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STATUTORY INSTRUMENTS

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**2003 No. 1659**

**The Cocoa and Chocolate Products (England) Regulations 2003**

**Defence in relation to exports**

**9.** In any proceedings for an offence under these Regulations it shall be a defence for the person accused to prove—

- (a) that the food in respect of which the offence is alleged to have been committed was intended for export to a country which has legislation analogous to these Regulations and that the food complies with that legislation; and
- (b) in the case of export to an EEA State, that the legislation complies with the provisions of Directive [2000/36/EC](#) of the European Parliament and the Council relating to cocoa and chocolate products intended for human consumption<sup>(1)</sup>.

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<sup>(1)</sup> OJNo. L197, 3.8.2000. p. 19, as adopted by EEA Joint Committee Decision 152/2001 (OJ No. L65, 7.3.2002, p. 26).