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STATUTORY INSTRUMENTS

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**1994 No. 743**

**The Drinking Water in Containers Regulations 1994**

**Application of various provisions of the Food Safety Act 1990**

**8.—**(1) The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of section 8, 14 or 15 of the Act and, unless the context otherwise requires, any reference in them to the Act shall be construed for the purposes of these Regulations as a reference to these Regulations—

- (a) section 2 (extended meaning of “sale”, etc.);
- (b) section 3 (presumptions that food is intended for human consumption);
- (c) section 20 (offences due to fault of another person);
- (d) section 21 (defence of due diligence);
- (e) section 30(8) (which relates to documentary evidence);
- (f) section 33 (obstruction etc. of officers);
- (g) section 36 (offences by bodies corporate);
- (h) section 44 (protection of officers acting in good faith).

(2) Section 8(3) (which makes presumptions in the case of batches, etc. of food) of the Act shall apply to drinking water which it is an offence to bottle or sell under these Regulations as it applies to food which fails to comply with food safety requirements.

(3) Section 9 (inspection and seizure of suspect food) of the Act shall apply to drinking water which it is an offence to bottle or sell under these Regulations as it applies to food which fails to comply with food safety requirements.