
WELSH STATUTORY INSTRUMENTS

2010 No. 797

The Fish Labelling (Wales) Regulations 2010

Application of various provisions of the Food Safety Act 1990

10. The following provisions of the Food Safety Act 1990 (“the Act”) apply for the purposes of these Regulations with the modification that any reference in those provisions to the Act or Part of the Act is to 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” is deemed to be a reference to any such requirement as is mentioned in that subsection as applied by paragraph (e);
- (g) section 35(1) (punishment of offences)(2) insofar as it relates to offences under section 33(1) as applied by paragraph (e);
- (h) section 35(2) and (3)(3) insofar as it relates to offences under section 33(2) as applied by 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).

(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.