

*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Fish Labelling (England) Regulations 2010. 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*

## STATUTORY INSTRUMENTS

# 2010 No. 420

## The Fish Labelling (England) Regulations 2010

PROSPECTIVE

### Application of various provisions of the Food Safety Act 1990

10. The following provisions of the Food Safety Act 1990 (“the Act”) shall apply for the purposes of these Regulations with the modification that any reference in those provisions to the Act or Part of the Act shall be construed as a reference to these Regulations and to those provisions of Regulation 104/2000 and Regulation 2065/2001 to which these Regulations relate —

- (a) section 3 (presumption that food is intended for human consumption);
- (b) section 20 (offences due to fault of another person);
- (c) section 21 (defence of due diligence)(1) with the modification that subsections (2) to (4) apply in relation to an offence under regulation 3(1) as they apply in relation to an offence under section 14 or 15;
- (d) section 30(8) (which relates to documentary evidence);
- (e) section 33(1) (obstruction etc of officers);
- (f) section 33(2) with the modification that the reference to “any such requirement as is mentioned in subsection (1)(b) above” shall be deemed to be a reference to any such requirement as is mentioned in that subsection as applied by sub-paragraph (e);
- (g) section 35(1) (punishment of offences)(2) insofar as it relates to offences under section 33(1) as applied by sub-paragraph (e);
- (h) section 35(2) and (3)(3) insofar as it relates to offences under section 33(2) as applied by sub-paragraph (f);
- (i) section 36 (offences by bodies corporate);
- (j) section 36A (offences by Scottish partnerships)(4); and
- (k) section 44 (protection of officers acting in good faith).

### Commencement Information

**II** Reg. 10 in force at 6.4.2010, see [reg. 1](#)

(1) Section 21 was amended by [S.I. 2004/3279](#).

(2) Section 35(1) is amended by the Criminal Justice Act 2003 (2003 c.44), Schedule 26, paragraph 42, from a date to be appointed.

(3) Section 35(3) was amended by [S.I. 2004/3279](#).

(4) Section 36A was inserted by the Food Standards Act 1999 (1999 c.28), Schedule 5, paragraph 16.

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2013/1768 reg. 16](#)
- reg. 10 coming into force by [S.I. 2010/420 reg. 1](#)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)