
STATUTORY INSTRUMENTS

1993 No. 1520

The Egg Products Regulations 1993

Interpretation and application

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Food Safety Act 1990;

“appropriate Minister” means as respects England, the Minister of Agriculture, Fisheries and Food, and as respects Scotland or Wales, the Secretary of State;

“approval” means, in relation to an establishment, an approval granted by a food authority under regulation 5(2);

“approved”, in relation to an establishment, means an establishment approved by the food authority for the area in which it is situated;

“batch” means a quantity of egg products which have been prepared under the same conditions and in particular treated in a single continuous operation;

“cracked eggs” means eggs with a damaged but unbroken shell, with intact membranes;

“egg” means an egg laid by a hen, duck, goose, turkey, guinea fowl or quail;

“egg products” means products obtained from eggs, their various components or mixtures thereof, after removal of the shell and outer membranes, intended for human consumption, and includes such products when partially supplemented by other foodstuffs and additives and such products when liquid, concentrated, crystallised, frozen, quick-frozen, coagulated or dried, but does not include finished foodstuffs;

“egg products establishment” means any establishment at which egg products are treated, handled or obtained for the purpose of sale for human consumption;

“food authority” means—

(a) in relation to England and Wales—

(i) as respects each district or London borough, the council of that district or borough;

(ii) as respects the City of London (including the Temples), the Common Council;

(iii) as respects the Inner Temple or the Middle Temple, the appropriate Treasurer; and

(b) in relation to Scotland, the islands or district council,

and in relation to England and Wales includes a port health authority;

“handling” includes manufacturing, preparing, processing, packaging, wrapping or re-wrapping;

“incubated eggs” means eggs from the time of insertion in the incubator as defined in Council Regulation 1907/90/EEC(1) as amended(2) on certain marketing standards for eggs;

“occupier” means in relation to any person carrying on a business as a manufacturer of egg products, that person or his duly authorised representative;

(1) OJNo. L173, 6.7.90, p.5.

(2) Commission Regulation 1274/91/EEC (OJ No. L121, 16.5.91, p.11), Commission Regulation 3540/91/EEC(OJ No. L335, 6.12.91, p.12) and Commission Regulation 2221/92/EEC (OJ No. L218, 1.8.92, p.81).

“sell” includes offer, handle, or expose, or have in possession for sale or supply in the course of a business;

“supply” means supply otherwise than by sale;

“whole egg” means a mixture of yolk and albumen.

(2) The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of section 8, 14 or 15 of the Act and unless the context otherwise requires any reference in them to the Act shall be construed as a reference to these Regulations—

- (a) section 2 (extended meaning of “sale” etc.);
- (b) section 3 (presumption that food intended for human consumption);
- (c) section 20 (offences due to fault of another person);
- (d) section 21 (defence of due diligence);
- (e) section 22 (defence of publication in the course of business);
- (f) section 30(8) (which relates to documentary evidence);
- (g) section 33 (obstruction etc. of officers);
- (h) section 36 (offences by bodies corporate);
- (i) section 44 (protection of officers acting in good faith).

(3) Section 8(3) (which makes presumptions in the case of batches of food) of the Act shall apply to food which it is an offence to sell under these Regulations as it applies to food which fails to comply with food safety requirements.

(4) Section 9 (inspection and seizure of suspected food) of the Act shall apply to food which it is an offence to sell under these Regulations as it applies to food which fails to comply with food safety requirements.

(5) Section 34 (which relates to time limits for the commencement of prosecutions) of the Act shall apply in relation to offences under these Regulations as it applies to offences punishable under section 35(2) of the Act.

(6) Any reference in these Regulations to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule bearing that number in these Regulations.