

---

STATUTORY INSTRUMENTS

---

**1991 No. 1396**

**AGRICULTURE**

**The Eggs (Marketing Standards)  
(Amendment) Regulations 1991**

<i>Made</i>	- - - -	<i>14th June 1991</i>
<i>Laid before Parliament</i>		<i>17th June 1991</i>
<i>Coming into force</i>	- -	<i>1st July 1991</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the common agricultural policy of the European Economic Community, acting jointly, in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:-

**Title, commencement, extent and interpretation**

1.—(1) These Regulations may be cited as the Eggs (Marketing Standards) (Amendment) Regulations 1991, and shall come into force on 1st July 1991.

(2) These Regulations shall not extend to Northern Ireland.

(3) In these Regulations “the principal Regulations” means the Eggs (Marketing Standards) Regulations 1985(3).

**Amendment of the principal Regulations**

2. The principal Regulations shall be amended as specified in the following provisions of these Regulations and any reference in those provisions to any specified provision shall, unless the context requires otherwise, be taken to be a reference to the provision so specified of the principal Regulations.

3. For regulation 4(1)(g) there shall be substituted the following sub-paragraphs-

---

(1) S.I.1972/1811.

(2) 1972 c. 68; section 2 is subject to Schedule 2 of that Act and is to be read, as regards England and Wales, with sections 37, 40 and 46 of the Criminal Justice Act 1982 (c. 48) and section 52(4) of the Criminal Justice Act 1988 (c. 33) and with S.I. 1984/447, and as regards Scotland, with sections 289G A(2) of the Criminal Procedure (Scotland) Act 1975 (c. 21) as inserted by section 66 of the Criminal Justice (Scotland) Act 1987 (c. 41) and S.I. 1984/526.

(3) S.I. 1985/1271, amended by S.I. 1987/1184, 1990/2487.

- “(g) inspect any records (in whatever form they are held) which any person is required to keep by virtue of any Community provision and, where any such records are kept by means of a computer—
- (i) may have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the records; and
  - (ii) may require any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material to afford him such assistance as he may reasonably require;
- (h) seize and detain any records which he has reason to believe may be required as evidence in proceedings under these Regulations;
- (i) where any records falling within sub-paragraph (h) above are kept by means of a computer, require the records to be produced in a form in which they may be taken away.”.

4. At the end of regulation 8 for the words “£2,000” there shall be substituted the words “level 5 on the standard scale”.

5. For the Schedule there shall be substituted the following Schedule—

“SCHEDULE

Regulation 2

COMMUNITY PROVISIONS

Regulations containing Community provision	Official Journal of the European Community References
1. Council Regulation (EEC) No. 1907/90 on certain marketing standards for eggs	OJ No. L173, 6.7.90, p.5
2. Commission Regulation (EEC) No. 1274/91 introducing detailed rules for implementing Regulation (EEC) No. 1907/90 on certain marketing standards for eggs	OJ No. L121, 16.5.91, p.11
3. Commission Regulation (EEC) No. 2782/75 on production and marketing of eggs for hatching and of farmyard poultry chicks, as amended by—	OJ No. L282, 1.11.75, p.100
(a) Council Regulation (EEC) No. 3485/80	OJ No. L365, 31.12.80, p.1
(b) Council Regulation (EEC) No. 3791/85	OJ No. L367, 31.12.85, p.6
(c) Council Regulation (EEC) No. 3494/86	OJ No. L323, 18.11.86, p.1
(d) Council Regulation (EEC) No. 3987/87	OJ No. L376, 31.12.87, p.20
4. Commission Regulation (EEC) No. 1868/77 implementing Council Regulation (EEC) No. 2782/75, as amended by—	OJ No. L209, 17.8.77, p.1
(a) 1979 Act of Accession	OJ No. L291, 19.11.79, p.1 at p.78

Regulations containing Community provision	Official Journal of the European Community References
(b) Commission Regulation (EEC) No. 3759/85	OJ No. L356, 31.12.85, p.64
(c) Commission Regulation (EEC) No. 1351/87	OJ No. L127, 16.5.87, p.18
(d) Commission Regulation (EEC) No. 2773/90	OJ No. L267, 29.9.90, p.25”

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 13th June 1991.

L.S.

*John Selwyn Gummer*  
Minister of Agriculture Fisheries and Food

*Strathclyde*  
Parliamentary Under Secretary of State, Scottish  
Office

14th June 1991

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Eggs (Marketing Standards) Regulations 1985 following the replacement of the applicable European Community provisions (regulation 5). They apply throughout Great Britain and come into force on 1st July 1991, although one provision of the applicable Council Regulation, dealing with the disposal of eggs broken in packing centres, does not, by its terms, come into force until 1st January 1992.

They also amend the powers of authorised officers to inspect and seize records to follow those in section 32(5) and (6) of the Food Safety Act 1990 (c. 16a) (regulation 3) and amend the penalties for breach of the Regulations to refer expressly to the standard scales (regulation 4).