

SCHEDULES

SCHEDULE 1

Section 28.

DISEASES TO WHICH SECTION 28(1) APPLIES

Enteric fever (including typhoid and paratyphoid fevers).
Dysentery.
Diphtheria.
Scarlet fever.
Acute inflammation of the throat.
Gastro-enteritis.
Undulant fever.

SCHEDULE 2

Section 34.

REFUSAL AND CANCELLATION OF REGISTRATION OF DAIRYMEN, DAIRY FARMS AND DAIRY FARMERS

PART I

DAIRYMEN

- 1 If it appears to an authority by whom dairymen are registered in pursuance of Milk and Dairies Regulations, other than the Minister, that the public health is, or is nicely to be, endangered by any act or default of a person who has applied to be, or, is so registered by the authority, being an act or default committed whether within or without the authority's district in relation to the quality, storage or distribution of milk, they may serve on him a notice—
 - (a) stating the place and time, not being less than 21 days after the date of the service of the notice, at which they propose to take the matter into consideration ; and
 - (b) informing him that he may attend before them, with any witnesses whom he desires to call, at the place and time mentioned, to show cause why they should not for reasons specified in the notice, refuse to register him or cancel his registration, as the case may be, either generally or in respect of any specified premises.
- 2 A person entitled under paragraph 1 to appear before any authority—
 - (a) may appear in person or by counsel or a solicitor or any other representative; or
 - (b) may be accompanied by any person he may wish to assist him in the proceedings.

- 3 If a person on whom a notice is served under paragraph 1 fails to show cause to the authority's satisfaction, they may refuse to register him or may cancel his registration, as the case may be, and—
- (a) shall forthwith give notice to him of their decision in the matter; and
 - (b) shall, if so required by him within 14 days from the date of their decision, give to him within 48 hours after receiving the requirement, a statement of the grounds of the decision.
- 4 A person aggrieved by the decision of an authority under this Part to refuse to register him, or to cancel his registration, may appeal to a magistrates' court.
- 5 The court before whom a person registered as a dairyman otherwise than by the Minister is convicted of an offence under any of the provisions relating to milk in this Act, or under Milk and Dairies Regulations, may, in addition to any other punishment, cancel his registration as such.
- 6 An authority other than the Minister may require a person who applies to them for registration as a dairyman to give to them, before his application is considered, information as to whether he is, or has been, registered as a dairyman, whether by them or the Minister or some other authority, and if an applicant who is so required gives to the authority any information which is false in any material respect, he is guilty of an offence.
- 7 Where under this Part a person's application for registration is refused, or his registration is cancelled, he shall not be liable for any breach of contract for the purchase of further supplies of milk from any person, if the refusal or cancellation was due to the quality of the milk supplied by that person.

PART II

DAIRY FARMS AND DAIRY FARMERS

- 8 Milk and Dairies Regulations shall provide—
- (a) for the refusal by the Minister of registration of a dairy farm or of a person carrying on, or proposing to carry on, the trade of a dairy farmer, if in his opinion, having regard to the conditions existing at the premises to be registered, the regulations cannot be complied with and the registration should be refused ; and
 - (b) for the cancellation of any such registration by the Minister if in his opinion the regulations are not being complied with and the registration should be cancelled.
- 9 Any regulations made by virtue of paragraph 8 shall—
- (a) require notice to be given to the person affected of any intention to refuse or cancel the registration, stating the grounds on which it is alleged that the regulations cannot be or are not being complied with, as the case may be, and his rights of making objections and representations in accordance with the regulations ;
 - (b) enable that person, within the time prescribed by the regulations (which shall not be less, in the case of a refusal, than 28 days or, in the case of a cancellation, than 21 days, from the date of service of that notice) to object, in respect of all or any of the grounds stated in that notice, that the regulations can be or are being complied with, as the case may be ;

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- (c) provide for the reference of any such objection to a tribunal constituted in accordance with the regulations ;
 - (d) provide for the procedure of that tribunal, and in particular for entitling the person objecting to appear before the tribunal with any witnesses he desires to call, and to require the tribunal to inspect the premises to which the objections relate;
 - (e) require that tribunal to determine whether the objections are made out and, if not, on which of the grounds in respect of which they are made they are not made out, and provide that, in the event of a difference of opinion among the members of the tribunal, the determination of the majority of them shall be the determination of the tribunal;
 - (f) require that the determinations of the tribunal shall be reported to the Minister and communicated by him to the person objecting, and to provide that the determinations of the tribunal as stated in the report shall, for the purpose of the proposal to refuse or cancel registration, be conclusive evidence of the facts found by it;
 - (g) enable that person within the time so prescribed to make representations to the Minister that the registration should not be refused or cancelled on the grounds stated in the notice mentioned in sub-paragraph (a);
 - (h) provide that no registration shall be cancelled—
 - (i) in any case, until the expiry of the prescribed time for making objections or representations under the regulations ;
 - (ii) in a case where an objection is made within that time, until the report of the tribunal on it has been received and considered by the Minister ;
 - (iii) in a case where representations are made to the Minister within that time, until the representations have been considered by him.
- 10 There shall be paid out of moneys provided by Parliament to the chairman of any such tribunal as is referred to in paragraph 9 such remuneration (by way of salary or fees) and such allowances as the Minister may, with- the Treasury's approval, determine.

SCHEDULE 3

Section 35.

DISEASES OF COWS TO WHICH SECTION 35 APPLIES

Acute Mastitis.

Actinomycosis of the udder.

Suppuration of the udder.

Any infection of the udder or teats which is likely to convey disease.

Any comatose condition.

Any septic condition of the uterus.

Anthrax.

Foot-and-mouth disease.

Status: This is the original version (as it was originally enacted).

SCHEDULE 4

Sections 38(3) and 43(4).

LICENCES TO USE SPECIAL DESIGNATIONS

PART I

GENERAL

- 1 (1) Milk (Special Designation) Regulations shall enable—
- (a) the licensing authority, or
 - (b) on appeal to him under this Schedule, the Minister,
- to revoke or suspend a licence authorising the use of a special designation, on the ground of any breach of a condition of the licence proved to the licensing authority's satisfaction, or, as the case may be, to the Minister's.
- (2) This paragraph has, in relation to licences for specified areas, effect subject to Part II.
- 2 Those regulations shall provide as to any decision to refuse or suspend or revoke such a licence—
- (a) where the licensing authority is a local authority, for conferring on the applicant or the holder of the licence, as the case may be (in this Schedule called " the person affected ") a right to be heard by the appropriate committee of the authority before a decision is made, and a right of appeal to the Minister against a decision adverse to the person affected ;
 - (b) for requiring the Minister on any such appeal to him, and when acting as licensing authority, before making his decision to afford to the person affected an opportunity of making representations;
 - (c) for securing that any such hearing by a committee shall be in public, that the person affected shall be entitled to be heard by himself or by counsel or a solicitor or other representative as he may elect, and that he or his representative shall be entitled to call witnesses and to cross-examine witnesses called by another ; and
 - (d) for securing that such notice of a decision or proposed decision shall be given to the person affected as may be requisite for enabling him effectively to exercise rights conferred on him by this paragraph.
- 3 Paragraph (c) of section 118(1) does not apply to any such decision as is mentioned in paragraph 2 above.

PART II

LICENCES HELD BY RETAILERS FOR SPECIFIED AREAS

- 4 (1) Any provision for the revocation of a licence authorising the use of a special designation on the ground of breach of a condition of the licence made by Milk (Special Designation) Regulations shall be such as to secure that a licence held by a retailer for a specified area shall not be revoked, and a grant of a licence by way of renewal of a licence so held shall not be refused, on the ground of breach of a condition of the licence so held, unless—
- (a) the breach in question is of a condition to which section 45 applies,
 - (b) the holder of the licence has been convicted of an offence under that section because of the breach in question, or has been convicted, within 12 months

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- before the time of the breach in question or after the time of it of an offence under section 39, section 40 or section 41, or of an offence under Milk and Dairies Regulations for which a penalty is imposed by those regulations; and
- (c) the decision of the licensing authority to revoke, or to refuse renewal, as the case may be, is made within 12 months from the date of the breach in question.
- (2) Any provision for the suspension of a licence authorising the use of a special designation on the ground of breach of a condition of the licence made by Milk (Special Designation) Regulations shall be such as to secure that—
- (a) a licence held by a retailer for a specified area shall not be suspended, by virtue of any one decision of the authority having power to suspend it, for a period of more than 3 months, but
- (b) a period of suspension of such a licence awarded by any such decision may be extended by a subsequent such decision made in accordance with the provisions of this Schedule.
- (3) For the purposes of any decision for the suspension of a licence held by a retailer for a specified area, the term of that licence and of any licence granted by way of its renewal shall be treated as if they had been a single term, and accordingly—
- (a) a period of suspension of such a licence of 3 months or less may be awarded notwithstanding that that period is longer than the unexpired residue of the term of the licence; and
- (b) where such a longer period of suspension of such a licence is awarded, a licence may be granted by way of its renewal but that licence shall be in suspense until the expiry of that period, and such a decision for extension of that period as is mentioned in paragraph (b) of sub-paragraph (2) of this paragraph may be made so as to extend the suspension of that licence.
- 5 Paragraph 1 in so far as it relates to proof of a breach of condition of a licence, has effect subject as follows—
- (a) the provision to be made as there mentioned extends to a breach because of which the holder of the licence has been convicted of an offence under section 45 without requiring any proof of the breach other than conviction; and
- (b) in relation to a case referred to a tribunal by virtue of the subsequent provisions of this Schedule, not being a case in which the holder of the licence has been convicted as mentioned above, paragraph 1 has effect with the substitution of a reference to proof by the finding of the tribunal for the reference to proof to the satisfaction of the licensing authority or the Minister.
- 6 (1) Milk (Special Designation) Regulations shall, where the issue is as to the revocation or suspension of a licence held by a retailer for a specified area, or as to the refusal to grant such a licence by way of renewal of such a licence, provide—
- (a) for requiring the Minister on such an appeal as is mentioned in sub-paragraph (a) of paragraph 2, and when acting as licensing authority, to refer the matter to a tribunal constituted in accordance with the regulations if the person affected so requests;
- (b) for requiring that the duty of such a tribunal on any such reference shall be—
- (i) to report findings on any question of fact appearing to them to be relevant, and

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- (ii) in particular, where the issue is as to revocation or suspension on the ground of a breach of condition not being one because of which the holder of the licence has been convicted of an offence under section 45, to find and report whether the breach was in fact committed (which finding shall be conclusive for the purposes of this Schedule):
 - (c) for requiring the Minister to consider the report of the tribunal before making his decision;
 - (d) for the procedure of such a tribunal, including provision for conferring on the person affected a right to be heard by the tribunal, and including provision for treating the finding of a majority of the members of such a tribunal as the finding of the tribunal in the event of a difference of opinion among the members;
 - (e) for securing that any such hearing as mentioned above by a tribunal shall be in public, that the person affected shall be entitled to be heard by himself or by counsel or a solicitor or other representative as he may elect, and that he or his representative shall be entitled to call witnesses and to cross-examine witnesses called by another; and
 - (f) for securing that such notice of a decision or proposed decision shall be given to the person affected as may be requisite for enabling him effectively to exercise rights conferred on him by virtue of the foregoing provisions of this paragraph.
- (2) There shall be paid out of moneys provided by Parliament to the chairman of any such tribunal such remuneration (by way of salary or fees) and such allowances as the authority appointing him may, with the Treasury's approval, determine.

SCHEDULE 5

Section 45.

CONDITIONS TO WHICH SECTION 45 APPLIES

Conditions to which section 45 applies are conditions relating to any of the following matters—

- 1 The examination or testing of animals, the inoculation of animals, the keeping of any animal or herd away from other animals, or other measure for detecting the existence of disease in animals or preventing the contracting or spread of it
- 2 The marking, or keeping of records, of any animals, or other measures for their identification.
- 3 The subjection of milk to any process of heat-treatment, or to any cooling or other process, requirements in connection with the subjection of milk to such a process or as to the temperature or other conditions under which it is to be kept afterwards, or the recording or retention of evidence of the observance of such requirements.
- 4 Satisfaction of a test of milk, being a test related to the subjection of milk to such a process as is mentioned above or to the observance of any such requirements as are mentioned above.
- 5 Measures for securing that milk produced, or subjected to a process, as required by any condition is kept away from, and free from admixture with, other milk not so produced or subjected or other things, or is not subjected to some specified process.

- 6 The manner in which milk produced, or subjected to any process, in accordance with any conditions is to be dealt with or kept as respects the receptacles in which it is to be put or to remain, the closing or fastening of receptacles, or the marking of receptacles, or of things by which they are closed or fastened.
- 7 The manner of describing milk produced, or subjected to any process, in accordance with any conditions.
- 8 The making or keeping of records of milk produced, bought, subjected to any process, or sold.

SCHEDULE 6

Section 74.

PROVISIONS OF THIS ACT TO BE ENFORCED BY PARTICULAR AUTHORITIES

Provisions to be enforced and executed by the Minister

- 1 (1) Any order under section 5.
- (2) Section 39, so far as it applies to anything done in relation to raw milk by the producer of the milk.
- (3) Section 45(1), so far as it relates to—
- (a) licences authorising the use of a special designation in relation to milk by a local authority within the meaning of section 45; and
 - (b) licences authorising the use of a special designation in relation to raw milk by the producer of the milk.
- (4) Milk and Dairies Regulations in respect of—
- (a) dairy farms,
 - (b) the registration of persons carrying on or proposing to carry on the trade of a dairy farmer, or
 - (c) the registration of occupiers of premises used temporarily as dairy farms, but excluding regulations made for the purposes of paragraph (f) or paragraph (g) of section 33(1).
- (5) Milk (Special Designation) Regulations in respect of the use of a special designation of raw milk by the producer of the milk.

Provisions to be enforced and executed by food and drugs authorities

- 2 (1) Sections 1, 2 and 6.
- (2) Section 36, and regulations having effect as if made under section 33 of the Food and Drugs Act 1955.
- (3) Section 39(1) and (2) (except as regards any use of a special designation in relation to raw milk, and as regards the making of any reference to raw milk by such a description as is mentioned in that subsection (2), by the producer of the milk);
- (4) Sections 40, 41 and 48.

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SCHEDULE 7

Sections 80, 81, 82, 83, 84, 102, 118.

SAMPLING

PART I

MANNER IN WHICH SAMPLES TAKEN OR PURCHASED FOR ANALYSIS ARE TO BE DEALT WITH

- 1 The sampling officer shall forthwith divide the sample into three parts, each part to be marked and sealed or fastened up in such manner as its nature will permit, and shall—
- (a) with respect to one part of the sample comply with paragraphs 2 to 8, and
 - (b) deal with the remaining parts in accordance with paragraph 9.
- 2 (1) If the sample was purchased by the sampling officer, he shall give the part of the sample to the vendor.
- (2) In relation to a sample purchased from an automatic machine, this paragraph applies as if for the reference to the vendor there were substituted a reference—
- (a) if the name and address (being an address in England and Wales) of a person stated to be the proprietor of the machine appears on the machine, to that person;
 - (b) in any other case, to the occupier of the premises on which the machine stands or to which it is affixed.
- 3 If the sample is of goods consigned from outside England and Wales and was taken by the sampling officer before delivery to the consignee, the officer shall give the part of the sample to the consignee.
- 4 (1) This paragraph applies in relation to any sample of milk taken by the sampling officer, except to—
- (a) one in relation to which paragraph 3 applies ; or
 - (b) any sample of cream.
- (2) If the sample was taken from a container—
- (a) having a capacity greater than six pints, and
 - (b) appearing to the officer to show the name and address (being an address in England and Wales) of any person as consignor of the milk,
- the officer shall give the part of the sample to that person.
- (3) If the sample was taken from a container—
- (a) having a capacity of six pints or less, and
 - (b) appearing to the officer to show the name and address (being an address in England and Wales) of any person as the person who put the milk into the container,
- the officer shall give the part of the sample to that person.
- (4) If—
- (a) neither sub-paragraphs (2) or (3) apply, and
 - (b) the sample was taken at a dairy,
- the officer shall give the part of the sample to the occupier of the dairy.

- (5) If none of sub-paragraphs (2) to (4) apply, the officer shall give the part of the sample—
- (a) to the occupier of the dairy from which the milk was consigned; or
 - (b) if the milk was consigned from more than one dairy, to the occupier of the dairy from which it was last consigned.
- 5 If—
- (a) none of the foregoing paragraphs of this Schedule apply, and
 - (b) the sample was taken by the sampling officer at the request of a purchaser, or taken with the consent of a purchaser by retail,
- the officer shall give the part of the sample to the vendor.
- 6 If—
- (a) none of the foregoing paragraphs of this Schedule apply, and
 - (b) the sample was taken in transit,
- the sampling officer shall give the part of the sample to the consignor.
- 7 If none of the foregoing paragraphs of this Schedule apply, the sampling officer shall give the part of the sample to the person appearing to be the owner of the food or substance of which the sample was taken.
- 8 In every case to which paragraphs 2 to 7 apply the sampling officer shall inform the person to whom the part of the sample is given that the sample was purchased or taken for the purpose of analysis by a public analyst.
- 9 Of the remaining parts of the sample, the sampling officer shall, unless he decides not to have an analysis made, submit one for analysis in accordance with section 79, and retain the other for future comparison.
- 10 Any part of a sample which under this Schedule is to be given to any person may be given either by delivering it to him or to his agent or by sending it to him by registered post or the recorded delivery service; but where after reasonable inquiry the sampling officer is unable to ascertain the name and address of the person to whom the part of the sample is to be given, he may, in lieu of giving the part to that person, retain it.

PART II

SPECIAL PROVISIONS AS TO SAMPLING OF MILK

- 11 Where a sample of milk is procured from a purveyor of milk, he shall, if required to do so by the person by whom or on whose behalf the sample was procured, state the name and address of the seller or consignor from whom he received the milk.
- 12 (1) Within 60 hours after the sample was procured from the purveyor, he may serve on the authority by whose officer it was procured, or, if it was not procured by an officer of any authority, on the food and drugs authority within whose area it was procured, a notice—
- (a) stating the name and address of the seller or consignor from whom he received the milk and the time and place of delivery to himself of milk from a corresponding milking; and

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- (b) requesting the authority to take immediate steps to procure, as soon as practicable, a sample of milk from a corresponding milking in the course of transit or delivery to himself from the seller or consignor.
- (2) If such a sample has been so procured since the sample in question was procured, or had been so procured within 24 hours prior to that sample being procured, it is not necessary for the authority to procure another sample in accordance with the notice.
- (3) The purveyor has no right to require that such a sample shall be procured if the milk from which the sample procured from him was taken was a mixture of milk produced on more than one dairy farm.
- 13 If a purveyor has served on the authority such a notice as is mentioned above, and the authority have, in a case not falling within paragraph 12(2) or (3), omitted to procure a sample of milk from the seller or consignor in accordance with the foregoing provisions, no proceedings under this Act shall be taken against the purveyor in respect of the sample procured from him.
- 14 Any sample so procured in the course of transit or delivery shall be submitted for analysis to the analyst to whom the sample procured from the purveyor is or was submitted.
- 15 If proceedings are taken against the purveyor, a copy of the certificate of the result of the analysis of every sample so procured in the course of transit or delivery shall be given to him, and every such certificate and copy shall, subject to section 97, be admissible as evidence on any question whether the milk sold by the purveyor was sold in the same state as it was when he purchased it.
- 16 The authority by whose officer, or within whose area, the first mentioned sample was procured may, instead of, or in addition to, taking proceedings against the purveyor, take proceedings against the seller or consignor.
- 17 (1) If a sample of milk of cows in any dairy is procured in course of transit or delivery from that dairy, the dairyman may, within 60 hours after the sample was procured, serve on the authority by whose officer the sample was procured a notice requesting them to take immediate steps to procure as soon as practicable a sample of milk from a corresponding milking of the cows and, thereupon, paragraphs 12 to 15 shall, so far as applicable, apply with any necessary modifications.
- (2) The person procuring the sample shall be empowered to take any such steps at the dairy as may be necessary to satisfy him that the sample is a fair sample of the milk of the cows when properly and fully milked.

SCHEDULE 8

Section 96.

GOVERNMENT DEPARTMENTS SPECIALLY AUTHORISED
 TO INSTITUTE PROCEEDINGS FOR OFFENCES

Minister

Offences for which
 proceedings may be instituted

The Minister	An offence against section 1, section 2 or section 6;
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Minister	Offences for which proceedings may be instituted
The Secretary of State.	<p>An offence against section 8 committed in respect of milk, or in respect of meat or meat products while in a slaughterhouse or in the course of importation;</p> <p>An offence against section 12;</p> <p>An offence against regulations made by the Ministers under section 4 or section 7.</p> <p>An offence against section 8, other than an offence committed in respect of milk, or in respect of meat or meat products while in a slaughterhouse or in the course of importation;</p> <p>An offence against section 16, section 27 or section 31.</p>

SCHEDULE 9

Section 134.

TRANSITIONAL AND SAVING PROVISIONS

Time running

- 1 Where a period of time specified in an enactment repealed by this Act is current at the Act's commencement, the Act has effect as if the provision corresponding to that enactment had been in force when that period began to run.

Section 41(1) Food and Drugs Act 1955

- 2 Subject to section 43(1), the provisions of section 40(1) of this Act shall be in operation in any area in which, immediately before the commencement of this Act, corresponding provisions were in operation by virtue of section 41(1) of the Food and Drugs Act 1955.

Local Acts

- 3 (1) In section 303 of the Public Health Act 1875 (power to repeal and alter local Acts by provisional orders), the reference to any local Act which relates to the same subject-matters as that Act shall be construed as including a reference to any local Act which relates to the same subject-matters as this Act
- (2) Notwithstanding the repeal by this Act of the provisions of sections 131(2) and Part II of Schedule 9 to the Food and Drugs Act 1955, any application may be made and any power may be exercised in relation to those provisions as and to the extent that they were capable of being made and exercised immediately before the commencement of this Act

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- (3) Any power exercisable under section 48 of the Local Government (Miscellaneous Provisions) Act 1982 (consequential repeal or amendment of local statutory provisions) in relation to a provision of that Act repealed by this Act is exercisable in relation to the corresponding provision of this Act as and to the extent that it was capable of such exercise immediately before the commencement of this Act

Public Health (Shell-Fish) Regulations 1934

- 4 An order having effect immediately before the commencement of this Act under the Public Health (Shell-Fish) Regulations 1934—
- (a) continues in force under those regulations of 1934 ; and
 - (b) may be further continued by regulations made under section 13 as if it had been made under such regulations.

Orders under Defence (Sale of Food) Regulations 1943

- 5 (1) Any order made under regulation 2 of the Defence (Sale of Food) Regulations 1943, being an order which was in force immediately before the commencement of this Act, shall—
- (a) in the case of an order made by the Minister of Food or by the Minister of Agriculture, Fisheries and Food for the purposes of paragraph (1)(b) of that regulation, continue in force and have effect as if contained in regulations made by the Ministers under section 7.
 - (b) in the case of an order made by the Minister of Food or by the Minister of Agriculture, Fisheries and Food for the purposes of paragraph (1)(b) of that regulation, continue in force and have effect as if contained in regulations made by the Ministers under section 4, and references in this Act to regulations made under those sections shall be construed accordingly.
- (2) Such an order may be varied or revoked accordingly by regulations made under section 4 or section 7, as the case may be ; and the order shall have effect, subject to any variation by regulations under this Act—
- (a) as if it provided that any breach was an offence under this Act; and
 - (b) as if it specified a food and drugs authority as the authority to enforce the provisions of the order within their area.

Sugar Act 1956

- 6 (1) Notwithstanding the repeal by this Act of section 23(4) of the Sugar Act 1956—
- (a) that subsection (which provides that British Sugar, public limited company, shall furnish the Minister and the Secretary of State with such estimates, returns, accounts and other information as to the company's business as they may re-respectively require) continues to have effect, and
 - (b) the power under section 4 of, and Part II of Schedule 3 to, the European Communities Act 1972 in relation to the repeal of that subsection continues to be exercisable,
- as if that subsection had not been repealed.
- (2) Nothing in this Act affects the saving (as regards advances made and guarantees given before 1st February 1973) in relation to section 22 of the Sugar Act 1956 in Part II of Schedule 3 to the European Communities Act 1972.

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Sections 252 and 254 Local Government Act 1972

- 7 Section 252 (general power to adapt Acts and instruments) and section 254 (consequential and supplementary provision) of the Local Government Act 1972 have effect in relation to those provisions of this Act which reproduce enactments which were in force before 1st April 1974 as if those provisions had been in force before that date.

SCHEDULE 10

CONSEQUENTIAL AMENDMENTS

City of London (Various Powers) Act 1959

- 1 In section 10(3) of the City of London (Various Powers) Act 1959, for " Food and Drugs Act 1955 " substitute " Food Act 1984 ".

London County Council (General Powers) Act 1959

- 2 In section 13(3) of the London County Council (General Powers) Act 1959, for "Food and Drugs Act 1955" substitute "Food Act 1984 ".

Public Health Act 1961

- 3 In paragraph (b) of section 41(1) of the Public Health Act 1961, for " subsection (1) of section twenty-three of the Food and Drugs Act 1955 " substitute " section 28(1) of the Food Act 1984 ".

Weights and Measures Act 1963

- 4 In sections 29(3) and 58(1) of the Weights and Measures Act 1963, for " Food and Drugs Act 1955 " substitute " Food Act 1984 ".
- 5 In paragraph 1(e) of Part I of Schedule 10 to that Act—
- (a) for "Food and Drugs Act 1955" substitute " Food Act 1984 ";
 - (b) for "section 134 of, and Schedule 10 to" substitute " sections 7(3) and 135 of ".

London Government Act 1963

- 6 For subsection (1) of section 54 of the London Government Act 1963, substitute—
- “(1) The council of a London borough shall, as respects that borough, be the authority responsible for enforcing section 35 of the Food Act 1984 (which prohibits the sale of milk from diseased cows), and the Common Council shall, as respects the City, be the authority for enforcing that section 35 ; and in that Act of 1984—
- (a) Part III (which relates to the provision and regulation of markets) extends to all the London boroughs ; and
 - (b) section 70 (which relates to cold storage) extends to the whole of Greater London.”.

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Agriculture Act 1967

- 7 In paragraph (e) of section 4(1) and in section 4(2) of the Agriculture Act 1967, for "section 56(2) of the Food and Drugs Act 1955 " substitute " section 57(2) of the Food Act 1984 ".
- 8 In section 7(3) of that Act, for "Food and Drugs Act 1955" substitute " Food Act 1984 ".
- 9 In section 25(2) of that Act, for "section 135(1) of the Food and Drugs Act 1955" substitute " section 132(1) of the Food Act 1984 ".

Farm and Garden Chemicals Act 1967

- 10 In subsections (3) and (7)(c) of section 4 of the Farm and Garden Chemicals Act 1967, for "section 89 of the Food and Drugs Act 1955" substitute " section 76 of the Food Act 1984 ".

Trade Descriptions Act 1968

- 11 In section 2(5) of the Trade Descriptions Act 1968, for "Food and Drugs Act 1955 " substitute " Food Act 1984 ".
- 12 In section 22(2) of that Act—
- (a) for " Food and Drugs Act 1955 " substitute " Food Act 1984 ";
 - (b) in paragraph (a) of that subsection, for " said Act of 1955, sections 93 and 97 " substitute " said Act of 1984, sections 80 and 84 ";
 - (c) for " section 123 or 123A of the said Act of 1955 " substitute " section 118 or 119 of the said Act of 1984 ".

Health Services and Public Health Act 1968

- 13 In section 62 of the Health Services and Public Health Act 1968—
- (a) in subsection (1)—
 - (i) omit " and in the Food and Drugs Act 1955 references to ships ",
and
 - (ii) for "in each of those Acts" substitute " in that Act ";
 - (b) in subsection (2) for " for the references therein to the Public Health Act 1936 and the Food and Drugs Act 1955, there were substituted references respectively to " substitute "the reference to the Public Health Act 1936 included references to both ".

Medicines Act 1968

- 14 In section 132(1) of the Medicines Act 1968, in the definition of " food and drugs authority ", for " Food and Drugs Act 1955 by section 198 of the Local Government Act 1972 " substitute " Food Act 1984 by section 71 of that Act ".
- 15 In paragraph 1(2) of Schedule 3 to that Act, for "section 89(1) of the Food and Drugs Act 1955 " substitute " section 76(1) of the Food Act 1984 ".

Status: This is the original version (as it was originally enacted).

Transport Act 1968

- 16 In paragraph 7(2)(i) of Schedule 16 to the Transport Act 1968, for "section 11(2) of the Food and Drugs Act 1955" substitute " section 11(4) of the Food Act 1984 ".

Agriculture Act 1970

- 17 In subsections (4) and (5) of section 25 of the Agriculture Act 1970, for "Food and Drugs Act 1955" substitute " Food Act 1984 ".

Tribunals and Inquiries Act 1971

- 18 In paragraph 15 of Part I of Schedule 1 to the Tribunals and Inquiries Act 1971, for "Food and Drugs Act 1955 (c.16)" substitute " Food Act 1984 ".

Road Traffic Act 1972

- 19 In section 10(7) of the Road Traffic Act 1972 for "section 89 of the Food and Drugs Act 1955" substitute " section 76 of the Food Act 1984 ".

Greater London Council (General Powers) Act 1972

- 20 In paragraph (a) of section 17(5) of the Greater London Council (General Powers) Act 1972, for "Food and Drugs Act 1955" substitute " Food Act 1984 other than Part IV ".

Poisons Act 1972

- 21 In paragraph (a) of section 8(4) of the Poisons Act 1972 for "section 89 of the Food and Drugs Act 1955" substitute " section 76 of the Food Act 1984 ".

Local Government Act 1972

- 22 In section 112(4) of the Local Government Act 1972 for "section 89 of the Food and Drugs Act 1955" substitute " section 76 of the Food Act 1984 ".

- 23 In section 259(3) of that Act—
- (a) in paragraph (b) for "Food and Drugs Act 1955" substitute " Food Act 1984 ";
 - (b) for paragraph (c) substitute—
 - “(c) any transfer or relinquishment of functions under any of the provisions of the Public Health Act 1936—
 - (i) which are incorporated in the Slaughterhouses Act 1974; or
 - (ii) which are repealed by the Food Act 1984 to the extent that those provisions were incorporated in the Food and Drugs Act 1955 and which are reproduced in that Act of 1984”.

Status: This is the original version (as it was originally enacted).

Greater London Council (General Powers) Act 1973

- 24 In section 2 of the Greater London Council (General Powers) Act 1973, for " 'the Act of 1955 ' means the Food and Drugs Act 1955" substitute " 'the Act of 1984' means the Food Act 1984".
- 25 In subsections (1) and (9) of section 30 of that Act, for "Act of 1955" substitute "Act of 1984".
- 26 In section 32(3) of that Act, for "subsection (5) of section 100 of the Act of 1955" substitute "section 87(5) of the Act of 1984".

National Health Service Reorganisation Act 1973

- 27 In paragraph (a) (ii) of section 18(3) of the National Health Service Reorganisation Act 1973 for "Food and Drugs Act 1955" substitute "Food Act 1984".

Slaughterhouses Act 1974

- 28 In the Slaughterhouses Act 1974—
- (a) in paragraph (a) of section 2(2),
 - (b) in paragraph (a) of section 4(2),
 - (c) in section 12(2)(4),
 - (d) in section 16(3),
- for "Food and Drugs Act 1955" substitute " Food Act 1984 ".

Weights and Measures etc. Act 1976

- 29 In section 12 of the Weights and Measures Act 1976—
- (a) in subsection (1)(a) for "Food and Drugs Act 1955 (the '1955 Act ')" substitute " Food Act 1984 (the '1984 Act')";
 - (b) in subsection (9)(a) for "the 1955 Act" substitute " the 1984 Act ".
- 30 In paragraph 2 of Schedule 6 to that Act—
- (a) in sub-paragraph (1), for "Food and Drugs Act 1955" substitute " Food Act 1984 ";
 - (b) in sub-paragraph (2)—
 - (i) for " Part V " substitute " Part VI ";
 - (ii) for "sections 126, 127, 128 and 131" substitute " sections 109, 111, 112, 113(1M4), sections 114 to 117, sections 122 to 125, sections 127 to 130, section 132(2) and Schedule 9 paragraph 3(1) and (2) ".

City of London (Various Powers) Act 1977

- 31 In section 22(2) of the City of London (Various Powers) Act 1977—
- (a) for "section 100 of the Food and Drugs Act 1955" substitute " section 87 of the Food Act 1984 " ; and
 - (b) for "section 101(2)" substitute " section 88(2) ".

Consumer Safety Act 1978

- 32 In the Consumer Safety Act 1978—

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- (a) in paragraph (b) of the definition of "goods" in section 9 (4) and
 - (b) in paragraph (g)(i) of section 11,
- for "section 135(1) of the Food and Drugs Act 1955" substitute " section 131(1) of the Food Act 1984 ".

Hydrocarbon Oil Duties Act 1979

- 33 In paragraph 5(d) of Schedule 5 to, the Hydrocarbon Oil Duties Act 1979 for "section 89 of the Food and Drugs Act 1955" substitute " section 76 of the Food Act 1984 ".

Local Government (Miscellaneous Provisions) Act 1982

- 34 In paragraph 110) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, for "section 55 of the Food and Drugs Act 1955" substitute " section 56 of the Food Act 1984 ".

Public Health (Control of Disease) Act 1984

- 35 In paragraph (a) of section 3(2) of the Public Health (Control of Disease) Act 1984, for "Food and Drugs Act 1955" substitute " Food Act 1984 ".
- 36 In paragraph (d) of section 7(3) of that Act, for "Food and Drugs Act 1955" substitute " Food Act 1984, other than Part IV ".
- 37 In paragraph (b) of section 20(1) of that Act, for "section 23 of the Food and Drugs Act 1955" substitute " section 28 of the Food Act 1984 ".

SCHEDULE 11

Section 134.

REPEALS AND REVOCATIONS

ACTS

Chapter	Short Title	Extent of Repeal
4 & 5 Eliz. 2. c.16.	Food and Drugs Act 1955.	The whole Act
4 & 5 Eliz. 2. c. 48.	Sugar Act 1956.	The whole Act
10 & 11 Eliz. c.46.	Transport Act 1962.	In Part I of Schedule 2, the entry relating to the Food and Drugs Act 1955.
1963 c. 33.	London Government Act 1963.	Section 54(4). In Schedule 13, Part II.
1967 c. 80.	Criminal Justice Act 1967.	In Part I of Schedule 3, the entry relating to the Food and Drugs Act 1955.
1968 c. 46.	Health Services and Public Health Act 1968.	In section 62(1), the words " and in the Food and Drugs

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Chapter	Short Title	Extent of Repeal
		Act 1955 references to ships "
1970 c. 3.	Food and Drugs (Milk) Act 1970.	The whole Act.
1971 c. 23.	Courts Act 1971.	In Part I of Schedule 9, the entry relating to the Food and Drugs Act 1955.
1972 c. 68.	European Communities Act 1972.	Section 7(3), (4). In Schedule 4. paragraph 3.
1972 c. 70.	Local Government Act 1972.	Sections 198 and 199.
1973 c. 32.	National Health Service Reorganisation Act 1973.	In paragraph 123 of Schedule 4, the words " and references to ships in the Food and Drugs Act 1955 ".
1974 c. 3.	Slaughterhouses Act 1974.	Section 46(2). In Schedule 3, paragraph 1. Schedule 4.
1974 c. 7.	Local Government Act 1974.	In Schedule 6, paragraph 11.
1976 c. 37.	Food and Drugs (Control of Food Premises) Act 1976.	The whole Act.
1977 c. 45.	Criminal Law Act 1977.	In Schedule 6, the entry relating to the Food and Drugs Act 1955.
1979 c. 2.	Customs and Excise Management Act 1979.	In paragraph 12 of Schedule 4, in Part I of the Table, the entry relating to the Food and Drugs Act 1955.
1980 c. 43.	Magistrates' Courts Act 1980.	In Schedule 7, paragraphs 14 and 15.
1980 c. 65.	Local Government, Planning and Land Act 1980.	In Schedule 1, paragraphs 6 and 7.
1981 c. 22.	Animal Health Act 1981.	In Schedule 5, paragraph 2.
1981 c. 26.	Food and Drugs (Amendment) Act 1981.	The whole Act.
1981 c. 67.	Acquisition of Land Act 1981.	In paragraph 1 of Schedule 4, the entry in the Table relating to the Food and Drugs Act 1955.
1982 c. 26.	Food and Drugs (Amendment) Act 1982.	The whole Act.

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Chapter	Short Title	Extent of Repeal
1982 c. 30.	Local Government (Miscellaneous Provisions) Act 1982.	Part IX.
1982 c. 48.	Criminal Justice Act 1982.	In Schedule 3, the entry relating to the Food and Drugs Act 1955.
1983 c. 41.	Health and Social Services and Social Security Adjudications Act 1983.	Paragraph (a) of section 27.

ORDERS

Year and Number	Title	Extent of Revocation
S.I. 1966/1305.	London Government Order 1966.	Article 2(11).
S.I. 1968/1699	Secretary of State for Social Services Order 1968.	In Part I of the Schedule, the entry relating to the Food and Drugs Act 1955.
S.I.1973/2095.	Local Government Reorganisation (Consequential Provisions) (Northern Ireland) Order 1973.	In Schedule 1, paragraph 5.
S.I. 1978/272.	Transfer of Functions (Wales) (No. 1) Order 1978.	In Schedule 5, paragraphs 6 and 7.