
WELSH STATUTORY INSTRUMENTS

2003 No. 1721

The Contaminants in Food (Wales) Regulations 2003

Offences and penalties

3.—(1) Subject to regulations 9 and 10, a person shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale if such person —

(a) before 1st January 2005 —

(i) places on the market any food (other than authorised spinach or authorised lettuce) 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

(ii) contravenes Article 2.3, 4.2 or 4a of the Commission Regulation;

(b) on or after 1st January 2005 —

(i) places on the market any food (other than 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

(ii) contravenes Article 2.3, 4.2 or 4a of the Commission Regulation; or

(c) knowingly contravenes or fails to comply with the requirements of a notice given under section 9(2)(a) of the Act as applied for the purposes of these Regulations by regulation 7(2).

(2) For the purposes of this regulation —

(a) “authorised spinach” means spinach of the kind specified in point 1.1 of section 1 of Annex I to the Commission Regulation, which is grown in the United Kingdom in accordance with the proviso to Article 3.1 of that Regulation and is intended for human consumption there; and

(b) “authorised lettuce” means lettuce of the kind specified in point 1.3 or in point 1.4 of section 1 of Annex I to the Commission Regulation, which is grown in the United Kingdom in accordance with the proviso to Article 3.1 of that Regulation and is intended for human consumption there.