
STATUTORY INSTRUMENTS

1997 No. 2537

The Imported Food Regulations 1997

Application of certain provisions of the Act

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

- (a) section 2 (extended meaning of “sale” etc.);
- (b) section 3 (presumptions 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 33 (obstruction etc. of officers);
- (f) section 34 (time limit for prosecutions);
- (g) section 36 (offences by body corporate), subject to the following modifications—
 - (i) after the words “body corporate”, at the three places where they occur in section 36(1) of the Act, there shall be inserted the words “or Scottish partnership”, and
 - (ii) for the word “secretary” there shall be substituted the words “secretary, partner”;
- (h) section 44 (protection of officers acting in good faith).

(2) Section 8(2) of the Act (food which fails to comply with food safety requirements) shall apply for the purposes of these Regulations as it applies for the purposes of Part II of the Act, and the reference in the said section 8(2) to the said Part shall for the purposes of these Regulations be construed as a reference to these Regulations.

(3) For the purposes of these Regulations, section 8(3) of the Act (food which fails to comply with food safety requirements which is part of a batch, lot or consignment of food of the same class or description) shall apply with the following modifications—

- (a) the reference to food which fails to comply with food safety requirements shall be construed as including food which is unsound or unwholesome, and
- (b) the reference to this section and section 9 below shall be construed as a reference to these Regulations.

(4) For the purposes of these Regulations, section 30 of the Act (analysis etc. of samples) shall apply with the following modifications—

- (a) in subsection (1)(a), for the words from “either” to “of the authority” there shall be substituted the words “by a public analyst”;
- (b) subsection (3) shall be omitted; and
- (c) the reference in subsection (8) to the Act shall be construed as a reference to these Regulations.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Imported Food Regulations 1997. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Reg. 9 in force at 17.11.1997, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations revoked by [S.S.I. 2005/616 Sch. 6](#)
- Regulations revoked by [S.I. 2005/2626 Sch. 6 Pt. 1](#)
- Regulations revoked by [S.I. 2005/3254 Sch. 6 Pt. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 21 added by [S.S.I. 2002/445 Sch. 8 para. 3](#)
- Sch. 1 para. 21 added by [S.I. 2002/1227 Sch. 8 para. 3](#)
- Sch. 1 para. 21 inserted by [S.I. 2002/1387 reg. 64Sch. 8 para 3](#)