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STATUTORY INSTRUMENTS

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**2006 No. 1401**

**The Plastic Materials and Articles in Contact  
with Food (England) Regulations 2006**

**PART 5**

**General and Supplementary**

**Application of provisions of the Act**

**21.** The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of the Act —

- (a) section 3 (presumption that food is intended for human consumption);
- (b) section 30(8) (relating to documentary evidence);
- (c) section 36 (offences by bodies corporate);
- (d) section 36A (offences by Scottish partnerships);
- (e) section 44 (protection of officers acting in good faith).

**Amendment of the Food Safety (Sampling and Qualifications) Regulations 1990**

**22.** In the Food Safety (Sampling and Qualifications) Regulations 1990(1), in Schedule 1 (provisions to which those Regulations do not apply) for the title and reference of the 1998 Regulations substitute the title and reference of these Regulations.

**Amendments to the Materials and Articles in Contact with Food (England) Regulations 2005**

- 23.—**(1) The 2005 Regulations are amended in accordance with paragraphs (2) to (6).
- (2) In regulation 2(1) —
- (a) omit the definition of “the 1998 Regulations”;
  - (b) after the definition of “sell” add the following definition —  
““the 2006 Regulations” means the Plastic Materials and Articles in Contact with Food (England) Regulations 2006(2).”
- (3) In regulation 8(4), for the expression “Schedules 1, 2 or 2A to the 1998 Regulations” substitute “Schedules 1, 2 or 3 to the 2006 Regulations”.
- (4) In regulation 9(3) —
- (a) for the expression “Part I of Schedule 1 to the 1998 Regulations” substitute “Part 1 of Schedule 1 to the 2006 Regulations”; and
  - (b) in sub-paragraph (b) for “Part II” substitute “Part 2”.

(5) In regulation 9(5), for the expression “Schedules 3 and 4 of the 1998 Regulations as read with regulation 6 of those Regulations” substitute “Schedules 5 and 6 of the 2006 Regulations as read with regulation 11 of those Regulations”.

(6) In regulation 10(2), for the expression “proceedings for an offence under regulation” substitute “proceedings for an offence of contravening regulation”.

## **Revocations**

**24.** The following Regulations or parts thereof are revoked —

- (a) the 1998 Regulations in so far as they apply in relation to England;
- (b) the Plastic Materials and Articles in Contact with Food (Amendment) (England) Regulations 2000<sup>(3)</sup>;
- (c) the Plastic Materials and Articles in Contact with Food (Amendment) (England) Regulations 2002<sup>(4)</sup>;
- (d) the Plastic Materials and Articles in Contact with Food (Amendment) (England) (No.2) Regulations 2002<sup>(5)</sup>;
- (e) the Plastic Materials and Articles in Contact with Food (Amendment) (England) Regulations 2004<sup>(6)</sup>;
- (f) the Plastic Materials and Articles in Contact with Food (Amendment) (England) Regulations 2005<sup>(7)</sup>;
- (g) regulation 15 of the 2005 Regulations.

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(3) S.I. 2000/3162  
(4) S.I. 2002/2364  
(5) S.I. 2002/3008  
(6) S.I. 2004/3113  
(7) S.I. 2005/325