
STATUTORY INSTRUMENTS

1994 No. 674

The Common Agricultural Policy (Wine) Regulations 1994

PART II

GENERAL PROVISIONS

Power to require analysis or examination

12.—(1) The court before which any proceedings are brought for an offence under these Regulations may, if it thinks fit for the purposes of the proceedings, cause any article which is the subject of the proceedings and, if it has already been analysed or examined, is capable of being further analysed or examined, to be sent to a food analyst or food examiner, who shall make such analysis or examination as is appropriate and transmit to the court a certificate of the result thereof, and the costs of the analysis or examination shall be paid by the prosecutor or the person charged as the court may order.

(2) If in a case in which an appeal is brought no action has been taken under paragraph (1) of this regulation as respects a particular article, the provisions thereof shall apply as respects that article in relation to the court by which the appeal is heard.

(3) Any certificate of the results of an analysis or examination, transmitted by a food analyst or food examiner under this regulation shall be signed by or on behalf of that food analyst or food examiner, but the analysis or examination may be made by any person under the direction of the person by whom the certificate is signed; and any certificate so transmitted by a food analyst or food examiner shall be evidence of the facts stated therein unless any party to the proceedings requires that the person by whom it is signed or a person acting under his direction be called as a witness.