
STATUTORY INSTRUMENTS

1997 No. 1729

The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997

PART IV

OFFENCES AND PENALTIES

Offences, penalties and enforcement

23.—(1) A person shall be guilty of an offence if he—

- (a) contravenes regulation 3, 4, 5, 6(2), 8, 9, 10, 11, 32(1), (2), (3), (4) or (5) or any provision of a notice given to him under these Regulations; or
- (b) without the consent in writing of an authorised officer, defaces, obliterates or removes any marking made under regulation 21(2)(c) or attempts to do so.

(2) A person guilty of an offence under paragraph (1) above or regulation 6(1) or 7 is liable on summary conviction to a fine not exceeding level 5 on the standard scale or on conviction on indictment to a fine.

(3) Each enforcement authority shall enforce these Regulations and shall give such assistance and information to each other enforcement authority as that other enforcement authority reasonably requires for the purpose of its duties under these Regulations.

(4) Where an offence under these Regulations is committed in Scotland by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, he as well as the partnership shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

(5) No prosecution for an offence under paragraph (1) above or regulation 6(1) or 7 shall be begun after the expiry of—

- (a) three years from the commission of the offence; or
- (b) one year from its discovery by the prosecutor,

whichever is the earlier.