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*Changes to legislation: There are currently no known outstanding effects for the Food Standards Act 1999, Paragraph 16. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### THE AGENCY'S FUNCTIONS UNDER OTHER ENACTMENTS

#### PART III

#### OTHER FUNCTIONS

##### *Food and Environment Protection Act 1985 (c. 48)*

- 16 (1) The Agency shall have the following functions under the Food and Environment Protection Act 1985.
- (2) The Agency may exercise the following powers under section 2 (powers when emergency order has been made)—
- (a) the power to give consents under subsection (1);
  - (b) the power to give directions or do anything else under subsection (3);
  - (c) the power to recover expenses under subsection (5) or (6).
- (3) In section 7 (exemptions from need for licence under Part II), after subsection (3) there shall be inserted the following subsection—
- “(3A) A licensing authority—
- (a) shall consult the Food Standards Agency as to any order the authority contemplates making under this section; and
  - (b) shall from time to time consult that Agency as to the general approach to be taken by the authority in relation to the granting of approvals and the imposition of conditions under subsections (2) and (3) (including the identification of circumstances in which it may be desirable for the Agency to be consulted in relation to particular cases).”
- (4) In section 8 (licences under Part II), after subsection (11) there shall be inserted the following subsections—
- “(11A) The matters to which a licensing authority is to have regard in exercising powers under this section include any advice or information given to that authority by the Food Standards Agency (whether of a general nature or in relation to the exercise of a power in a particular case).
- (11B) A licensing authority shall from time to time consult the Food Standards Agency as to the general manner in which the authority proposes to exercise its powers under this section in cases involving any matter which may affect food safety or other interests of consumers in relation to food (including the identification of circumstances in which it may be desirable for the Agency to be consulted in relation to particular cases).”

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(5) In section 16 (control of pesticides), after subsection (9) there shall be inserted the following subsection—

“(9A) The Ministers—

- (a) shall consult the Food Standards Agency as to regulations which they contemplate making; and
- (b) shall from time to time consult that Agency as to the general approach to be taken by them in relation to the giving, revocation or suspension of approvals and the imposition of conditions on approvals (including the identification of circumstances in which it may be desirable for the Agency to be consulted in relation to particular cases).”

<sup>F1</sup>(6) .....

**Textual Amendments**

**F1** Sch. 3 para. 16(6) repealed (27.3.2015) by The Public Bodies (Abolition of the Advisory Committees on Pesticides) Order 2015 (S.I. 2015/978), art. 1(2), Sch. Pt. 1

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