. 7); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/149, regs. 1(1), **5(1)(a)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/425, reg. 7); (W.) (26.3.2002) by S.I. 2002/820, **reg. 5(1)(a)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2295, reg. 7); (W.) (26.3.2002) by S.I. 2002/821, **reg. 5(1)(a)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2296, reg. 7); (E.) (4.4.2002) by S.I. 2002/931, **reg. 5(1)(b)**; (S.) (4.4.2002) by S.S.I. 2002/179, **reg. 6(1)(b)**; (W.) (16.4.2002) by S.I. 2002/1090, **reg. 5(1)(b)**; (E.) (18.6.2002) by S.I. 2002/890, **reg. 7(1)(b)**; (E.) (20.6.2002) by S.I. 2002/1614, **reg. 5(1)(a)**; (S.) (24.6.2002) by S.S.I. 2002/300, **reg. 5(1)(a)**; (S.) (1.7.2002) by S.S.I. 2002/267, **reg. 7(1)(b)**; (W.) (12.7.2002) by S.I. 2002/1798, **reg. 5(1)(a)**; (W.) (2.8.2002) by S.I. 2002/1886, **reg. 7(1)(b)**; (E.) (5.8.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/1817, regs. 1(2)(3), **9(c)**; (W.) (9.9.2002) by S.I. 2002/2295, **reg. 5(1)(a)** and S.I. 2002/2296, **reg. 5(1)(a)**; (E.) (13.9.2002) by S.I. 2002/2350, **reg. 5(1)(a)** and S.I. 2002/2351, **reg. 5(1)(a)**; (S.) (13.9.2002) by S.S.I. 2002/424, **reg. 5(1)(a)** and S.S.I. 2002/425, **reg. 5(1)(a)**; (S.) (23.9.2002 for certain purposes and otherwise 1.4.2004) by S.S.I. 2002/397, regs. 1(2)(3), **8(c)**; (W.) (31.12.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/2939, regs. 1(2)(3), **9(c)**; (S.) (1.1.2003) by S.S.I. 2002/523, **reg. 5(1)(c)**; (W.) (9.1.2003) by S.I. 2002/3157, **reg. 5(1)(c)**; (E.) (13.1.2003) by S.I. 2002/3169, **reg. 5(1)(c)**

C110 S. 20 extended (with modifications) (8.1.1992) by S.I. 1991/2843, **reg. 22(1)(b)**

C111 S. 20 applied (with modifications) (E.) (28.3.2003) by Fish Labelling (England) Regulations 2003 (S.I. 2003/461), regs. 1, **10(b)**

C112 S. 20 applied (with modifications) (S.) (28.3.2003) by The Fish Labelling (Scotland) Regulations 2003 (S.S.I. 2003/145), regs. 1(1), **10(b)**

C113 S. 20 applied (with modifications) (W.) (17.4.2003) by Food (Pistachios from Iran) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/1119), regs. 1(1), **5(1)(a)**

C114 S. 20 applied (with modifications) (30.6.2003) by Fish Labelling (Wales) Regulations 2003 (S.I. 2003/1635), regs. 1, **10**

C115 S. 20 applied (with modifications) (30.6.2003) by Contaminants in Food (England) Regulations 2003 (S.I. 2003/1478), regs. 1, **7(1)(b)**

C116 S. 20 applied (with modifications) (1.7.2003) by Contaminants in Food (Scotland) Regulations 2003 (S.S.I. 2003/289), regs. 1(1), **7(1)(b)**

C117 S. 20 applied (with modifications) (11.7.2003) by Food (Brazil Nuts) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1722), regs. 1(1), **5(1)(a)**

C118 S. 20 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (England) Regulations 2003 (S.I. 2003/1564), regs. 1(b), **9(c)**

C119 S. 20 applied (with modifications) (12.7.2003) by Specified Sugar Products (England) Regulations 2003 (S.I. 2003/1563), regs. 1, **9(c)**

C120 S. 20 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (Scotland) Regulations 2003 (S.S.I. 2003/293), regs. 1(1), **10(c)**

C121 S. 20 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (Scotland) Regulations 2003 (S.S.I. 2003/311), regs. 1(1), **10(1)(c)** (with reg. 3)

C122 S. 20 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (England) Regulations 2003 (S.I. 2003/1596), regs. 1, **9(1)(c)** (with reg. 11)

C123 S. 20 applied (with modifications) (30.7.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1940), regs. 1(1), **5(1)(a)**

C124 S. 20 applied (with modifications) (31.7.2003) by Food (Pistachios from Iran) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1956), regs. 1(1), **5(1)(a)**

C125 S. 20 applied (with modifications) (31.7.2003) by The Contaminants in Food (Wales) Regulations 2003 (S.I. 2003/1721), regs. 1, **7(1)(b)**

C126 S. 20 applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (England) Regulations 2003 (S.I. 2003/1659), regs. 1, **10(c)**

C127 S. 20 applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (Scotland) Regulations 2003 (S.S.I. 2003/291), regs. 1, **11(c)** (with reg. 4)

C128 S. 20 applied (with modifications) (9.8.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/382), regs. 1(1), **6(1)(a)**

C129 S. 20 applied (with modifications) (14.8.2003) by Food (Peanuts from Egypt) (Emergency Control) (England) Regulations 2003 (S.I. 2003/2074), regs. 1(1), **5(1)(a)**

C130 S. 20 applied (with modifications) (27.8.2003) by Food (Brazil Nuts) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/396), regs. 1(1), **5(1)(a)**

C131 S. 20 applied (with modifications) (2.9.2003) by Meat Products (England) Regulations 2003 (S.I. 2003/2075), regs. 1(c), **8(c)** (with reg. 3)

C132 S. 20 applied (with modifications) (5.9.2003) by Food (Brazil Nuts) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/2254), regs. 1(1), **5(1)(a)**

C133 S. 20 applied (with modifications) (6.9.2003) by The Food (Pistachios from Iran) (Emergency Control) (Wales) (No.2) Regulations 2003 (S.I. 2003/2288), regs. 1(1), **5(1)(a)**

C134 S. 20 applied (with modifications) (25.9.2003) by Honey (England) Regulations 2003 (S.I. 2003/2243), regs. 1, **9(c)**

C135 S. 20 applied (with modifications) (25.9.2003) by Food (Hot Chilli And Hot Chilli Products) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/2455), regs. 1(1), **5(1)(a)**

C136 S. 20 applied (with modifications) (30.9.2003) by Food (Peanuts from Egypt) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/418), regs. 1(1), **5(1)(a)**

C137 S. 20 applied (with modifications) (30.9.2003) by Food (Pistachios from Iran) (Emergency Control) (Scotland) Regulations 2003 (S.S.I. 2003/414), regs. 1(1), **5(1)(a)**

C138 S. 20 applied (with modifications) (14.11.2003) by Food (Peanuts from Egypt) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/2910), regs. 1(1), **5(1)(a)**

C139 S. 20 applied (with modifications) (28.11.2003) by The Specified Sugar Products (Wales) Regulations 2003 (S.I. 2003/3047), regs. 1, **9(c)**

C140 S. 20 applied (with modifications) (28.11.2003) by Honey (Wales) Regulations 2003 (S.I. 2003/3044), regs. 1, **9(c)**

C141 S. 20 applied (with modifications) (28.11.2003) by Specified Sugar Products (Scotland) Regulations 2003 (S.S.I. 2003/527), regs. 1(1), **9** (with reg. 10)

C142 S. 20 applied (with modifications) (28.11.2003) by Cocoa and Chocolate Products (Wales) Regulations 2003 (S.I. 2003/3037), regs. 1, **10(c)**

C143 S. 20 applied (with modifications) (28.11.2003) by Condensed Milk and Dried Milk (Wales) Regulations 2003 (S.I. 2003/3053), regs. 1, **9(1)(c)** (with reg. 3)

C144 S. 20 applied (with modifications) (28.11.2003) by The Fruit Juices and Fruit Nectars (Wales) Regulations 2003 (S.I. 2003/3041), regs. 1, **9(c)**

C145 S. 20 applied (with modifications) (18.12.2003) by Honey (Scotland) Regulations 2003 (S.S.I. 2003/569), regs. 1(1), **10(c)** (with regs. 3, 11)

C146 S. 20 applied (with modifications) (31.12.2003) by Jam and Similar Products (England) Regulations 2003 (S.I. 2003/3120), regs. 1, **9(c)** (with reg. 3)

C147 S. 20 applied (with modifications) (4.2.2004) by Meat Products (Scotland) Regulations 2004 (S.S.I. 2004/6), regs. 1(1), **9(1)(c)**

C148 S. 20 applied (with modifications) (14.2.2004) by Food (Chilli and Chilli Products) (Emergency Control) (Scotland) Regulations 2004 (S.S.I. 2004/56), regs. 1(1), **6(1)(a)**

C149 S. 20 applied (with modifications) (5.3.2004) by Jam and Similar Products (Wales) Regulations 2004 (S.I. 2004/553), regs. 1, **9(1)(c)** (with reg. 3)

C150 S. 20 applied (with modifications) (16.4.2004) by Food (Jelly Mimi-Cups) (Emergency Control) (Scotland) Regulations 2004 (S.S.I. 2004/187), regs. 1(1), **6(b)**

C151 S. 20 applied (with modifications) (28.4.2004) by Jam and Similar Products (Scotland) Regulations 2004 (S.S.I. 2004/133), regs. 1(1), **10(c)**

C152 S. 20 applied (with modifications) (31.5.2004) by Meat Products (Wales) Regulations 2004 (S.I. 2004/1396), regs. 1(c), **8(c)** (with reg. 3)

C153 S. 20 applied (4.10.2004) by Genetically Modified Food (England) Regulations 2004 (S.I. 2004/2335), regs. 1(b), **6(1)(b)**

C154 S. 20 applied (with modifications) (15.11.2004) by Genetically Modified Food (Scotland) Regulations 2004 (S.S.I. 2004/432), regs. 1(1), **6(1)(b)**

C155 S. 20 applied (17.12.2004) by Genetically Modified Food (Wales) Regulations 2004 (S.I. 2004/3220), regs. 1(b), **6(1)(a)**

C156 S. 20 applied (with modifications) (20.12.2004) by Contaminants in Food (England) Regulations 2004 (S.I. 2004/3062), regs. 1, **7(1)(b)**

C157 S. 20 applied (with modifications) (25.12.2004) by Contaminants in Food (Scotland) Regulations 2004 (S.S.I. 2004/525), regs. 1(1), **7(1)(b)**

C158 S. 20 applied (with modifications) (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **7(1)(a)**

C159 S. 20 applied (with modifications) (12.1.2005) by Food with Added Phytosterols or Phytostanols (Labelling) (England) Regulations 2004 (S.I. 2004/3344), regs. 1, **10(1)(c)**

C160 S. 20 applied (with modifications) (1.2.2005) by Food Labelling (Added Phytosterols or Phytostanols) (Scotland) Regulations 2005 (S.S.I. 2005/1), regs. 1(1), **10(1)(c)**

C161 S. 20 applied (with modifications) (1.3.2005) by The Contaminants in Food (Wales) Regulations 2005 (S.I. 2005/364), regs. 1, **7(1)(b)**

C162 S. 20 applied (with modifications) (6.3.2005) by The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003 (S.I. 2003/3207), regs. 1, **12(c)** (with reg. 3)

C163 S. 20 applied (with modifications) by S.I. 1995/77, **reg. 23** (as amended: (6.3.2005) by S.I. 2003/3208, regs. 1, **9**; (6.3.2005) by S.I. 2004/313), regs. 1, 9; and (6.3.2005) by S.S.I. 2004/7), regs. 1(1), 9)

C164 S. 20 applied (with modifications) (6.3.2005) by The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004 (S.I. 2004/314), regs. 1, **12(c)** (with reg. 3)

C165 S. 20 applied (with modifications) (6.3.2005) by Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004 (S.S.I. 2004/8), regs. 1(1), **12(c)**

C166 S. 20 applied (with modifications) (26.3.2005) by Production of Bovine Collagen Intended for Human Consumption in the United Kingdom (England) Regulations 2005 (S.I. 2005/404), regs. 1, **8(a)**

C167 S. 20 applied (with modifications) (29.4.2005) by Materials and Articles in Contact with Food (England) Regulations 2005 (S.I. 2005/898), regs. 1, **14(1)(b)**

C168 S. 20 applied (with modifications) (30.4.2005) by Food with Added Phytosterols or Phytostanols (Labelling) (Wales) Regulations 2005 (S.I. 2005/1224), regs. 1, **10(1)(c)**

C169 S. 20 applied (with modifications) (11.5.2005) by Production of Bovine Collagen Intended for Human Consumption in the United Kingdom (Scotland) Regulations 2005 (S.S.I. 2005/218), regs. 1(1), **8(a)**

C170 S. 20 applied (with modifications) (21.5.2005) by Materials and Articles in Contact with Food (Scotland) Regulations 2005 (S.S.I. 2005/243), regs. 1(1), **14(1)** (with reg. 3)

C171 S. 20 applied (with modifications) (1.6.2005) by Production of Bovine Collagen Intended for Human Consumption in the United Kingdom (Wales) Regulations 2005 (S.I. 2005/1397), art. 1**reg. 8(a)**

C172 S. 20 applied (with modifications) (2.6.2005) by Food (Chilli, Chilli Products, Curcuma and Palm Oil) (Emergency Control) (England) Regulations 2005 (S.I. 2005/1442), regs. 1(1), **5(1)(a)**

C173 S. 20 applied (with modifications) (2.6.2005) by Food (Chilli, Chilli Products, Curcuma and Palm Oil) (Emergency Control) (Scotland) Regulations 2005 (S.S.I. 2005/294), regs. 1(1), **6(1)(a)**

C174 S. 20 applied (with modifications) (10.6.2005) by The Food (Chilli, Chilli Products, Curcuma and Palm Oil) (Emergency Control) (Wales) Regulations 2005 (S.I. 2005/1540), regs. 1(1), **5(1)(a)**

C175 S. 20 applied (16.6.2005) by Smoke Flavourings (England) Regulations 2005 (S.I. 2005/464), regs. 1(b)(ii), **6**

C176 S. 20 applied (16.6.2005) by Smoke Flavourings (Wales) Regulations 2005 (S.I. 2005/1350), regs. 1(b)(ii), **6(b)**

C177 S. 20 applied (with modifications) (24.6.2005) by The Materials and Articles in Contact with Food (Wales) Regulations 2005 (S.I. 2005/1647), regs. 1, **14(1)(b)** (with reg. 3)

C178 S. 20 applied (with modifications) (1.7.2005) by Eggs (Marketing Standards) (Enforcement) (Scotland) Regulations 2005 (S.S.I. 2005/332), regs. 1(1), **15(1)(b)**

C179 S. 20 applied (with modifications) (1.8.2005) by Food Supplements (Scotland) Regulations 2003 (S.S.I. 2003/278), regs. 1(1), **11(c)** (with regs. 3, 5)

C180 S. 20 applied (with modifications) (1.8.2005) by The Food Supplements (England) Regulations 2003 (S.I. 2003/1387), regs. 1, **11(c)**

C181 S. 20 applied (with modifications) (1.8.2005) by The Food Supplements (Wales) Regulations 2003 (S.I. 2003/1719), regs. 1, **11(c)** (with reg. 3)

C182 S. 20 applied (with modifications) (7.11.2005) by The Bovine Products (Restriction on Placing on the Market) (Wales) Regulations 2005 (S.I. 2005/3051), regs. 1, **4(a)**

C183 S. 20 applied (with modifications) (7.11.2005) by Bovine Products (Restriction on Placing on the Market) (Scotland) Regulations 2005 (S.S.I. 2005/470), regs. 1(1), **5(a)**

C184 S. 20 applied (with modifications) (7.11.2005) by Bovine Products (Restriction on Placing on the Market) (England) Regulations 2005 (S.I. 2005/2719), regs. 1, **4(a)**

C185 S. 20 applied (with modifications) (11.11.2005) by Tryptophan in Food (Scotland) Regulations 2005 (S.S.I. 2005/479), regs. 1(1), **8(c)**

C186 S. 20 applied (with modifications) (11.11.2005) by The Tryptophan in Food (Wales) Regulations 2005 (S.I. 2005/3111), regs. 1, **8(c)**

C187 S. 20 applied (with modifications) (11.11.2005) by Tryptophan in Food (England) Regulations 2005 (S.I. 2005/2630), regs. 1, **8(c)**

C188 S. 20 applied (with modifications) (1.1.2006) by The Bovine Products (Restriction on Placing on the Market) (Wales) (No.2) Regulations 2005 (S.I. 2005/3296), regs. 1, **4(a)**

C189 S. 20 applied (with modifications) (1.1.2006) by Bovine Products (Restriction on Placing on the Market) (England) (No.2) Regulations 2005 (S.I. 2005/3068), regs. 1, **4(a)**

C190 S. 20 applied (with modifications) (1.1.2006) by Contaminants in Food (England) Regulations 2005 (S.I. 2005/3251), regs. 1, **6(1)(b)**

C191 S. 20 applied (with modifications) (1.1.2006) by Contaminants in Food (Scotland) Regulations 2005 (S.S.I. 2005/606), regs. 1(1), **6(1)(b)**

C192 S. 20 applied (with modifications) (1.1.2006) by Bovine Products (Restriction on Placing on the Market) (Scotland) (No. 2) Regulations 2005 (S.S.I. 2005/586), regs. 1(1), **5**

C193 S. 20 applied (with modifications) (1.3.2006) by The Contaminants in Food (Wales) Regulations 2006 (S.I. 2006/485), regs. 1, **6(1)(b)**

C194 S. 20 applied (with modifications) (20.5.2006) by Ceramic Articles in Contact with Food (Scotland) Regulations 2006 (S.S.I. 2006/230), regs. 1(2), **7**

C195 S. 20 applied (with modifications) (20.5.2006) by Ceramic Articles In Contact With Food (England) Regulations 2006 (S.I. 2006/1179), regs. 1(1), **7(a)**

C196 S. 20 applied (with modifications) (30.6.2006) by Ceramic Articles in Contact with Food (Wales) Regulations 2006 (S.I. 2006/1704), regs. 1(1), **7(1)(a)**

C197 S. 20 applied (with modifications) (1.7.2006) by Contaminants in Food (England) Regulations 2006 (S.I. 2006/1464), regs. 1, **5(1)(b)**

C198 S. 20 applied (with modifications) (1.7.2006) by Contaminants in Food (Scotland) Regulations 2006 (S.S.I. 2006/306), regs. 1(1), **5(1)(b)**

C199 S. 20 applied (with modifications) (13.7.2006) by Contaminants in Food (Wales) (No.2) Regulations 2006 (S.I. 2006/1850), regs. 1, **5(1)(b)**

C200 S. 20 applied (with modifications) (14.7.2006) by Kava-kava in Food (Wales) Regulations 2006 (S.I. 2006/1851), regs. 1(b), **5(1)**

C201 S. 20 applied (with modifications) (18.10.2006) by Curd Cheese (Restriction on Placing on the Market) (England) Regulations 2006 (S.I. 2006/2787), regs. 1, **4(a)**

C202 S. 20 applied (with modifications) (18.10.2006) by Curd Cheese (Restrictions on Placing on the Market) (Wales) Regulations 2006 (S.I. 2006/2792), regs. 1, **4(a)**

C203 S. 20 applied (with modifications) (20.10.2006) by Curd Cheese (Restriction on Placing on the Market) (Scotland) Regulations 2006 (S.S.I. 2006/512), regs. 1(1), **4(a)**

C204 S. 20 applied (with modifications) (9.11.2006) by Rice Products (Restriction on First Placing on the Market) (Wales) Regulations 2006 (S.I. 2006/2923), regs. 1, **5(a)**

C205 S. 20 applied (with modifications) (9.11.2006) by Rice Products (Restriction on First Placing on the Market) (England) Regulations 2006 (S.I. 2006/2921), regs. 1, **5(a)**

C206 S. 20 applied (with modifications) (10.11.2006) by Rice Products (Restriction on First Placing on the Market) (Scotland) Regulations 2006 (S.S.I. 2006/542), regs. 1(1), **6(1)(a)**

C207 S. 20 applied (19.11.2006) by Plastic Materials and Articles in Contact with Food (Scotland) (No.2) Regulations 2006 (S.S.I. 2006/517), regs. 1(1), **22(b)**

C208 S. 20 applied (with modifications) (1.3.2007) by Contaminants in Food (England) Regulations 2007 (S.I. 2007/210), regs. 1, **5(1)(b)**

C209 S. 20 applied (with modifications) (1.3.2007) by Notification of Marketing of Food for Particular Nutritional Uses (England) Regulations 2007 (S.I. 2007/181), regs. 1(b), **7(c)**

C210 S. 20 applied (with modifications) (1.3.2007) by Contaminants in Food (Scotland) Regulations 2007 (S.S.I. 2007/29), regs. 1(1), **5(1)(b)**

C211 S. 20 applied (with modifications) (1.3.2007) by Quick-frozen Foodstuffs (Wales) Regulations 2007 (S.I. 2007/389), **art. 10(b)**reg. 1(2)

C212 S. 20 applied (with modifications) (1.3.2007) by Notification of Marketing of Food for Particular Nutritional Uses (Scotland) Regulations 2007 (S.S.I. 2007/37), regs. 1(1), **7(c)**

C213 S. 20 applied (with modifications) (1.3.2007) by Quick-frozen Foodstuffs (England) Regulations 2007 (S.I. 2007/191), regs. 1(b), **10(b)**

C214 S. 20 applied (with modifications) (15.3.2007) by Contaminants in Food (Wales) Regulations 2007 (S.I. 2007/840), regs. 1, **5(1)(b)** (with art. 3)

C215 S. 20 applied (with modifications) (1.4.2007) by Notification of Marketing of Food for Particular Nutritional Uses (Wales) Regulations 2007 (S.I. 2007/1040), regs. 1(b), **7(c)**

C216 S. 20 applied (with modifications) (2.8.2007) by Food (Suspension of the Use of E 128 Red 2G as Food Colour) (England) Regulations 2007 (S.I. 2007/2266), regs. 1, **5(a)**

C217 S. 20 applied (with modifications) (3.8.2007) by Food (Suspension of the Use of E 128 Red 2G as Food Colour) (Wales) Regulations 2007 (S.I. 2007/2288), regs. 1, **5(a)**

C218 S. 20 applied (with modifications) (3.8.2007) by Food (Suspension of the Use of E 128 Red 2G as Food Colour) (Scotland) Regulations 2007 (S.S.I. 2007/363), regs. 1, **5**

C219 S. 20 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (England) Regulations 2007 (S.I. 2007/1631), regs. 1, **5(c)**

C220 S. 20 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (Scotland) Regulations 2007 (S.S.I. 2007/325), regs. 1(1), **5(c)**

C221 S. 20 applied (with modifications) (7.8.2007) by The Food (Suspension of the use of E 128 Red 2G as Food Colour) (Wales) (No.2) Regulations 2007 (No. 2315), regs. 1, **5(a)**

C222 S. 20 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007 (S.I. 2007/1984), regs. 1, **5(c)**

C223 S. 20 applied (with modifications) (22.8.2007) by Eggs and Chicks (England) Regulations 2007 (S.I. 2007/2245), regs. 1(2), **21** (with reg. 1(4)(5))

C224 S. 20 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (Scotland) Regulations 2007 (S.S.I. 2007/383), regs. 1(1), **6(c)**

C225 S. 20 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (England) Regulations 2007 (S.I. 2007/2080), regs. 1, **6(c)**

C226 S. 20 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (Wales) Regulations 2007 (S.I. 2007/2611), regs. 1, **6(c)**

C227 S. 20 applied (with modifications) (29.10.2007) by Plastic Materials and Articles in Contact with Food (Lid Gaskets) (Scotland) Regulations 2007 (S.S.I. 2007/433), regs. 1(1), **9(b)**

C228 S. 20 applied (with modifications) (30.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No.2) Regulations 2007 (S.S.I. 2007/483), regs. 1(1), **22(1)(c)** (with reg. 3)

C229 S. 20 applied (with modifications) (31.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007 (S.I. 2007/2785), regs. 1, **22(1)(c)** (with reg. 3)

C230 S. 20 applied (with modifications) (31.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) Regulations 2007 (S.S.I. 2007/435), regs. 1(1), **22(1)(c)** (with reg. 3)

C231 S. 20 applied (with modifications) (16.11.2007) by Materials and Articles in Contact with Food (Scotland) Regulations 2007 (S.S.I. 2007/471), regs. 1(1)(b), **18(1)(b)** (with reg. 3)

C232 S. 20 applied (with modifications) (28.11.2007) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007 (S.I. 2007/3165), regs. 1, **22(1)(c)** (with reg. 3)

C233 S. 20 applied (with modifications) (11.1.2008) by Infant Formula and Follow-on Formula (England) Regulations 2007 (S.I. 2007/3521), regs. 1(b)(ii), **29(b)**

C234 S. 20 applied (with modifications) (11.1.2008) by The Infant Formula and Follow-on Formula (Wales) Regulations 2007 (S.I. 2007/3573), regs. 1(2)(b), **29(b)**

C235 S. 20 applied (with modifications) (11.1.2008) by Infant Formula and Follow-on Formula (Scotland) Regulations 2007 (S.S.I. 2007/549), **art. 29(b)**reg. 1(b)(ii)

C236 S. 20 applied (with modifications) (7.3.2008) by Rice Products from the United States of America (Restriction on First Placing on the Market) (Scotland) Regulations 2008 (S.S.I. 2008/87), regs. 1(1), **6**

C237 S. 20 applied (with modifications) (7.3.2008) by Rice Products from the United States of America (Restriction on First Placing on the Market) (England) Regulations 2008 (S.I. 2008/622), regs. 1, **5(a)**

C238 S. 20 applied (with modifications) (20.3.2008) by The Rice Products from the United States of America (Restriction on First Placing on the Market) (Wales) Regulations 2008 (S.I. 2008/781), regs. 1(1), **5(a)**

C239 S. 20 applied (with modifications) (15.4.2008) by Specified Products from China (Restriction on First Placing on the Market) (Wales) Regulations 2008 (S.I. 2008/1080), regs. 1, **6(a)**

C240 S. 20 applied (with modifications) (15.4.2008) by Specified Products from China (Restriction on First Placing on the Market) (Scotland) Regulations 2008 (S.S.I. 2008/148), regs. 1(1), **7**

C241 S. 20 applied (with modifications) (15.4.2008) by Specified Products from China (Restriction on First Placing on the Market) (England) Regulations 2008 (S.I. 2008/1079), regs. 1, **6(a)**

C242 S. 20 applied (with modifications) (27.4.2008) by Eggs and Chicks (Scotland) Regulations 2008 (S.S.I. 2008/129), regs. 1(2), **20** (with reg. 3)

C243 S. 20 applied (1.5.2008) by Plastic Materials and Articles in Contact with Food (Scotland) Regulations 2008 (S.S.I. 2008/127), regs. 1(1)(b), **23(b)**

C244 S. 20 applied (with modifications) (5.5.2008) by Guar Gum (Restriction on First Placing on the Market) (Scotland) Regulations 2008 (S.S.I. 2008/176), regs. 1(1), **6**

C245 S. 20 applied (with modifications) (1.7.2008) by Drinking Milk (England) Regulations 2008 (S.I. 2008/1317), regs. 1(1)(b), **7**

C246 S. 20 applied (with modifications) (1.7.2008) by The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (Wales) Regulations 2008 (S.I. 2008/1341), regs. 1, **7(1)(c)**

C247 S. 20 applied (with modifications) (1.7.2008) by Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (England) Regulations 2008 (S.I. 2008/1287), regs. 1, **7(1)(c)**

C248 S. 20 applied (with modifications) (19.12.2008) by Eggs and Chicks (Scotland) (No.2) Regulations 2008 (S.S.I. 2008/395), regs. 1(2), **20** (with reg. 3)

C249 S. 20 applied (7.3.2009) by Plastic Materials and Articles in Contact with Food (Scotland) Regulations 2009 (S.S.I. 2009/30), regs. 1(1), **21(b)**

C250 S. 20 applied (with modifications) (17.4.2009) by Eggs and Chicks (Wales) Regulations 2009 (S.I. 2009/793), regs. 1(2), **21** (with reg. 1(4)(5))

C251 S. 20 applied (with modifications) (1.7.2009) by The Contaminants in Food (Wales) Regulations 2009 (S.I. 2009/1386), regs. 1, **5(1)(b)**

C252 S. 20 applied (with modifications) (1.7.2009) by Contaminants in Food (Scotland) Regulations 2009 (S.S.I. 2009/215), regs. 1(1), **5(1)(b)**

C253 S. 20 applied (with modifications) (1.7.2009) by Contaminants in Food (England) Regulations 2009 (S.I. 2009/1223), regs. 1, **5(1)(b)**

C254 S. 20 applied (with modifications) (31.7.2009) by The Food Irradiation (Scotland) Regulations 2009 (S.S.I. 2009/261), regs. 1(b), **11(1)(c)** (with reg. 2)

C255 S. 20 applied (with modifications) (31.7.2009) by The Food Irradiation (Wales) Regulations 2009 (S.I. 2009/1795), regs. 1(1), **11(1)(c)** (with reg. 2)

C256 S. 20 applied (with modifications) (31.7.2009) by The Food Irradiation (England) Regulations 2009 (S.I. 2009/1584), regs. 1, **11(1)(c)** (with reg. 2)

C257 S. 20 applied (with modifications) (14.9.2009) by Eggs and Chicks (England) Regulations 2009 (S.I. 2009/2163), regs. 1(1), **39**

C258 S. 20 applied (with modifications) (1.1.2010) by Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2009 (S.S.I. 2009/427), regs. 1(1), **4(b)**

C259 S. 20 applied (with modifications) (1.1.2010) by Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (England) Regulations 2009 (S.I. 2009/3051), regs. 1, **4(b)**

C260 S. 20 applied (with modifications) (1.1.2010) by The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Wales) Regulations 2009 (S.I. 2009/3254), regs. 1, **4(b)**

C261 S. 20 applied (with modifications) (20.1.2010) by Food Enzymes (Scotland) Regulations 2009 (S.S.I. 2009/435), regs. 1, **5(1)(a)**

C262 S. 20 applied (with modifications) (20.1.2010) by The Food Additives (Wales) Regulations 2009 (S.I. 2009/3378), regs. 1, **16(1)(b)**

C263 S. 20 applied (with modifications) (20.1.2010) by The Food (Jelly Mini-Cups) (Emergency Control) (Wales) Regulations 2009 (S.I. 2009/3379), regs. 1(1), **5(1)(b)**

C264 S. 20 applied (with modifications) (20.1.2010) by Food (Jelly Mini-Cups) (Emergency Control) (England) Regulations 2009 (S.I. 2009/3230), regs. 1(1), **5(1)(b)**

C265 S. 20 applied (with modifications) (20.1.2010) by Food (Jelly Mini-Cups) (Emergency Control) (Scotland) Regulations 2009 (S.S.I. 2009/437), regs. 1(1), **5(1)(b)**

C266 S. 20 applied (with modifications) (20.1.2010) by Food Additives (Scotland) Regulations 2009 (S.S.I. 2009/436), regs. 1(1), **16(1)(b)**

C267 S. 20 applied (with modifications) (20.1.2010) by Food Additives (England) Regulations 2009 (S.I. 2009/3238), regs. 1, **16(1)(b)**

C268 S. 20 applied (with modifications) (20.1.2010) by Food Enzymes Regulations 2009 (S.I. 2009/3235), regs. 1(1), **5(1)(a)**

C269 S. 20 applied (with modifications) (6.4.2010) by The Fish Labelling (Wales) Regulations 2010 (S.I. 2010/797), regs. 1(2), **10(b)**

C270 S. 20 applied (with modifications) (6.4.2010) by The Fish Labelling (Scotland) Regulations 2010 (S.S.I. 2010/90), regs. 1(1), **10(b)**

C271 S. 20 applied (with modifications) (6.4.2010) by The Fish Labelling (England) Regulations 2010 (S.I. 2010/420), regs. 1, **10(b)**

C272 S. 20 applied (with modifications) (18.6.2010) by The Drinking Milk (Wales) Regulations 2010 (S.I. 2010/1492), regs. 1, **7**

C273 S. 20 applied (with modifications) (16.7.2010) by The Eggs and Chicks (Wales) Regulations 2010 (S.I. 2010/1671), regs. 1(1), **39**

C274 S. 20 applied (with modifications) (20.10.2010) by The Contaminants in Food (England) Regulations 2010 (S.I. 2010/2228), regs. 1, **5(1)(b)**

C275 S. 20 applied (with modifications) (20.10.2010) by The Contaminants in Food (Scotland) Regulations 2010 (S.S.I. 2010/329), regs. 1, **5(1)**

C276 S. 20 applied (with modifications) (22.10.2010) by The Contaminants in Food (Wales) Regulations 2010 (S.I. 2010/2394), **art. 5(1)(b)**reg. 1

C277 S. 20 applied (with modifications) (20.1.2011) by The Flavourings in Food (Wales) Regulations 2010 (S.I. 2010/2922), regs. 1, **5(1)(a)**

C278 S. 20 applied (with modifications) (20.1.2011) by The Flavourings in Food (England) Regulations 2010 (S.I. 2010/2817), regs. 1(c), **5(1)(a)**

C279 S. 20 applied (with modifications) (20.1.2011) by The Flavourings in Food (Scotland) Regulations 2010 (S.S.I. 2010/439), regs. 1, **5(1)(a)**

C280 S. 20 applied (with modifications) (1.4.2011) by The Drinking Milk (Scotland) Regulations 2011 (S.S.I. 2011/84), regs. 1(b), **7(1)-(3)**

C281 S. 20 applied (with modifications) (1.7.2011) by The Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011 (S.I. 2011/1605), regs. 1(2), **11(1)(a)**

C282 S. 20 applied (with modifications) (1.7.2011) by The Plastic Kitchenware (Conditions on Imports from China) (Scotland) Regulations 2011 (S.S.I. 2011/282), regs. 1, **11(1)(a)**

C283 S. 20 applied (with modifications) (1.7.2011) by The Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011 (S.I. 2011/1517), regs. 1, **11(1)(a)**

C284 S. 20 applied (with modifications) (10.10.2011) by The Poultrymeat (Scotland) Regulations 2011 (S.S.I. 2011/318), regs. 1(2), **21(1)(b)**, (2)

C285 S. 20 applied (with modifications) (1.1.2012) by The Foodstuffs Suitable for People Intolerant to Gluten (Scotland) Regulations 2010 (S.S.I. 2010/355), regs. 1(1), **5** (with reg. 4)

C286 S. 20 applied (with modifications) (1.1.2012) by The Foodstuffs Suitable for People Intolerant to Gluten (Wales) Regulations 2010 (S.I. 2010/2651), regs. 1(1), **5(b)**

C287 S. 20 applied (with modifications) (1.1.2012) by The Foodstuffs Suitable for People Intolerant to Gluten (England) Regulations 2010 (S.I. 2010/2281), regs. 1, **5(b)** (with reg. 4)

C288 S. 20 applied (with modifications) (2.9.2013) by The Fish Labelling Regulations 2013 (S.I. 2013/1768), reg. 1(1)(b), **Sch.**

C289 S. 20 applied (with modifications) (26.9.2013) by The Fish Labelling (Wales) Regulations 2013 (S.I. 2013/2139), reg. 1(2), **Sch. para. 1**

C290 S. 20 applied (with modifications) (1.10.2013) by The Contaminants in Food (Scotland) Regulations 2013 (S.S.I. 2013/217), regs. 1, **8(1)(b)**

C291 S. 20 applied (with modifications) (5.10.2013) by The Fish Labelling (Scotland) Regulations 2013 (S.S.I. 2013/256), regs. 1, **7(1)(b)**

C292 S. 20 applied (with modifications) (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations 2013 (S.I. 2013/2210), regs. 1, **19(1)(a)**

C293 S. 20 applied (with modifications) (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013 (S.S.I. 2013/266), regs. 1, **17(1)(a)**

C294 S. 20 applied (with modifications) (31.10.2013) by The Contaminants in Food (England) Regulations 2013 (S.I. 2013/2196), regs. 1, **8(1)(b)**

C295 S. 20 applied (with modifications) (31.10.2013) by The Contaminants in Food (Wales) Regulations 2013 (S.I. 2013/2493), regs. 1(2), **8(1)(b)**

C296 S. 20 applied (with modifications) (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013 (S.I. 2013/2591), regs. 1, **19(1)(a)**

C297 S. 20 applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (Scotland) Regulations 2013 (S.S.I. 2013/305), reg. 1(2), **sch. 14**

C298 S. 20 applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (Wales) Regulations 2013 (S.I. 2013/2750), reg. 1(2), **Sch. 14** (with reg. 22(2))

C299 S. 20 applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (England) Regulations 2013 (S.I. 2013/2775), reg. 1(2), **Sch. 14**

C300 S. 20 applied (with modifications) (19.9.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information (Wales) Regulations 2014 (S.I. 2014/2303), reg. 1(3)(4)(b)(5)(b), **Sch. 4 Pt. 5** (with reg. 12(6))

C301 S. 20 applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (Wales) Regulations 2014 (S.I. 2014/3087), regs. 1(2), 7, **Sch. 2** (with reg. 3)

C302 S. 20 applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (England) Regulations 2014 (S.I. 2014/3001), reg. 7(5), **Sch. 2** (with reg. 3)

C303 S. 20 applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (Scotland) Regulations 2014 (S.S.I. 2014/289), regs. 1(1), **7(c)** (with reg. 3)

C304 S. 20 applied (with modifications) (13.12.2014) by The Food Information (Scotland) Regulations 2014 (S.S.I. 2014/312), regs. 1(2), **12(2)(a)**

C305 S. 20 applied (with modifications) (1.4.2015) by The Country of Origin of Certain Meats (England) Regulations 2015 (S.I. 2015/518), regs. 1(1), 6(5), **Sch. Pt. 5**

C306 S. 20: power to apply in part for certain purposes conferred (1.4.2015) by Food (Scotland) Act 2015 (asp 1), **ss. 49(2)(c)(i)**, 63(2) (with s. 62); S.S.I. 2015/99, art. 2

C307 S. 20 applied (with modifications) (6.4.2015) by The Condensed Milk and Dried Milk (England) Regulations 2015 (S.I. 2015/675), reg. 1(1), **Sch. 3 Pt. 4**

C308 S. 20 applied (with modifications) (24.6.2015) by The Honey (Scotland) Regulations 2015 (S.S.I. 2015/208), regs. 1(2), **18** (with reg. 21)

C309 S. 20 applied (with modifications) (24.6.2015) by The Honey (England) Regulations 2015 (S.I. 2015/1348), reg. 1(1), **Sch. 2** (with regs. 4, 5)

C310 S. 20 applied (1.7.2015) by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England and Scotland) Regulations 2015 (S.I. 2015/787), regs. 1(1), **32(1)(c)**

C311 S. 20 applied (with modifications) (3.8.2015) by The Honey (Wales) Regulations 2015 (S.I. 2015/1507), reg. 1(2), **Sch. 2** (with reg. 22)

C312 S. 20 applied (with modifications) (10.8.2015) by The Country of Origin of Certain Meats (Wales) Regulations 2015 (S.I. 2015/1519), regs. 1(2), 6(5), **Sch. Pt. 5**

C313 S. 20 applied (with modifications) (28.11.2015) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015 (S.I. 2015/1867), regs. 1(2), 35, **Sch. 12** Table 3 (with reg. 3)

C314 S. 20 applied (with modifications) (14.3.2016) by The Country of Origin of Certain Meats (Scotland) Regulations 2016 (S.S.I. 2016/84), regs. 1(1), 7(2), **sch. Pt. 2**

C315 S. 20 applied (with modifications) (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), regs. 1(3), **4(6)**(7)(b)

C316 S. 20 applied (with modifications) (20.7.2016) by The Foods for Specific Groups (Scotland) Regulations 2016 (S.S.I. 2016/190), regs. 1(1), 5, **sch. 2**

C317 S. 20 applied (with modifications) (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), regs. 1(3), **4(6)**(7)(b)

C318 S. 20 applied (with modifications) (15.8.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information Regulations 2014 (S.I. 2014/1855), reg. 12(5), **Sch. 4 Pt. 5** (with reg. 1(9)(b))

C319 S. 20 applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Scotland) (No. 2) Regulations 2016 (S.S.I. 2016/422), regs. 1(1), 8, **sch. 4** (with reg. 3)

C320 S. 20 applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Wales) Regulations 2016 (S.I. 2016/1130), regs. 1(3), 8(2), **Sch. 5 Pt. 2** (with regs. 3, 8(3))

C321 S. 20 applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Scotland) Regulations 2016 (S.S.I. 2016/383), regs. 1(1), 8, **sch. 4** (with reg. 3)

C322 S. 20 applied (with modifications) by S.I. 2012/2705, Sch. 2 Pt. 2 (as inserted (14.9.2017) by The Materials and Articles in Contact with Food (Wales) (Amendment) Regulations 2017 (S.I. 2017/832), reg. 1(3), **Sch.**)

C323 S. 20 applied (with modifications) (26.9.2017) by The Caseins and Caseinates (England) Regulations 2017 (S.I. 2017/848), regs. 1(1), 7, **Sch. 5**

C324 S. 20 applied (with modifications) (1.1.2018) by The Novel Foods (Scotland) Regulations 2017 (S.S.I. 2017/415), regs. 1, **5(1)(b)**

C325 S. 20 applied (with modifications) (1.1.2018) by The Novel Foods (Wales) Regulations 2017 (S.I. 2017/1103), reg. 1(3), **Sch. 2 Pt. 3** (with reg. 5(4))

C326 S. 20 applied (with modifications) (8.3.2018) by The Novel Foods (England) Regulations 2018 (S.I. 2018/154), regs. 1, **7(1)(b)**

C327 S. 20 applied (with modifications) (26.3.2018) by The Condensed Milk and Dried Milk (Wales) Regulations 2018 (S.I. 2018/275), regs. 1(3), 6(2), **Sch. 3 Pt. 2**

C328 S. 20 applied (with modifications) (26.3.2018) by The Jam and Similar Products (Wales) Regulations 2018 (S.I. 2018/274), reg. 1(3), **Sch. 5** (with reg. 3)

C329 S. 20 applied (with modifications) by S.I. 2007/2785, Sch. 13 (as inserted (6.4.2018) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations 2018 (S.I. 2018/352), reg. 1(1), **Sch. 2**)

C330 S. 20 applied (28.3.2019) by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019 (S.I. 2019/569), regs. 1(3), **33(1)(c)**

C331 S. 20 applied (with modifications) (W.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2021 in so far as not already in force) by The Infant Formula and Follow-on Formula (Wales) Regulations 2020 (S.I. 2020/89), regs. 1(1)(2), 4(7)(b), **Sch. 2 para. 7** (with savings in reg. 5(4)(5), Sch. 4 para. 26(1)(2) (as inserted (16.9.2021) by S.I. 2021/955, reg. 2(2), **Sch.**))

C332 S. 20 applied (with modifications) (S.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2021 in so far as not already in force) by The Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020 (S.S.I. 2020/6), regs. 1(1)(2), 5, **sch. 2** (with savings in reg. 6(4)(5), sch. 4 para. 26(b) (as inserted (26.3.2021) by S.S.I. 2021/123, reg. 1, **sch.**))

C333 S. 20 applied (with modifications) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2022 in so far as not already in force) by The Food for Specific Groups (Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula) (Information and Compositional Requirements) (Amendment etc.) (England) Regulations 2020 (S.I. 2020/43), regs. 1(1)(2), 4(6)(7)(b), **Sch. 2 para. 7** (as amended by S.I. 2021/168, reg. 2(2))

C334 S. 20 applied (with modifications) (E.) (6.4.2022) by The Calorie Labelling (Out of Home Sector) (England) Regulations 2021 (S.I. 2021/909), regs. 1(3), **14(2)(a)**

C335 S. 20 applied (with modifications) (E.) (1.10.2022) by The Food (Promotion and Placement) (England) Regulations 2021 (S.I. 2021/1368), regs. 1(1), **16(1)(2)(b)**

Changes to legislation: *Food Safety Act 1990, Part II is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

21 Defence of due diligence.

(1) In any proceedings for an offence under any of the preceding provisions of this Part (in this section referred to as "the relevant provision"), it shall, subject to subsection (5) below, be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by himself or by a person under his control.

(2) Without prejudice to the generality of subsection (1) above, a person charged with an offence under **[**[F33]section 14 or 15**]** above who neither—

(a) prepared the food in respect of which the offence is alleged to have been committed; nor

(b) imported it into Great Britain,

shall be taken to have established the defence provided by that subsection if he satisfies the requirements of subsection (3) or (4) below.

(3) A person satisfies the requirements of this subsection if he proves—

(a) that the commission of the offence was due to an act or default of another person who was not under his control, or to reliance on information supplied by such a person;

(b) that he carried out all such checks of the food in question as were reasonable in all the circumstances, or that it was reasonable in all the circumstances for him to rely on checks carried out by the person who supplied the food to him; and

(c) that he did not know and had no reason to suspect at the time of the commission of the alleged offence that his act or omission would amount to an offence under the relevant provision.

(4) A person satisfies the requirements of this subsection if he proves—

(a) that the commission of the offence was due to an act or default of another person who was not under his control, or to reliance on information supplied by such a person;

(b) that the sale or intended sale of which the alleged offence consisted was not a sale or intended sale under his name or mark; and

(c) that he did not know, and could not reasonably have been expected to know, at the time of the commission of the alleged offence that his act or omission would amount to an offence under the relevant provision.

(5) If in any case the defence provided by subsection (1) above involves the allegation that the commission of the offence was due to an act or default of another person, or to reliance on information supplied by another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless—

(a) at least seven clear days before the hearing; and

(b) where he has previously appeared before a court in connection with the alleged offence, within one month of his first such appearance,

he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that other person as was then in his possession.

(6) In subsection (5) above any reference to appearing before a court shall be construed as including a reference to being brought before a court.

Textual Amendments

F33 Words in s. 21(2) substituted (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **13**

Modifications etc. (not altering text)

C336 S. 21 applied by 1991/370, reg. 3 (2)
S. 21 applied: (9.4.1992) by S.I. 1992/496, **reg. 7(1)(d)**; (13.9.1992) by S.I. 1992/1971, **reg. 9(d)**; (14.9.1992) by S.I. 1992/1978, **reg. 7(d)**; (1.10.1992) by S.I. 1992/2037, **reg. 23(c)** (which S.I. was revoked (1.4.1995) by S.I. 1995/539, reg. 25, Sch. 22 (with regs. 3(2), 25, **Sch. 22**))
S. 21 applied: (14.7.1993) by S.I. 1993/1520, **reg. 2(2)(d)**; (29.7.1993) by S.I. 1993/1658, **reg.7(d)**
S. 21 applied (30.6.1999) by S.I. 1999/1513, **reg. 6(2)(b)**
S. 21 applied (W.) (1.4.2001) by S.I. 2001/1360, **reg. 7(1)(c)**

C337 S. 21 applied (with modifications) (5.11.1991) by S.I. 1991/2486, **reg. 7(1)**
S. 21 applied (with modifications): (1.1.1993 for certain purposes and 15.1.1993 otherwise) by S.I. 1992/3163, **regs. 1**, 18(1) (which S.I. was revoked (29.4.1998) by S.I. 1998/994, reg. 59(1), **Sch. 5**); (1.1.1993 for certain purposes and 15.1.1993 otherwise) by S.I. 1992/3164, **regs. 1**, 19(1) (which S.I. was revoked (29.4.1998) by S.I. 1998/994, reg. 59(1), **Sch. 5**); (18.12.1992 for certain purposes and 1.1.1993 otherwise) by S.I. 1992/3165, **regs. 1**, 7(2) (which S.I. was revoked (29.4.1998) by S.I. 1998/994, reg. 59(1), **Sch. 5**); (31.12.1992) by S.I. 1992/3236, **reg. 11(1)**
S. 21 applied (with modifications): (1.4.1994) by S.I. 1994/743, **reg. 8(1)(d)**; (1.5.1994) by S.I. 1994/1029, **reg. 25(c)** (which S.I. was revoked (1.4.1995) by S.I. 1995/540, **reg. 26** (with reg. 3(5))); (2.9.1994) by S.I. 1994/2127, **reg. 5**; (1.1.1995) by S.I. 1994/3082, **reg. 21**
S. 21 applied (with modifications): (1.3.1995) by S.I. 1995/77, **reg. 23**; (1.4.1995) by S.I. 1995/539, **reg. 22** and S.I. 1995/540, **reg. 24**; (1.4.1995) by S.I. 1995/614, **reg. 11**; (9.5.1995) by S.I. 1995/1086, **reg. 20(1)(d)**; (15.6.1995) by S.I. 1995/1372, **reg. 20(1)(d)**; (10.7.1995) by S.I. 1995/1544, **reg. 10**; (15.9.1995) by S.I. 1995/1763, **reg. 7(d)**; (15.9.1995) by S.I. 1995/2200, **reg. 18**; (20.9.1995) by S.I. 1995/2148, **reg. 17**; (1.1.1996) by S.I. 1995/3116, **reg. 8**; (1.1.1996) by S.I. 1995/3123, **reg. 9(d)** and S.I. 1995/3124, **reg. 11(d)**; (1.1.1996) by S.I. 1995/3187, **reg. 9**; (1.1.1996) by S.I. 1995/3202, **reg. 11**; (1.1.1996) by S.I. 1995/3205, **reg. 14**; (1.1.1996) by S.I. 1995/3240, **reg. 10(d)** (which S.I. was revoked (1.7.1996) by S.I. 1996/1499, reg. 49, **Sch. 9**)
S. 21 applied (with modifications): (29.3.1996) by S.I. 1996/961, **reg. 4(d)**; (1.7.1996) by: S.I. 1996/1499, **reg. 48**; S.I. 1996/1502, **reg. 6**
S. 21 applied (with modifications): (16.6.1997) by S.I. 1997/1335, **reg. 6(d)**; (30.6.1997) by S.I. 1995/1544, **reg. 10(1)** (as substituted (30.6.1997) by S.I. 1997/1414, **reg. 3**); (4.7.1997) by S.I. 1997/1499, **reg. 6(1)** (which S.I. was revoked (18.6.2002 (E.), 1.7.2002 (S.), 2.8.2002 (W.)) by S.I. 2002/890, reg. 11, **Sch.**; S.S.I. 2002/267, reg. 11, **Sch.**; S.I. 2002/1886, reg. 11, **Sch.**); (17.11.1997) by S.I. 1997/2537, **reg. 9**; (16.12.1997) by S.I. 1997/2959, **reg. 11**; (1.1.1998) by S.I. 1997/2965, **reg. 30**; (31.3.1999) by S.I. 1997/2042, **reg. 9** and S.I. 1997/2182, **reg. 9**
S. 21 applied (with modifications): (19.2.1998) by S.I. 1998/141, **reg. 10(d)**; (1.4.1998) by S.I. 1998/616, **reg. 6(1)(c)**; (29.4.1998) by S.I. 1998/994, **reg. 55(1)(c)**; (31.10.1998) by S.I. 1998/2424, **reg. 8(d)**;
S. 21 applied (with modifications): (30.6.1999) by S.I. 1999/1540, **reg. 19(1)(d)**; (1.10.1999) by S.I. 1999/2457, **reg. 8(1)**; (1.10.1999) by S.S.I. 1999/34, **reg 8(1)**; (19.3.1999) by S.I. 1996/1499, **reg. 48** (as substituted by S.I. 1999/747, **reg. 11**); (17.12.1999) by S.S.I 1999/186, reg. 9
S. 21 applied (with modifications): (E.) (10.4.2000) by S.I. 2000/768, **reg. 10(1)**; (S.) (10.4.2000) by S.S.I. 2000/83, **reg. 10(1)**; (W.) (25.7.2000) by S.I. 2000/1925, **reg. 10(1)**
S. 21 applied (with modifications): (E.) (15.1.2001) by S.I. 2000/3323, **reg. 10(d)**; (W.) (1.11.2001) by S.I. 2000/1866, **reg. 7(d)**; (S.) (1.11.2001) by S.S.I. 2000/130, **reg. 7(d)**; (E.) (1.11.2001) by S.I. 2000/845, **reg. 7(d)**
S. 21 applied (with modifications): (S.) (17.3.2001) by S.S.I. 2001/38, **reg. 10**; (W.) (1.5.2001) by S.I. 2001/1361, **reg. 8(1)**; (W.) (1.5.2001) by S.I. 2001/1440, **reg. 10(d)**

S. 21 applied (with modifications): (E.W.) (8.3.2002) by S.I. 2002/333, **reg. 6(d)**; (S.) (8.3.2002) by S.S.I. 2002/50, **reg. 6(d)**; (E.) (18.6.2002) by S.I. 2002/890, **reg. 7(1)(c)**; (S.) (1.7.2002) by S.S.I. 2002/267, **reg. 7(1)(c)**; (W.) (2.8.2002) by S.I. 2002/1886, **reg. 7(1)(c)**; (E.) (5.8.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/1817, regs. 1(2)(3), **9(d)**; (S.) (23.9.2002 for certain purposes and otherwise 1.4.2004) by S.S.I. 2002/397, regs. 1(2)(3), **8(d)**; (W.) (31.12.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/2939, regs. 1(2)(3), **9(d)**; (S.) (1.1.2003) by S.S.I. 2002/523, **reg. 5(1)(d)**; (W.) (9.1.2003) by S.I. 2002/3157, **reg. 5(1)(d)**; (E.) (13.1.2003) by S.I. 2002/3169, **reg. 5(1)(d)**

C338 S. 21 applied (with modifications) (E.) (28.3.2003) by Fish Labelling (England) Regulations 2003 (S.I. 2003/461), regs. 1, **10(c)**

C339 S. 21 applied (with modifications) (S.) (28.3.2003) by The Fish Labelling (Scotland) Regulations 2003 (S.S.I. 2003/145), regs. 1(1), **10(c)**

C340 S. 21 applied (with modifications) (30.6.2003) by Contaminants in Food (England) Regulations 2003 (S.I. 2003/1478), regs. 1, **7(1)(c)**

C341 S. 21 applied (with modifications) (30.6.2003) by Fish Labelling (Wales) Regulations 2003 (S.I. 2003/1635), regs. 1, **10**

C342 S. 21 applied (with modifications) (1.7.2003) by Contaminants in Food (Scotland) Regulations 2003 (S.S.I. 2003/289), regs. 1(1), **7(1)(c)**

C343 S. 21 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (England) Regulations 2003 (S.I. 2003/1564), regs. 1(b), **9(d)**

C344 S. 21 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (Scotland) Regulations 2003 (S.S.I. 2003/293), regs. 1(1), **10(d)**

C345 S. 21 applied (with modifications) (12.7.2003) by Specified Sugar Products (England) Regulations 2003 (S.I. 2003/1563), regs. 1, **9(d)**

C346 S. 21 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (Scotland) Regulations 2003 (S.S.I. 2003/311), regs. 1(1), **10(1)(d)** (with reg. 3)

C347 S. 21 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (England) Regulations 2003 (S.I. 2003/1596), regs. 1, **9(1)(d)** (with reg. 11)

C348 S. 21 applied (with modifications) (31.7.2003) by The Contaminants in Food (Wales) Regulations 2003 (S.I. 2003/1721), regs. 1, **7(1)(c)**

C349 S. 21 applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (Scotland) Regulations 2003 (S.S.I. 2003/291), regs. 1, **11(d)** (with reg. 4)

C350 S. 21 applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (England) Regulations 2003 (S.I. 2003/1659), regs. 1, **10(d)**

C351 S. 21 applied (with modifications) (2.9.2003) by Meat Products (England) Regulations 2003 (S.I. 2003/2075), regs. 1(c), **8(d)** (with reg. 3)

C352 S. 21 applied (with modifications) (25.9.2003) by Honey (England) Regulations 2003 (S.I. 2003/2243), regs. 1, **9(d)**

C353 S. 21 applied (with modifications) (28.11.2003) by Condensed Milk and Dried Milk (Wales) Regulations 2003 (S.I. 2003/3053), regs. 1, **9(1)(d)** (with reg. 3)

C354 S. 21 applied (with modifications) (28.11.2003) by Specified Sugar Products (Scotland) Regulations 2003 (S.S.I. 2003/527), regs. 1(1), **9** (with reg. 10)

C355 S. 21 applied (with modifications) (28.11.2003) by Honey (Wales) Regulations 2003 (S.I. 2003/3044), regs. 1, **9(d)**

C356 S. 21 applied (with modifications) (28.11.2003) by Cocoa and Chocolate Products (Wales) Regulations 2003 (S.I. 2003/3037), regs. 1, **10(d)**

C357 S. 21 applied (with modifications) (28.11.2003) by The Specified Sugar Products (Wales) Regulations 2003 (S.I. 2003/3047), regs. 1, **9(d)**

C358 S. 21 applied (with modifications) (28.11.2003) by The Fruit Juices and Fruit Nectars (Wales) Regulations 2003 (S.I. 2003/3041), regs. 1, **9(d)**

C359 S. 21 applied (with modifications) (18.12.2003) by Honey (Scotland) Regulations 2003 (S.S.I. 2003/569), regs. 1(1), **10(d)** (with regs. 3, 11)

C360 S. 21 applied (with modifications) (31.12.2003) by Jam and Similar Products (England) Regulations 2003 (S.I. 2003/3120), regs. 1, **9(d)** (with reg. 3)

C361 S. 21 applied (with modifications) (4.2.2004) by Meat Products (Scotland) Regulations 2004 (S.S.I. 2004/6), regs. 1(1), **9(1)(d)**

C362 S. 21 applied (with modifications) (5.3.2004) by Jam and Similar Products (Wales) Regulations 2004 (S.I. 2004/553), regs. 1, **9(1)(d)** (with reg. 3)

C363 S. 21 applied (with modifications) (28.4.2004) by Jam and Similar Products (Scotland) Regulations 2004 (S.S.I. 2004/133), regs. 1(1), **10(d)**

C364 S. 21 applied (with modifications) (31.5.2004) by Meat Products (Wales) Regulations 2004 (S.I. 2004/1396), regs. 1(c), **8(d)** (with reg. 3)

C365 S. 21 applied (4.10.2004) by Genetically Modified Food (England) Regulations 2004 (S.I. 2004/2335), regs. 1(b), **6(1)(c)**

C366 S. 21 applied (with modifications) (15.11.2004) by Genetically Modified Food (Scotland) Regulations 2004 (S.S.I. 2004/432), regs. 1(1), **6(1)(c)**

C367 S. 21 applied (17.12.2004) by Genetically Modified Food (Wales) Regulations 2004 (S.I. 2004/3220), regs. 1(b), **6(1)(c)**

C368 S. 21 applied (with modifications) (20.12.2004) by Contaminants in Food (England) Regulations 2004 (S.I. 2004/3062), regs. 1, **7(1)(c)**

C369 S. 21 applied (with modifications) (25.12.2004) by Contaminants in Food (Scotland) Regulations 2004 (S.S.I. 2004/525), regs. 1(1), **7(1)(c)**

C370 S. 21 applied (with modifications) (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **7(1)(b)**

C371 S. 21 applied (with modifications) (12.1.2005) by Food with Added Phytosterols or Phytostanols (Labelling) (England) Regulations 2004 (S.I. 2004/3344), regs. 1, **10(1)(d)**

C372 S. 21 applied (with modifications) (1.2.2005) by Food Labelling (Added Phytosterols or Phytostanols) (Scotland) Regulations 2005 (S.S.I. 2005/1), regs. 1(1), **10(1)(d)**

C373 S. 21 applied (with modifications) (1.3.2005) by The Contaminants in Food (Wales) Regulations 2005 (S.I. 2005/364), regs. 1, **7(1)(c)**

C374 S. 21 amendment to earlier affecting provision SI 1995/77 reg. 23 (6.3.2005) by The Infant Formula and Follow-on Formula (Amendment) (Wales) Regulations 2004 (S.I. 2004/313), regs. 1, **9**

C375 S. 21 applied (with modifications) by SI 1995/77 reg. 23 (as substituted (6.3.2005) by Infant Formula and Follow-on Formula (Amendment) (England) Regulations 2003 (S.I. 2003/3208), regs. 1, **9**)

C376 S. 21 applied (with modifications) (6.3.2005) by The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003 (S.I. 2003/3207), regs. 1, **12(d)** (with reg. 3)

C377 S. 21 amendment to earlier affecting provision SI 1995/77 reg. 23 (6.3.2005) by Infant Formula and Follow-on Formula Amendment (Scotland) Regulations 2004 (S.S.I. 2004/7), regs. 1(1), **9**

C378 S. 21 applied (with modifications) (6.3.2005) by The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004 (S.I. 2004/314), regs. 1, **12(d)** (with reg. 3)

C379 S. 21 applied (with modifications) (6.3.2005) by Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004 (S.S.I. 2004/8), regs. 1(1), **12(d)**

C380 S. 21 applied (with modifications) (26.3.2005) by Production of Bovine Collagen Intended for Human Consumption in the United Kingdom (England) Regulations 2005 (S.I. 2005/404), regs. 1, **8(b)**

C381 S. 21 applied (with modifications) (29.4.2005) by Materials and Articles in Contact with Food (England) Regulations 2005 (S.I. 2005/898), regs. 1, **14(1)(c)**

C382 S. 21 applied (with modifications) (30.4.2005) by Food with Added Phytosterols or Phytostanols (Labelling) (Wales) Regulations 2005 (S.I. 2005/1224), regs. 1, **10(1)(d)**

C383 S. 21 applied (with modifications) (11.5.2005) by Production of Bovine Collagen Intended for Human Consumption in the United Kingdom (Scotland) Regulations 2005 (S.S.I. 2005/218), regs. 1(1), **8(b)**

C384 S. 21 applied (with modifications) (21.5.2005) by Materials and Articles in Contact with Food (Scotland) Regulations 2005 (S.S.I. 2005/243), regs. 1(1), **14(1)** (with reg. 3)

C385 S. 21 applied (with modifications) (1.6.2005) by Production of Bovine Collagen Intended for Human Consumption in the United Kingdom (Wales) Regulations 2005 (S.I. 2005/1397), art. 1**reg. 8(b)**

C386 S. 21 applied (16.6.2005) by Smoke Flavourings (Wales) Regulations 2005 (S.I. 2005/1350), regs. 1(b)(ii), **6(c)**

C387 S. 21 applied (16.6.2005) by Smoke Flavourings (England) Regulations 2005 (S.I. 2005/464), regs. 1(b)(ii), **6**

C388 S. 21 applied (with modifications) (24.6.2005) by The Materials and Articles in Contact with Food (Wales) Regulations 2005 (S.I. 2005/1647), regs. 1, **14(1)(c)** (with reg. 3)

C389 S. 21 applied (with modifications) (1.7.2005) by Eggs (Marketing Standards) (Enforcement) (Scotland) Regulations 2005 (S.S.I. 2005/332), regs. 1(1), **15(1)(c)**

C390 S. 21 applied (with modifications) (1.8.2005) by The Food Supplements (Wales) Regulations 2003 (S.I. 2003/1719), regs. 1, **11(d)** (with reg. 3)

C391 S. 21 applied (with modifications) (1.8.2005) by The Food Supplements (England) Regulations 2003 (S.I. 2003/1387), regs. 1, **11(d)**

C392 S. 21 applied (with modifications) (1.8.2005) by Food Supplements (Scotland) Regulations 2003 (S.S.I. 2003/278), regs. 1(1), **11(d)** (with regs. 3, 5)

C393 S. 21 applied (with modifications) (7.11.2005) by The Bovine Products (Restriction on Placing on the Market) (Wales) Regulations 2005 (S.I. 2005/3051), regs. 1, **4(b)**

C394 S. 21 applied (with modifications) (7.11.2005) by Bovine Products (Restriction on Placing on the Market) (England) Regulations 2005 (S.I. 2005/2719), regs. 1, **4(b)**

C395 S. 21 applied (with modifications) (7.11.2005) by Bovine Products (Restriction on Placing on the Market) (Scotland) Regulations 2005 (S.S.I. 2005/470), regs. 1(1), **5(b)**

C396 S. 21 applied (with modifications) (11.11.2005) by Tryptophan in Food (England) Regulations 2005 (S.I. 2005/2630), regs. 1, **8(d)**

C397 S. 21 applied (with modifications) (11.11.2005) by The Tryptophan in Food (Wales) Regulations 2005 (S.I. 2005/3111), regs. 1, **8(d)**

C398 S. 21 applied (with modifications) (11.11.2005) by Tryptophan in Food (Scotland) Regulations 2005 (S.S.I. 2005/479), regs. 1(1), **8(d)**

C399 S. 21 applied (with modifications) (1.1.2006) by Contaminants in Food (England) Regulations 2005 (S.I. 2005/3251), regs. 1, **6(1)(c)**

C400 S. 21 applied (with modifications) (1.1.2006) by The Bovine Products (Restriction on Placing on the Market) (Wales) (No.2) Regulations 2005 (S.I. 2005/3296), regs. 1, **4(b)**

C401 S. 21 applied (with modifications) (1.1.2006) by Bovine Products (Restriction on Placing on the Market) (England) (No.2) Regulations 2005 (S.I. 2005/3068), regs. 1, **4(b)**

C402 S. 21 applied (with modifications) (1.1.2006) by Contaminants in Food (Scotland) Regulations 2005 (S.S.I. 2005/606), regs. 1(1), **6(1)(c)**

C403 S. 21 applied (with modifications) (1.1.2006) by Bovine Products (Restriction on Placing on the Market) (Scotland) (No. 2) Regulations 2005 (S.S.I. 2005/586), regs. 1(1), **5**

C404 S. 21 applied (with modifications) (1.3.2006) by The Contaminants in Food (Wales) Regulations 2006 (S.I. 2006/485), regs. 1, **6(1)(c)**

C405 S. 21 applied (with modifications) (1.7.2006) by Contaminants in Food (England) Regulations 2006 (S.I. 2006/1464), regs. 1, **5(1)(c)**

C406 S. 21 applied (with modifications) (1.7.2006) by Contaminants in Food (Scotland) Regulations 2006 (S.S.I. 2006/306), regs. 1(1), **5(1)(c)**

C407 S. 21 applied (with modifications) (13.7.2006) by Contaminants in Food (Wales) (No.2) Regulations 2006 (S.I. 2006/1850), regs. 1, **5(1)(c)**

C408 S. 21 applied (with modifications) (14.7.2006) by Kava-kava in Food (Wales) Regulations 2006 (S.I. 2006/1851), regs. 1(b), **5(1)**

C409 S. 21 applied (with modifications) (18.10.2006) by Curd Cheese (Restriction on Placing on the Market) (England) Regulations 2006 (S.I. 2006/2787), regs. 1, **4(b)**

C410 S. 21 applied (with modifications) (18.10.2006) by Curd Cheese (Restrictions on Placing on the Market) (Wales) Regulations 2006 (S.I. 2006/2792), regs. 1, **4(b)**

C411 S. 21 applied (with modifications) (20.10.2006) by Curd Cheese (Restriction on Placing on the Market) (Scotland) Regulations 2006 (S.S.I. 2006/512), regs. 1(1), **4(b)**

C412 S. 21 applied (with modifications) (9.11.2006) by Rice Products (Restriction on First Placing on the Market) (England) Regulations 2006 (S.I. 2006/2921), regs. 1, **5(b)**

C413 S. 21 applied (with modifications) (10.11.2006) by Rice Products (Restriction on First Placing on the Market) (Scotland) Regulations 2006 (S.S.I. 2006/542), regs. 1(1), **6(1)(b)**

C414 S. 21 applied (with modifications) (1.3.2007) by Notification of Marketing of Food for Particular Nutritional Uses (England) Regulations 2007 (S.I. 2007/181), regs. 1(b), **7(d)**

C415 S. 21 applied (with modifications) (1.3.2007) by Quick-frozen Foodstuffs (England) Regulations 2007 (S.I. 2007/191), regs. 1(b), **10(c)**

C416 S. 21 applied (with modifications) (1.3.2007) by Notification of Marketing of Food for Particular Nutritional Uses (Scotland) Regulations 2007 (S.S.I. 2007/37), regs. 1(1), **7(d)**

C417 S. 21 applied (with modifications) (1.3.2007) by Quick-frozen Foodstuffs (Wales) Regulations 2007 (S.I. 2007/389), **art. 10(c)**reg. 1(2)

C418 S. 21 applied (with modifications) (1.3.2007) by Contaminants in Food (England) Regulations 2007 (S.I. 2007/210), regs. 1, **5(1)(c)**

C419 S. 21 applied (with modifications) (1.3.2007) by Contaminants in Food (Scotland) Regulations 2007 (S.S.I. 2007/29), regs. 1(1), **5(1)(c)**

C420 S. 21 applied (with modifications) (15.3.2007) by Contaminants in Food (Wales) Regulations 2007 (S.I. 2007/840), regs. 1, **5(1)(c)** (with art. 3)

C421 S. 21 applied (with modifications) (1.4.2007) by Notification of Marketing of Food for Particular Nutritional Uses (Wales) Regulations 2007 (S.I. 2007/1040), regs. 1(b), **7(d)**

C422 S. 21 applied (with modifications) (2.8.2007) by Food (Suspension of the Use of E 128 Red 2G as Food Colour) (England) Regulations 2007 (S.I. 2007/2266), regs. 1, **5(b)**

C423 S. 21 applied (with modifications) (3.8.2007) by Food (Suspension of the Use of E 128 Red 2G as Food Colour) (Wales) Regulations 2007 (S.I. 2007/2288), regs. 1, **5(b)**

C424 S. 21 applied (with modifications) (3.8.2007) by Food (Suspension of the Use of E 128 Red 2G as Food Colour) (Scotland) Regulations 2007 (S.S.I. 2007/363), regs. 1, **5**

C425 S. 21 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007 (S.I. 2007/1984), regs. 1, **5(d)**

C426 S. 21 applied (with modifications) (7.8.2007) by The Food (Suspension of the use of E 128 Red 2G as Food Colour) (Wales) (No.2) Regulations 2007 (No. 2315), regs. 1, **5(b)**

C427 S. 21 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (Scotland) Regulations 2007 (S.S.I. 2007/325), regs. 1(1), **5(d)**

C428 S. 21 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (England) Regulations 2007 (S.I. 2007/1631), regs. 1, **5(d)**

C429 S. 21 applied (with modifications) (22.8.2007) by Eggs and Chicks (England) Regulations 2007 (S.I. 2007/2245), regs. 1(2), **21** (with reg. 1(4)(5))

C430 S. 21 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (Scotland) Regulations 2007 (S.S.I. 2007/383), regs. 1(1), **6(d)**

C431 S. 21 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (England) Regulations 2007 (S.I. 2007/2080), regs. 1, **6(d)**

C432 S. 21 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (Wales) Regulations 2007 (S.I. 2007/2611), regs. 1, **6(d)**

C433 S. 21 applied (with modifications) (30.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No.2) Regulations 2007 (S.S.I. 2007/483), regs. 1(1), **22(1)(d)** (with reg. 3)

C434 S. 21 applied (with modifications) (31.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) Regulations 2007 (S.S.I. 2007/435), regs. 1(1), **22(1)(d)** (with reg. 3)

C435 S. 21 applied (with modifications) (31.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007 (S.I. 2007/2785), regs. 1, **22(1)(d)** (with reg. 3)

C436 S. 21 applied (with modifications) (28.11.2007) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007 (S.I. 2007/3165), regs. 1, **22(1)(d)** (with reg. 3)

C437 S. 21 applied (with modifications) (11.1.2008) by The Infant Formula and Follow-on Formula (Wales) Regulations 2007 (S.I. 2007/3573), regs. 1(2)(b), **29(c)**

C438 S. 21 applied (with modifications) (11.1.2008) by Infant Formula and Follow-on Formula (Scotland) Regulations 2007 (S.S.I. 2007/549), **art. 29(c)**reg. 1(b)(ii)

C439 S. 21 applied (with modifications) (11.1.2008) by Infant Formula and Follow-on Formula (England) Regulations 2007 (S.I. 2007/3521), regs. 1(b)(ii), **29(c)**

C440 S. 21 applied (with modifications) (7.3.2008) by Rice Products from the United States of America (Restriction on First Placing on the Market) (Scotland) Regulations 2008 (S.S.I. 2008/87), regs. 1(1), **6**

C441 S. 21 applied (with modifications) (7.3.2008) by Rice Products from the United States of America (Restriction on First Placing on the Market) (England) Regulations 2008 (S.I. 2008/622), regs. 1, **5(b)**

C442 S. 21 applied (with modifications) (20.3.2008) by The Rice Products from the United States of America (Restriction on First Placing on the Market) (Wales) Regulations 2008 (S.I. 2008/781), regs. 1(1), **5(b)**

C443 S. 21 applied (with modifications) (15.4.2008) by Specified Products from China (Restriction on First Placing on the Market) (Wales) Regulations 2008 (S.I. 2008/1080), regs. 1, **6(b)**

C444 S. 21 applied (with modifications) (15.4.2008) by Specified Products from China (Restriction on First Placing on the Market) (Scotland) Regulations 2008 (S.S.I. 2008/148), regs. 1(1), **7**

C445 S. 21 applied (with modifications) (15.4.2008) by Specified Products from China (Restriction on First Placing on the Market) (England) Regulations 2008 (S.I. 2008/1079), regs. 1, **6(b)**

C446 S. 21 applied (with modifications) (27.4.2008) by Eggs and Chicks (Scotland) Regulations 2008 (S.S.I. 2008/129), regs. 1(2), **20** (with reg. 3)

C447 S. 21 applied (with modifications) (5.5.2008) by Guar Gum (Restriction on First Placing on the Market) (Scotland) Regulations 2008 (S.S.I. 2008/176), regs. 1(1), **6**

C448 S. 21 applied (with modifications) (1.7.2008) by The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (Wales) Regulations 2008 (S.I. 2008/1341), regs. 1, **7(1)(d)**

C449 S. 21 applied (with modifications) (1.7.2008) by Drinking Milk (England) Regulations 2008 (S.I. 2008/1317), regs. 1(1)(b), **7**

C450 S. 21 applied (with modifications) (1.7.2008) by Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (England) Regulations 2008 (S.I. 2008/1287), regs. 1, **7(1)(d)**

C451 S. 21 applied (with modifications) (19.12.2008) by Eggs and Chicks (Scotland) (No.2) Regulations 2008 (S.S.I. 2008/395), regs. 1(2), **20** (with reg. 3)

C452 S. 21 applied (with modifications) (17.4.2009) by Eggs and Chicks (Wales) Regulations 2009 (S.I. 2009/793), regs. 1(2), **21** (with reg. 1(4)(5))

C453 S. 21 applied (with modifications) (1.7.2009) by Contaminants in Food (Scotland) Regulations 2009 (S.S.I. 2009/215), regs. 1(1), **5(1)(c)**

C454 S. 21 applied (with modifications) (1.7.2009) by Contaminants in Food (England) Regulations 2009 (S.I. 2009/1223), regs. 1, **5(1)(c)**

C455 S. 21 applied (with modifications) (1.7.2009) by The Contaminants in Food (Wales) Regulations 2009 (S.I. 2009/1386), regs. 1, **5(1)(c)**

C456 S. 21 applied (with modifications) (31.7.2009) by The Food Irradiation (England) Regulations 2009 (S.I. 2009/1584), regs. 1, **11(1)(d)** (with reg. 2)

C457 S. 21 applied (with modifications) (31.7.2009) by The Food Irradiation (Wales) Regulations 2009 (S.I. 2009/1795), regs. 1(1), **11(1)(d)** (with reg. 2)

C458 S. 21 applied (with modifications) (31.7.2009) by The Food Irradiation (Scotland) Regulations 2009 (S.S.I. 2009/261), regs. 1(b), **11(1)(d)** (with reg. 2)

C459 S. 21 applied (with modifications) (14.9.2009) by Eggs and Chicks (England) Regulations 2009 (S.I. 2009/2163), regs. 1(1), **39**

C460 S. 21 applied (with modifications) (1.1.2010) by Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (England) Regulations 2009 (S.I. 2009/3051), regs. 1, **4(c)**

C461 S. 21 applied (with modifications) (1.1.2010) by The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Wales) Regulations 2009 (S.I. 2009/3254), regs. 1, **4(c)**

C462 S. 21 applied (with modifications) (1.1.2010) by Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2009 (S.S.I. 2009/427), regs. 1(1), **4(c)**

C463 S. 21 applied (with modifications) (20.1.2010) by Food Enzymes (Scotland) Regulations 2009 (S.S.I. 2009/435), regs. 1, **5(1)(b)**

C464 S. 21 applied (with modifications) (20.1.2010) by Food Additives (Scotland) Regulations 2009 (S.S.I. 2009/436), regs. 1(1), **16(1)(c)**

C465 S. 21 applied (with modifications) (20.1.2010) by The Food Additives (Wales) Regulations 2009 (S.I. 2009/3378), regs. 1, **16(1)(c)**

C466 S. 21 applied (with modifications) (20.1.2010) by Food (Jelly Mini-Cups) (Emergency Control) (England) Regulations 2009 (S.I. 2009/3230), regs. 1(1), **5(1)(c)**

C467 S. 21 applied (with modifications) (20.1.2010) by Food Enzymes Regulations 2009 (S.I. 2009/3235), regs. 1(1), **5(1)(b)**

C468 S. 21 applied (with modifications) (20.1.2010) by The Food (Jelly Mini-Cups) (Emergency Control) (Wales) Regulations 2009 (S.I. 2009/3379), regs. 1(1), **5(1)(c)**

C469 S. 21 applied (with modifications) (20.1.2010) by Food Additives (England) Regulations 2009 (S.I. 2009/3238), regs. 1, **16(1)(c)**

C470 S. 21 applied (with modifications) (20.1.2010) by Food (Jelly Mini-Cups) (Emergency Control) (Scotland) Regulations 2009 (S.S.I. 2009/437), regs. 1(1), **5(1)(c)**

C471 S. 21 applied (with modifications) (6.4.2010) by The Fish Labelling (Wales) Regulations 2010 (S.I. 2010/797), regs. 1(2), **10(c)**

C472 S. 21 applied (with modifications) (6.4.2010) by The Fish Labelling (England) Regulations 2010 (S.I. 2010/420), regs. 1, **10(c)**

C473 S. 21 applied (with modifications) (6.4.2010) by The Fish Labelling (Scotland) Regulations 2010 (S.S.I. 2010/90), regs. 1(1), **10(c)**

C474 S. 21 applied (with modifications) (18.6.2010) by The Drinking Milk (Wales) Regulations 2010 (S.I. 2010/1492), regs. 1, **7**

C475 S. 21 applied (with modifications) (16.7.2010) by The Eggs and Chicks (Wales) Regulations 2010 (S.I. 2010/1671), regs. 1(1), **39**

C476 S. 21 applied (with modifications) (20.10.2010) by The Contaminants in Food (England) Regulations 2010 (S.I. 2010/2228), regs. 1, **5(1)(c)**

C477 S. 21 applied (with modifications) (20.10.2010) by The Contaminants in Food (Scotland) Regulations 2010 (S.S.I. 2010/329), regs. 1, **5(1)**

C478 S. 21 applied (with modifications) (22.10.2010) by The Contaminants in Food (Wales) Regulations 2010 (S.I. 2010/2394), **art. 5(1)(c)**reg. 1

C479 S. 21 applied (with modifications) (20.1.2011) by The Flavourings in Food (Wales) Regulations 2010 (S.I. 2010/2922), regs. 1, **5(1)(b)**

C480 S. 21 applied (with modifications) (20.1.2011) by The Flavourings in Food (England) Regulations 2010 (S.I. 2010/2817), regs. 1(c), **5(1)(b)**

C481 S. 21 applied (with modifications) (20.1.2011) by The Flavourings in Food (Scotland) Regulations 2010 (S.S.I. 2010/439), regs. 1, **5(1)(b)**

C482 S. 21 applied (with modifications) (1.4.2011) by The Drinking Milk (Scotland) Regulations 2011 (S.S.I. 2011/84), regs. 1(b), **7(1)-(3)**

C483 S. 21 applied (with modifications) (1.7.2011) by The Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011 (S.I. 2011/1605), regs. 1(2), **11(1)(b)**

C484 S. 21 applied (with modifications) (1.7.2011) by The Plastic Kitchenware (Conditions on Imports from China) (Scotland) Regulations 2011 (S.S.I. 2011/282), regs. 1, **11(1)(b)**

C485 S. 21 applied (with modifications) (1.7.2011) by The Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011 (S.I. 2011/1517), regs. 1, **11(1)(b)**

C486 S. 21 applied (with modifications) (1.1.2012) by The Foodstuffs Suitable for People Intolerant to Gluten (England) Regulations 2010 (S.I. 2010/2281), regs. 1, **5(c)** (with reg. 4)

C487 S. 21 applied (with modifications) (1.1.2012) by The Foodstuffs Suitable for People Intolerant to Gluten (Scotland) Regulations 2010 (S.S.I. 2010/355), regs. 1(1), **5** (with reg. 4)

C488 S. 21 applied (with modifications) (1.1.2012) by The Foodstuffs Suitable for People Intolerant to Gluten (Wales) Regulations 2010 (S.I. 2010/2651), regs. 1(1), **5(c)**

C489 S. 21 applied (with modifications) (2.9.2013) by The Fish Labelling Regulations 2013 (S.I. 2013/1768), reg. 1(1)(b), **Sch.**

C490 S. 21 applied (with modifications) (26.9.2013) by The Fish Labelling (Wales) Regulations 2013 (S.I. 2013/2139), reg. 1(2), **Sch. para. 1**

C491 S. 21 applied (with modifications) (1.10.2013) by The Contaminants in Food (Scotland) Regulations 2013 (S.S.I. 2013/217), regs. 1, **8(1)(c)**

C492 S. 21 applied (with modifications) (5.10.2013) by The Fish Labelling (Scotland) Regulations 2013 (S.S.I. 2013/256), regs. 1, **7(1)(c)**

C493 S. 21 applied (with modifications) (31.10.2013) by The Contaminants in Food (England) Regulations 2013 (S.I. 2013/2196), regs. 1, **8(1)(c)**

C494 S. 21 applied (with modifications) (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013 (S.I. 2013/2591), regs. 1, **19(1)(b)**

C495 S. 21 applied (with modifications) (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013 (S.S.I. 2013/266), regs. 1, **17(1)(b)**

C496 S. 21 applied (with modifications) (31.10.2013) by The Contaminants in Food (Wales) Regulations 2013 (S.I. 2013/2493), regs. 1(2), **8(1)(c)**

C497 S. 21 applied (with modifications) (31.10.2013) by The Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations 2013 (S.I. 2013/2210), regs. 1, **19(1)(b)**

C498 S. 21 applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (Scotland) Regulations 2013 (S.S.I. 2013/305), reg. 1(2), **sch. 14**

C499 S. 21 applied (with modifications) (19.9.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information (Wales) Regulations 2014 (S.I. 2014/2303), reg. 1(3)(4)(b)(5)(b), **Sch. 4 Pt. 5** (with reg. 12(6))

C500 S. 21 applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (Scotland) Regulations 2014 (S.S.I. 2014/289), regs. 1(1), **7(d)** (with reg. 3)

C501 S. 21 applied (with modifications) (13.12.2014) by The Food Information (Scotland) Regulations 2014 (S.S.I. 2014/312), regs. 1(2), **12(2)(b)**

C502 S. 21 applied (with modifications) (1.4.2015) by The Country of Origin of Certain Meats (England) Regulations 2015 (S.I. 2015/518), regs. 1(1), 6(5), **Sch. Pt. 5**

C503 S. 21 power to apply in part for certain purposes conferred (1.4.2015) by Food (Scotland) Act 2015 (asp 1), **ss. 49(2)(c)(ii)**, 63(2) (with s. 62); S.S.I. 2015/99, art. 2

C504 S. 21 applied (with modifications) (24.6.2015) by The Honey (Scotland) Regulations 2015 (S.S.I. 2015/208), regs. 1(2), **18** (with reg. 21)

C505 S. 21 applied (with modifications) (10.8.2015) by The Country of Origin of Certain Meats (Wales) Regulations 2015 (S.I. 2015/1519), regs. 1(2), 6(5), **Sch. Pt. 5**

C506 S. 21 applied (with modifications) (14.3.2016) by The Country of Origin of Certain Meats (Scotland) Regulations 2016 (S.S.I. 2016/84), regs. 1(1), 7(2), **sch. Pt. 2**

C507 S. 21 applied (with modifications) (20.7.2016) by The Foods for Specific Groups (Scotland) Regulations 2016 (S.S.I. 2016/190), regs. 1(1), 5, **sch. 2**

C508 S. 21 applied (with modifications) (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), regs. 1(3), **4(6)**(7)(c)

C509 S. 21 applied (with modifications) (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), regs. 1(3), **4(6)**(7)(c)

C510 S. 21 applied (with modifications) (15.8.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information Regulations 2014 (S.I. 2014/1855), reg. 12(5), **Sch. 4 Pt. 5** (with reg. 1(9)(b))

C511 S. 21 applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Scotland) Regulations 2016 (S.S.I. 2016/383), regs. 1(1), 8, **sch. 4** (with reg. 3)

C512 S. 21 applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Scotland) (No. 2) Regulations 2016 (S.S.I. 2016/422), regs. 1(1), 8, **sch. 4** (with reg. 3)

C513 S. 21 applied (with modifications) (1.1.2018) by The Novel Foods (Scotland) Regulations 2017 (S.S.I. 2017/415), regs. 1, **5(1)(c)**

C514 S. 21 applied (with modifications) (8.3.2018) by The Novel Foods (England) Regulations 2018 (S.I. 2018/154), regs. 1, **7(1)(c)**

C515 S. 21 applied (with modifications) (E.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2022 in so far as not already in force) by The Food for Specific Groups (Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula) (Information and Compositional Requirements) (Amendment etc.) (England) Regulations 2020 (S.I. 2020/43), regs. 1(1)(2), 4(6)(7)(c), **Sch. 2 para. 8** (as amended by S.I. 2021/168, **reg. 2(2)**)

C516 S. 21 applied (with modifications) (W.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2021 in so far as not already in force) by The Infant Formula and Follow-on Formula (Wales) Regulations 2020 (S.I. 2020/89), regs. 1(1)(2), 4(7)(c), **Sch. 2 para. 8** (with savings in reg. 5(4)(5), Sch. 4 para. 26(1)(2) (as inserted (16.9.2021) by S.I. 2021/955, reg. 2(2), **Sch.**))

C517 S. 21 applied (with modifications) (S.) (22.2.2021) by The Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020 (S.S.I. 2020/6), regs. 1(2), 5, **sch. 2** (with savings in reg. 6(4)(5), sch. 4 para. 26(c) (as inserted (26.3.2021) by S.S.I. 2021/123, reg. 1, **sch.**))

C518 S. 21 applied (with modifications) (E.W.) (6.4.2022) by The Calorie Labelling (Out of Home Sector) (England) Regulations 2021 (S.I. 2021/909), regs. 1(3), **14(2)(b)**

C519 S. 21 applied (with modifications) (E.) (1.10.2022) by The Food (Promotion and Placement) (England) Regulations 2021 (S.I. 2021/1368), regs. 1(1), **16(1)(2)(c)**

C520 S. 21(1)(5)(6) applied (29.5.1992) by S.I. 1992/1122, **reg. 4** (which S.I. was revoked (24. 7. 1992) by S.I. 1992/1601, **reg. 6**)
S. 21(1)(5)(6) applied (24.7.1992) by S.I. 1992/1601, **reg. 4**

C521 S. 21(1)(5)(6) applied (with modifications) (4.9.1996) by S.I. 1996/2265, **reg. 7(3)** (which S.I. was revoked (15.3.1997) by S.I. 1997/389, **reg. 14**)
S. 21(1)(5)(6) applied (with modifications): (15.3.1997) by S.I. 1997/389, **reg. 10(3)** (which S.I. was revoked (1.8.1997 at 6.00 p.m.) by S.I. 1997/1905, **reg. 20**); (11.8.1997) by S.I. 1997/1729, **reg. 34(1)(d)**; (1.8.1997 at 6.00 p.m.) by S.I. 1997/1905, **reg. 16(3)**

C522 S. 21(1) applied (with modifications) (20.5.2006) by Ceramic Articles in Contact with Food (Scotland) Regulations 2006 (S.S.I. 2006/230), regs. 1(2), **7**

C523 S. 21(1) applied (with modifications) (20.5.2006) by Ceramic Articles In Contact With Food (England) Regulations 2006 (S.I. 2006/1179), regs. 1(1), **7(b)**

C524 S. 21(1) applied (with modifications) (30.6.2006) by Ceramic Articles in Contact with Food (Wales) Regulations 2006 (S.I. 2006/1704), regs. 1(1), **7(1)(b)**

C525 S. 21(1) applied (with modifications) (9.11.2006) by Rice Products (Restriction on First Placing on the Market) (Wales) Regulations 2006 (S.I. 2006/2923), regs. 1, **5(b)**

C526 S. 21(1) applied (with modifications) (10.10.2011) by The Poultrymeat (Scotland) Regulations 2011 (S.S.I. 2011/318), regs. 1(2), **21(1)(c)**, (2)

C527 S. 21(1)(5) applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (Wales) Regulations 2013 (S.I. 2013/2750), reg. 1(2), **Sch. 14** (with reg. 22(2))

C528 S. 21(1)(5) applied (with modifications) (20.11.2013) by The Fruit Juices and Fruit Nectars (England) Regulations 2013 (S.I. 2013/2775), reg. 1(2), **Sch. 14**

C529 S. 21(1)(5) applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (Wales) Regulations 2014 (S.I. 2014/3087), regs. 1(2), 7, **Sch. 2** (with reg. 3)

C530 S. 21(1)(5) applied (with modifications) (13.12.2014) by The Products Containing Meat etc. (England) Regulations 2014 (S.I. 2014/3001), reg. 7(5), **Sch. 2** (with reg. 3)

C531 S. 21(1) applied (with modifications) (6.4.2015) by The Condensed Milk and Dried Milk (England) Regulations 2015 (S.I. 2015/675), reg. 1(1), **Sch. 3 Pt. 4**

C532 S. 21(1)(5) applied (with modifications) (24.6.2015) by The Honey (England) Regulations 2015 (S.I. 2015/1348), reg. 1(1), **Sch. 2** (with regs. 4, 5)

C533 S. 21(1)(5)(6) applied (1.7.2015) by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015 (S.I. 2015/787), regs. 1(1), **32(1)(d)** (with reg. 30)

C534 S. 21(1)(5) applied (with modifications) (3.8.2015) by The Honey (Wales) Regulations 2015 (S.I. 2015/1507), reg. 1(2), **Sch. 2** (with reg. 22)

C535 S. 21(1)(5) applied (with modifications) (28.11.2015) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015 (S.I. 2015/1867), regs. 1(2), 35, **Sch. 12** Table 3 (with reg. 3)

C536 S. 21(1)(5) applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Wales) Regulations 2016 (S.I. 2016/1130), regs. 1(3), 8(2), **Sch. 5 Pt. 2** (with regs. 3, 8(3))

C537 S. 21(1) applied (with modifications) by S.I. 2012/2705, Sch. 2 Pt. 2 (as inserted (14.9.2017) by The Materials and Articles in Contact with Food (Wales) (Amendment) Regulations 2017 (S.I. 2017/832), reg. 1(3), **Sch.**)

C538 S. 21(1)(5) applied (with modifications) (26.9.2017) by The Caseins and Caseinates (England) Regulations 2017 (S.I. 2017/848), regs. 1(1), 7, **Sch. 5**

C539 S. 21(1) applied (with modifications) (1.1.2018) by The Novel Foods (Wales) Regulations 2017 (S.I. 2017/1103), reg. 1(3), **Sch. 2 Pt. 3** (with reg. 5(4))

C540 S. 21(1) applied (with modifications) (26.3.2018) by The Jam and Similar Products (Wales) Regulations 2018 (S.I. 2018/274), reg. 1(3), **Sch. 5** (with reg. 3)

C541 S. 21(1) applied (with modifications) (26.3.2018) by The Condensed Milk and Dried Milk (Wales) Regulations 2018 (S.I. 2018/275), regs. 1(3), 6(2), **Sch. 3 Pt. 2**

C542 S. 21(1) applied (with modifications) by S.I. 2007/2785, Sch. 13 (as inserted (6.4.2018) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations 2018 (S.I. 2018/352), reg. 1(1), **Sch. 2**)

C543 S. 21(1)(5)(6) applied (28.3.2019) by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019 (S.I. 2019/569), regs. 1(3), **33(1)(d)** (with reg. 31)

C544 S. 21(5)(6) applied (with modifications) (20.5.2006) by Ceramic Articles in Contact with Food (Scotland) Regulations 2006 (S.S.I. 2006/230), regs. 1(2), **7**

C545 S. 21(5)(6) applied (with modifications) (20.5.2006) by Ceramic Articles In Contact With Food (England) Regulations 2006 (S.I. 2006/1179), regs. 1(1), **7(b)**

C546 S. 21(5)(6) applied (with modifications) (30.6.2006) by Ceramic Articles in Contact with Food (Wales) Regulations 2006 (S.I. 2006/1704), regs. 1(1), **7(1)(b)**

C547 S. 21(5)(6) applied (with modifications) (10.10.2011) by The Poultrymeat (Scotland) Regulations 2011 (S.S.I. 2011/318), regs. 1(2), **21(1)(c)**, (2)

C548 S. 21(5) applied (with modifications) by S.I. 2012/2705, Sch. 2 Pt. 2 (as inserted (14.9.2017) by The Materials and Articles in Contact with Food (Wales) (Amendment) Regulations 2017 (S.I. 2017/832), reg. 1(3), **Sch.**)

C549 S. 21(5) applied (with modifications) (1.1.2018) by The Novel Foods (Wales) Regulations 2017 (S.I. 2017/1103), reg. 1(3), **Sch. 2 Pt. 3** (with reg. 5(4))

C550 S. 21(5) applied (with modifications) (26.3.2018) by The Jam and Similar Products (Wales) Regulations 2018 (S.I. 2018/274), reg. 1(3), **Sch. 5** (with reg. 3)

C551 S. 21(5) applied (with modifications) (26.3.2018) by The Condensed Milk and Dried Milk (Wales) Regulations 2018 (S.I. 2018/275), regs. 1(3), 6(2), **Sch. 3 Pt. 2**

C552 S. 21(5) applied (with modifications) by S.I. 2007/2785, Sch. 13 (as inserted (6.4.2018) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (England) (Amendment) Regulations 2018 (S.I. 2018/352), reg. 1(1), **Sch. 2**)

Changes to legislation: *Food Safety Act 1990, Part II is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

22 Defence of publication in the course of business.

In proceedings for an offence under any of the preceding provisions of this Part consisting of the advertisement for sale of any food, it shall be a defence for the person charged to prove—

(a) that he is a person whose business it is to publish or arrange for the publication of advertisements; and

(b) that he received the advertisement in the ordinary course of business and did not know and had no reason to suspect that its publication would amount to an offence under that provision.

Modifications etc. (not altering text)

C553 S. 22 applied: (13.9.1992) by S.I. 1992/1971, **reg. 9(e)**; (14.9.1992) by S.I. 1992/1978, **reg. 7(e)**
S. 22 applied (14.7.1993) by S.I. 1993/1520, **reg. 2(2)(e)**

C554 S. 22 applied (with modifications): (1.1.1996) by S.I. 1995/3116, **reg. 8**; (1.1.1996) by S.I. 1995/3123, **reg. 9(e)** and S.I. 1995/3124, **reg. 11(e)**; (1.1.1996) by S.I. 1995/3187, **reg. 9**; (1.1.1996) by S.I. 1995/3202, **reg. 11**
S. 22 applied (with modifications) (1.7.1996) by S.I. 1996/1499, **reg. 48**
S. 22 applied (with modifications): (11.8.1997) by S.I. 1997/1729, **reg. 34(1)(e)**; (31.3.1999) by S.I. 1997/2042, **reg. 9** and S.I. 1997/2182, **reg. 9**
S. 22 applied (with modifications) (19.2.1998) by S.I. 1998/141, **reg. 10(e)**
S. 22 applied (with modifications): (19.3.1999) by S.I. 1996/1499, **reg. 48** (as substituted by S.I. 1999/747, **reg. 11**); (30.6.1999) by S.I. 1999/1540, **reg. 19(1)(e)**; (1.10.1999) by S.I. 1999/2457, **reg. 8(1)**; (1.10.1999) by S.S.I. 1999/34, **reg. 8(1)**
S. 22 applied (with modifications): (E.) (1.11.2001) by S.I. 2000/845, **reg. 7(e)**; (W.) (1.11.2001) by S.I. 2000/1866, **reg. 7(e)**; (S.) (1.11.2001) by S.S.I. 2000/130, **reg. 7(e)**; (E.) (15.1.2001) by S.I. 2000/3323, **reg. 10(e)**
S. 22 applied (with modifications): (S.) (17.3.2001) by S.S.I. 2001/38, **reg. 10**; (W.) (1.5.2001) by S.I. 2001/1361, **reg. 8(1)** and S.I. 2001/1440, **reg. 10(e)**
S. 22 applied (with modifications): (E.W.) (8.3.2002) by S.I. 2002/333, **reg. 6(e)**; (S.) (8.3.2002) by S.S.I. 2002/50, **reg. 6(e)**; (E.) (5.8.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/1817, regs. 1(2)(3), **9(e)**; (S.) (23.9.2002 for certain purposes and otherwise 1.4.2004) by S.S.I. 2002/397, regs. 1(2)(3), **8(e)**; (W.) (31.12.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/2939, regs. 1(2)(3), **9(e)**; (S.) (1.1.2003) by S.S.I. 2002/523, **reg. 5(1)(e)**; (W.) (9.1.2003) by S.I. 2002/3157, **reg. 5(1)(e)**; (E.) (13.1.2003) by S.I. 2002/3169, **reg. 5(1)(e)**

C555 S. 22 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (England) Regulations 2003 (S.I. 2003/1564), regs. 1(b), **9(e)**

C556 S. 22 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (Scotland) Regulations 2003 (S.S.I. 2003/293), regs. 1(1), **10(e)**

C557 S. 22 applied (with modifications) (12.7.2003) by Specified Sugar Products (England) Regulations 2003 (S.I. 2003/1563), regs. 1, **9(e)**

C558 S. 22 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (England) Regulations 2003 (S.I. 2003/1596), regs. 1, **9(1)(e)** (with reg. 11)

C559 S. 22 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (Scotland) Regulations 2003 (S.S.I. 2003/311), regs. 1(1), **10(1)(e)** (with reg. 3)

C560 S. 22 applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (England) Regulations 2003 (S.I. 2003/1659), regs. 1, **10(e)**

C561 S. 22 applied (with modifications) (3.8.2003) by The Cocoa and Chocolate Products (Scotland) Regulations 2003 (S.S.I. 2003/291), regs. 1, **11(e)** (with reg. 4)

C562 S. 22 applied (with modifications) (2.9.2003) by Meat Products (England) Regulations 2003 (S.I. 2003/2075), regs. 1(c), **8(e)** (with reg. 3)

C563 S. 22 applied (with modifications) (25.9.2003) by Honey (England) Regulations 2003 (S.I. 2003/2243), regs. 1, **9(e)**

C564 S. 22 applied (with modifications) (28.11.2003) by The Specified Sugar Products (Wales) Regulations 2003 (S.I. 2003/3047), regs. 1, **9(e)**

C565 S. 22 applied (with modifications) (28.11.2003) by Specified Sugar Products (Scotland) Regulations 2003 (S.S.I. 2003/527), regs. 1(1), **9** (with reg. 10)

C566 S. 22 applied (with modifications) (28.11.2003) by The Fruit Juices and Fruit Nectars (Wales) Regulations 2003 (S.I. 2003/3041), regs. 1, **9(e)**

C567 S. 22 applied (with modifications) (28.11.2003) by Cocoa and Chocolate Products (Wales) Regulations 2003 (S.I. 2003/3037), regs. 1, **10(e)**

C568 S. 22 applied (with modifications) (28.11.2003) by Honey (Wales) Regulations 2003 (S.I. 2003/3044), regs. 1, **9(e)**

C569 S. 22 applied (with modifications) (28.11.2003) by Condensed Milk and Dried Milk (Wales) Regulations 2003 (S.I. 2003/3053), regs. 1, **9(1)(e)** (with reg. 3)

C570 S. 22 applied (with modifications) (18.12.2003) by Honey (Scotland) Regulations 2003 (S.S.I. 2003/569), regs. 1(1), **10(e)** (with regs. 3, 11)

C571 S. 22 applied (with modifications) (31.12.2003) by Jam and Similar Products (England) Regulations 2003 (S.I. 2003/3120), regs. 1, **9(e)** (with reg. 3)

C572 S. 22 applied (with modifications) (4.2.2004) by Meat Products (Scotland) Regulations 2004 (S.S.I. 2004/6), regs. 1(1), **9(1)(e)**

C573 S. 22 applied (with modifications) (5.3.2004) by Jam and Similar Products (Wales) Regulations 2004 (S.I. 2004/553), regs. 1, **9(1)(e)** (with reg. 3)

C574 S. 22 applied (with modifications) (28.4.2004) by Jam and Similar Products (Scotland) Regulations 2004 (S.S.I. 2004/133), regs. 1(1), **10(e)**

C575 S. 22 applied (with modifications) (31.5.2004) by Meat Products (Wales) Regulations 2004 (S.I. 2004/1396), regs. 1(c), **8(e)** (with reg. 3)

C576 S. 22 applied (4.10.2004) by Genetically Modified Food (England) Regulations 2004 (S.I. 2004/2335), regs. 1(b), **6(1)(d)**

C577 S. 22 applied (with modifications) (15.11.2004) by Genetically Modified Food (Scotland) Regulations 2004 (S.S.I. 2004/432), regs. 1(1), **6(1)(d)**

C578 S. 22 applied (17.12.2004) by Genetically Modified Food (Wales) Regulations 2004 (S.I. 2004/3220), regs. 1(b), **6(1)(d)**

C579 S. 22 applied (with modifications) (1.1.2005) by General Food Regulations 2004 (S.I. 2004/3279), regs. 1, **7(1)(c)**

C580 S. 22 applied (with modifications) by SI 1995/77 reg. 23 (as substituted (6.3.2005) by Infant Formula and Follow-on Formula (Amendment) (England) Regulations 2003 (S.I. 2003/3208), regs. 1, **9**)

C581 S. 22 applied (with modifications) (6.3.2005) by The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (England) Regulations 2003 (S.I. 2003/3207), regs. 1, **12(e)** (with reg. 3)

C582 S. 22 applied (with modifications) (6.3.2005) by Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004 (S.S.I. 2004/8), regs. 1(1), **12(e)**

C583 S. 22 applied (with modifications) (6.3.2005) by The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004 (S.I. 2004/314), regs. 1, **12(e)** (with reg. 3)

C584 S. 22 applied (16.6.2005) by Smoke Flavourings (Wales) Regulations 2005 (S.I. 2005/1350), regs. 1(b)(ii), **6(d)**

C585 S. 22 applied (16.6.2005) by Smoke Flavourings (England) Regulations 2005 (S.I. 2005/464), regs. 1(b)(ii), **6**

C586 S. 22 applied (with modifications) (1.8.2005) by The Food Supplements (Wales) Regulations 2003 (S.I. 2003/1719), regs. 1, **11(e)** (with reg. 3)

C587 S. 22 applied (with modifications) (1.8.2005) by The Food Supplements (England) Regulations 2003 (S.I. 2003/1387), regs. 1, **11(e)**

C588 S. 22 applied (with modifications) (1.8.2005) by Food Supplements (Scotland) Regulations 2003 (S.S.I. 2003/278), regs. 1(1), **11(e)** (with regs. 3, 5)

C589 S. 22 applied (with modifications) (14.7.2006) by Kava-kava in Food (Wales) Regulations 2006 (S.I. 2006/1851), regs. 1(b), **5(1)**

C590 S. 22 applied (with modifications) (1.3.2007) by Notification of Marketing of Food for Particular Nutritional Uses (England) Regulations 2007 (S.I. 2007/181), regs. 1(b), **7(e)**

C591 S. 22 applied (with modifications) (1.3.2007) by Notification of Marketing of Food for Particular Nutritional Uses (Scotland) Regulations 2007 (S.S.I. 2007/37), regs. 1(1), **7(e)**

C592 S. 22 applied (with modifications) (1.4.2007) by Notification of Marketing of Food for Particular Nutritional Uses (Wales) Regulations 2007 (S.I. 2007/1040), regs. 1(b), **7(e)**

C593 S. 22 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007 (S.I. 2007/1984), regs. 1, **5(e)**

C594 S. 22 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (Scotland) Regulations 2007 (S.S.I. 2007/325), regs. 1(1), **5(e)**

C595 S. 22 applied (with modifications) (7.8.2007) by Addition of Vitamins, Minerals and Other Substances (England) Regulations 2007 (S.I. 2007/1631), regs. 1, **5(e)**

C596 S. 22 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (England) Regulations 2007 (S.I. 2007/2080), regs. 1, **6(e)**

C597 S. 22 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (Scotland) Regulations 2007 (S.S.I. 2007/383), regs. 1(1), **6(e)**

C598 S. 22 applied (with modifications) (1.10.2007) by Nutrition and Health Claims (Wales) Regulations 2007 (S.I. 2007/2611), regs. 1, **6(e)**

C599 S. 22 applied (with modifications) (30.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No.2) Regulations 2007 (S.S.I. 2007/483), regs. 1(1), **22(1)(e)** (with reg. 3)

C600 S. 22 applied (with modifications) (31.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007 (S.I. 2007/2785), regs. 1, **22(1)(e)** (with reg. 3)

C601 S. 22 applied (with modifications) (31.10.2007) by Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) Regulations 2007 (S.S.I. 2007/435), regs. 1(1), **22(1)(e)** (with reg. 3)

C602 S. 22 applied (with modifications) (28.11.2007) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007 (S.I. 2007/3165), regs. 1, **22(1)(e)** (with reg. 3)

C603 S. 22 applied (with modifications) (1.7.2008) by Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (England) Regulations 2008 (S.I. 2008/1287), regs. 1, **7(1)(e)**

C604 S. 22 applied (with modifications) (1.7.2008) by The Spreadable Fats (Marketing Standards) and the Milk and Milk Products (Protection of Designations) (Wales) Regulations 2008 (S.I. 2008/1341), regs. 1, **7(1)(e)**

C605 S. 22 applied (with modifications) (20.1.2010) by Food Additives (Scotland) Regulations 2009 (S.S.I. 2009/436), regs. 1(1), **16(1)(d)**

C606 S. 22 applied (with modifications) (20.1.2010) by Food Additives (England) Regulations 2009 (S.I. 2009/3238), regs. 1, **16(1)(d)**

C607 S. 22 applied (with modifications) (20.1.2010) by The Food Additives (Wales) Regulations 2009 (S.I. 2009/3378), regs. 1, **16(1)(d)**

C608 S. 22 applied (with modifications) (19.9.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information (Wales) Regulations 2014 (S.I. 2014/2303), reg. 1(3)(4)(b)(5)(b), **Sch. 4 Pt. 5** (with reg. 12(6))

C609 S. 22 applied (with modifications) (13.12.2014) by The Food Information (Scotland) Regulations 2014 (S.S.I. 2014/312), regs. 1(2), **12(2)(c)**

C610 S. 22 applied (1.7.2015) by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015 (S.I. 2015/787), regs. 1(1), **32(1)(e)**

C611 S. 22 applied (with modifications) (28.11.2015) by The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2015 (S.I. 2015/1867), regs. 1(2), 35, **Sch. 12** Table 3 (with reg. 3)

C612 S. 22 applied (with modifications) by S.S.I. 2014/289, reg. 7(da) (as inserted (25.2.2016) by The Products Containing Meat etc. (Scotland) Amendment Regulations 2016 (S.S.I. 2016/24), regs. 1, **2**)

C613 S. 22 applied (with modifications) (20.7.2016) by The Foods for Specific Groups (Scotland) Regulations 2016 (S.S.I. 2016/190), regs. 1(1), 5, **sch. 2**

C614 S. 22 applied (with modifications) (20.7.2016) by The Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 (S.I. 2016/688), regs. 1(3), **4(6)**(7)(d)

C615 S. 22 applied (with modifications) (2.8.2016) by The Food for Specific Groups (Information and Compositional Requirements) (Wales) Regulations 2016 (S.I. 2016/639), regs. 1(3), **4(6)**(7)(d)

C616 S. 22 applied (with modifications) (15.8.2014 for specified purposes, 13.12.2014 for specified purposes, 13.12.2016 in so far as not already in force) by The Food Information Regulations 2014 (S.I. 2014/1855), reg. 12(5), **Sch. 4 Pt. 5** (with reg. 1(9)(b))

C617 S. 22 applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Scotland) Regulations 2016 (S.S.I. 2016/383), regs. 1(1), 8, **sch. 4** (with reg. 3)

C618 S. 22 applied (with modifications) (22.12.2016) by The Caseins and Caseinates (Scotland) (No. 2) Regulations 2016 (S.S.I. 2016/422), regs. 1(1), 8, **sch. 4** (with reg. 3)

C619 S. 22 applied (with modifications) (1.1.2018) by The Novel Foods (Scotland) Regulations 2017 (S.S.I. 2017/415), regs. 1, **5(1)(d)**

C620 S. 22 applied (with modifications) (8.3.2018) by The Novel Foods (England) Regulations 2018 (S.I. 2018/154), regs. 1, **7(1)(d)**

C621 S. 22 applied (W.) (28.3.2019) by The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Wales) Regulations 2019 (S.I. 2019/569), regs. 1(3), **33(1)(e)**

C622 S. 22 applied (with modifications) (E.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2022 in so far as not already in force) by The Food for Specific Groups (Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula) (Information and Compositional Requirements) (Amendment etc.) (England) Regulations 2020 (S.I. 2020/43), regs. 1(1)(2), 4(6)(7)(d), **Sch. 2 para. 9** (as amended by S.I. 2021/168, **reg. 2(2)**)

C623 S. 22 applied (with modifications) (W.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2021 in so far as not already in force) by The Infant Formula and Follow-on Formula (Wales) Regulations 2020 (S.I. 2020/89), regs. 1(1)(2), 4(7)(d), **Sch. 2 para. 9** (with savings in reg. 5(4)(5), Sch. 4 para. 26(1)(2) (as inserted (16.9.2021) by S.I. 2021/955, reg. 2(2), **Sch.**))

C624 S. 22 applied (with modifications) (S.) (22.2.2020 for all purposes except in respect of infant formula and follow-on formula manufactured from protein hydrolysates and 22.2.2021 in so far as not already in force) by The Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020 (S.S.I. 2020/6), regs. 1(2), 5, **sch. 2**

Miscellaneous and supplemental

23 Provision of food hygiene training.

(1) A food authority may provide, whether within or outside their area, training courses in food hygiene for persons who are or intend to become involved in food businesses, whether as proprietors or employees or otherwise.

(2) A food authority may contribute towards the expenses incurred under this section by any other such authority, or towards expenses incurred by any other person in providing, such courses as are mentioned in subsection (1) above.

24 Provision of facilities for cleansing shellfish.

(1) A food authority may provide, whether within or outside their area, tanks or other apparatus for cleansing shellfish.

Changes to legislation: *Food Safety Act 1990, Part II is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(2) A food authority may contribute towards the expenses incurred under this section by any other such authority, or towards expenses incurred by any other person in providing, and making available to the public, tanks or other apparatus for cleansing shellfish.

(3) Nothing in this section authorises the establishment of any tank or other apparatus, or the execution of any other work, on, over or under tidal lands below high-water mark of ordinary spring tides, except in accordance with such plans and sections, and subject to such restrictions and conditions as may before the work is commenced be approved by the Secretary of State.

(4) In this section "cleansing", in relation to shellfish, includes subjecting them to any germicidal treatment.

[F34]25 . . . . . .

Textual Amendments

F34 S. 25 repealed (1.4.2000) by 1999 c. 28, s. 40(1)(4), Sch. 5 para. 15, **Sch. 6** (with ss. 38, 40(2)); S.I. 2000/1066, **art. 2**

26 Regulations and orders: supplementary provisions.

(1) Regulations under this Part may—

(a) make provision for prohibiting or regulating the carrying out of commercial operations with respect to any food, food source or contact material—

(i) which fails to comply with the regulations; or

(ii) in relation to which an offence against the regulations has been committed, or would have been committed if any relevant act or omission had taken place in Great Britain; and

(b) without prejudice to the generality of section 9 above, provide that any food which, in accordance with the regulations, is certified as being such food as is mentioned in paragraph (a) above may be treated for the purposes of that section as failing to comply with food safety requirements.

(2) Regulations under this Part may also—

(a) require persons carrying on any activity to which the regulations apply to keep and produce records and provide returns;

(b) prescribe the particulars to be entered on any register required to be kept in accordance with the regulations;

(c) require any such register to be open to inspection by the public at all reasonable times and, subject to that, authorise it to be kept by means of a computer;

(d) prescribe the periods for which and the conditions subject to which licences may be issued, and provide for the subsequent alteration of conditions and for the cancellation, suspension or revocation of licences;

(e) provide for an appeal to a magistrates' court or, in Scotland, to the sheriff, or to a tribunal constituted in accordance with the regulations, against any

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decision of an enforcement authority, or of an authorised officer of such an authority; and

(f) provide, as respects any appeal to such a tribunal, for the procedure on the appeal (including costs) and for any appeal against the tribunal's decision.

(3) Regulations under this Part [F35]. . . may—

(a) provide that an offence under the regulations [F36]. . . shall be triable in such way as may be there specified; and

(b) include provisions under which a person guilty of such an offence shall be liable to such penalties (not exceeding those which may be imposed in respect of offences under this Act) as may be specified in the regulations [F36]. . ..

Textual Amendments

F35 Words in s. 26(3) repealed (1.4.2000) by 1999 c. 28, s. 40(4), **Sch. 6** (with s. 38); S.I. 2000/1066, **art. 2**

F36 Words in s. 26(3) repealed (1.4.2000) by 1999 c. 28, s. 40(4), **Sch. 6** (with s. 38); S.I. 2000/1066, **art. 2**

Modifications etc. (not altering text)

C625 S. 26 transfer of functions (23.3.2005) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849), art. 1, **Sch.** (with art. 6)

Changes to legislation:
Food Safety Act 1990, Part II is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 37(2)(a) repealed by 2007 c. 15 Sch. 23 Pt. 1