

1977 No. 1804 (S. 138)

FOOD AND DRUGS

The Poultry Meat (Slaughterhouse Checks on the Absorption of Water) (Scotland) Regulations 1977

<i>Made</i>	- - -	28th October 1977
<i>Laid before Parliament</i>		14th November 1977
<i>Coming into Operation</i>		12th December 1977

In exercise of the powers conferred on me by section 56A of the Food and Drugs (Scotland) Act 1956(a), as inserted by section 4(1) of, and paragraph 3(2)(b) of Schedule 4 to, the European Communities Act 1972(b), and section 2(2) of the said Act of 1972 (being designated one of the Ministers for the purposes of that section in relation to the common agricultural policy of the European Economic Community(c)), and of all other powers enabling me in that behalf, and after consultation with such organisations as appear to me to be representative of interests substantially affected, I hereby make the following regulations:—

Citation, extent and commencement

1. These regulations which may be cited as the Poultry Meat (Slaughterhouse Checks on the Absorption of Water) (Scotland) Regulations 1977, shall apply to Scotland, and shall come into operation on 12th December 1977.

Interpretation

- 2.—(1) In these regulations, unless the context otherwise requires—
“the Act” means the Food and Drugs (Scotland) Act 1956;
“Community provision” means any provision of the Council regulation;
“the Council regulation” means Council Regulation (EEC) No. 2967/76(d), laying down common standards for the water content of frozen and deep-frozen chickens, hens and cocks, as amended by Council Regulation (EEC) No. 1691/77(e);
“local authority” means the council of an islands area or region;
- (2) The Interpretation Act 1889(f) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(a) 1956 c. 30. (b) 1972 c. 68. (c) S.I. 1972/1811 (1972 III, p. 5216).
(d) O.J. No. L339, 8.12.76, p. 1. (e) O.J. No. L188, 28.7.77, p. 10. (f) 1889 c. 63.

Enforcement

3. The local authority of any area shall secure the enforcement and execution within its area of the provisions of these regulations and the Community provisions, and is hereby designated as the responsible authority within its area for the purposes of Article 6 of the Council regulation.

Powers of authorised officers

4.—(1) For the purpose of enforcing or executing any Community provision or any provision of these regulations, any authorised officer of a local authority shall, on producing, if so required, some duly authenticated document showing his authority, have a right to conduct on or in any premises which may be entered under the powers conferred by section 36 of the Act such checks as may reasonably be necessary.

(2) The powers conferred on authorised officers of local authorities by paragraph (1) of this regulation are without prejudice to any powers conferred on them by the Community provisions or by the Act.

Information to be supplied to the Secretary of State

5. Each local authority shall provide the Secretary of State with such information relating to the execution of its duties under these regulations as he may from time to time require.

Offences and penalties

6.—(1) Any person who contravenes or fails to comply with any provision of Article 2 of the Council regulation (which requires slaughterhouses to carry out regular checks on water absorbed by poultry, to record the results of those checks and, in appropriate cases, to make the necessary technical adjustments to their processing methods) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £100.

(2) Any person who—

- (a) wilfully obstructs an authorised officer of a local authority acting in the execution of the Community provisions or of these regulations, or
- (b) wilfully fails to comply with any requirements properly made of him by such an officer under these regulations, or
- (c) without reasonable cause fails to give such an officer so acting any other assistance, facilities or information which he may reasonably require of him for the purpose of the performance of his functions under these regulations, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £50.

New St. Andrew's House,
Edinburgh.
28th October 1977.

Bruce Millan,
One of Her Majesty's Principal
Secretaries of State.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which apply to Scotland only, come into operation on 12th December 1977. The Regulations supplement the provisions of Council Regulation (EEC) No. 2967/76 laying down common standards for the water content of frozen and deep-frozen chickens, hens and cocks, as amended.

The Regulations, which provide for the enforcement of Article 2 of the Council Regulation—

- (a) designate enforcement authorities (Regulation 3);
- (b) specify the powers of authorised officers of the enforcement authorities (Regulation 4);
- (c) prescribe offences and penalties (Regulation 6).

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