

1982 No. 1703

FOOD

MILK AND DAIRIES

**The Milk and Dairies (Revision of Penalties)
Regulations 1982**

<i>Made</i> - - - - -	<i>29th November 1982</i>
<i>Laid before Parliament</i>	<i>9th December 1982</i>
<i>Coming into Operation</i>	<i>1st January 1983</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Social Services and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 29, 30 and 123 of the Food and Drugs Act 1955(a), and now vested in them(b), and of all other powers enabling them in that behalf, hereby make the following regulations, after consultation in accordance with section 123(6) of the said Act with such organisations as appear to them to be representative of interests substantially affected by the regulations:—

Title and commencement

1. These regulations may be cited as the Milk and Dairies (Revision of Penalties) Regulations 1982 and shall come into operation on 1st January 1983.

Revision of penalties

2.—(1) The regulations specified in columns 1 and 2 of the Schedule to these regulations are hereby amended:—

- (a) by deleting everything following the word “liable” from the provision of the regulations specified in column 3 of the said Schedule and substituting for the part of that provision so deleted the words “on summary conviction to a fine not exceeding £1,000”; and
- (b) by deleting from the regulations the provision thereof specified in column 4 of the said Schedule.

(2) The Milk and Dairies (General) Regulations 1959(c) are hereby further amended by substituting for the words in regulation 33 from “on conviction” to the end of the regulation the words “on summary conviction to a fine not exceeding £25”.

(a) 1955 c. 16 (4 & 5 Eliz. 2); section 123 was amended by section 4 of the Food and Drugs (Amendment) Act 1982 (c. 26).

(b) S.I. 1968/1699, 1978/272.

(c) S.I. 1959/277; the relevant amending instrument is S.I. 1962/1288.

Offences committed before 1st January 1983

3. Nothing in these regulations shall affect the punishment for an offence committed before 1st January 1983.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd November 1982.



Peter Walker,
Minister of Agriculture, Fisheries and Food.

Norman Fowler,
Secretary of State for Social Services.

29th November 1982.

Nicholas Edwards,
Secretary of State for Wales.

24th November 1982.

SCHEDULE

Regulation 2(1)

REGULATIONS AMENDED BY REGULATION 2(1)
OF THESE REGULATIONS

Column 1	Column 2	Column 3	Column 4
S.I. No.	Title	Provision amended	Provision deleted
1956/919(a)	The Milk and Dairies (Channel Islands and South Devon Milk) Regulations 1956	Regulation 5	Regulation 6(2)
1959/277(b)	The Milk and Dairies (General) Regulations 1959	Regulation 34	Regulation 5A(2)
1973/1064(c)	The Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labeling) Regulations 1973	Regulation 5(1)	Regulation 6(2)
1976/1883	The Drinking Milk Regulations 1976	Regulation 8(1)	Regulation 10(2)
1976/2186	The Milk and Dairies (Milk Bottle Caps) (Colour) Regulations 1976	Regulation 4(1)	Regulation 5(2)

(a) Amended by S.I. 1962/1288.

(b) The relevant amending instrument is S.I. 1962/1288.

(c) There is an amendment not relevant to these regulations.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend various regulations relating to milk, all of which extend to England and Wales only, so as to alter penalties. With one minor exception (regulation 2(2)) the maximum fine for all offences against the regulations listed in the Schedule to these regulations is increased to £1,000 (regulation 2(1)(a)).

The Food and Drugs (Amendment) Act 1982 abolishes from 1st January 1983 imprisonment and daily fines for all offences against regulations amended by these regulations, and words relating to those penalties are consequently now removed.

The opportunity is also taken to remove from regulations amended by these regulations provisions which, because of the Food and Drugs (Amendment) Act 1982, would otherwise cease to have effect on 1st January 1983 (regulation 2(1)(b)).

All the amendments take effect on 1st January 1983.

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