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STATUTORY INSTRUMENTS

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**2005 No. 3251**

**The Contaminants in Food (England) Regulations 2005**

**Offences and penalties**

**3.—**(1) Subject to the transitional arrangements contained in the Community provisions specified in paragraph (2), a person is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale if —

- (a) he places on the market any food (other than authorised lettuce or authorised spinach) which is covered by, but fails to meet the requirements of, Article 1.1, 2.1, 2.2 or 4.1 of the Commission Regulation, as read with Articles 1.2 and 4.3 of that Regulation; or
- (b) he contravenes Article 2.3, 4.2 or 4a of the Commission Regulation.

(2) The Community provisions mentioned in paragraph (1) are —

- (a) Article 7 of the Commission Regulation;
- (b) Article 2 of Commission Regulation [\(EC\) No 655/2004](#) amending Regulation [\(EC\) No 466/2001](#) as regards nitrate in foods for infants and young children;
- (c) Article 3 of Commission Regulation [\(EC\) No 683/2004](#) amending Regulation [\(EC\) No 466/2001](#) as regards aflatoxins and ochratoxin A in foods for infants and young children;
- (d) Article 2 of Commission Regulation [\(EC\) No 123/2005](#) amending Regulation [\(EC\) No 466/2001](#) as regards ochratoxin A;
- (e) Article 2 of Commission Regulation [\(EC\) No 208/2005](#) amending Regulation [\(EC\) No 466/2001](#) as regards polycyclic aromatic hydrocarbons.