

## WELSH STATUTORY INSTRUMENTS

### 2007 No. 389

## The Quick-frozen Foodstuffs (Wales) Regulations 2007

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

**10.** The following provisions of the Act apply for the purposes of these Regulations with the modification that any reference in those provisions to the Act or a Part of it is to be construed as a reference to these Regulations—

- (a) section 3 (presumptions that food intended for human consumption);
- (b) section 20 (offences due to fault of another person);
- (c) section 21 (defence of due diligence)<sup>M1</sup>, with the modifications that subsections (2) to (4) shall apply in relation to an offence under regulation 9(1) consisting of a contravention or failure to comply with regulation 3, 4 or 5(1) as they apply in relation to an offence under section 14 or 15 and that in subsection (4)(b) of section 21 the reference to “sale” shall be deemed to include references to “placing on the market”;
- (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 section 33(1)(b) as applied by sub-paragraph (e);
- (g) section 35(1) punishment of offences<sup>M2</sup>, in so far as it relates to offences under section 33(1) as applied by sub-paragraph (e);
- (h) section 35(2) and (3)<sup>M3</sup>, in so far 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)<sup>M4</sup>;
- (k) section 44 (protection of officers acting in good faith); and
- (l) section 58(1) (which relates to territorial waters).

#### Marginal Citations

**M1** Section 21 was amended by [S.I. 2004/3279](#).

**M2** Section 35(1) is amended by the Criminal Justice Act 2003, ([2003 c. 44](#)) Schedule 26, paragraph 42, from a date to be appointed.

**M3** Section 35(3) was amended by [S.I. 2004/3279](#).

**M4** Section 36A was inserted by the [Food Standards Act 1999 \(1999 c. 28\)](#), Schedule 5, paragraph 16.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Quick-frozen Foodstuffs (Wales) Regulations 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**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](#)