

## SCHEDULE 4

### Application and modification of provisions of the Act

## PART 4

### Modification of section 39(1) and (3)

5. For section 39(1) (appeals against improvement notices) substitute—
  - “(1) On an appeal against an improvement notice served under section 10(1), as applied and modified by regulation 12(1) of, and Part 1 of Schedule 4 to, the Food Information Regulations 2014, the First-tier Tribunal may either cancel or affirm the notice and, if it affirms it, may do so either in its original form or with such modifications as the First-tier Tribunal may in the circumstances think fit.”
6. In section 39(3), omit “for want of prosecution”.