STATUTORY INSTRUMENTS

2007 No. 3185

AGRICULTURE, ENGLAND
FOOD, ENGLAND

The Official Feed and Food Controls (England) Regulations 2007

Made - - - -	*6th November 2007*
Laid before Parliament	*14th November 2007*
Coming into force	*14th December 2007*

THE OFFICIAL FEED AND FOOD CONTROLS (ENGLAND) REGULATIONS 2007

PART 1

PRELIMINARY

1. Title, commencement and application
2. Interpretation

PART 2

MAIN PROVISIONS

3. Competent authorities
4. Exchanging and providing information
5. Obtaining information
6. Power to issue codes of recommended practice
7. Monitoring of enforcement action
8. Power to request information relating to enforcement action
9. Power of entry for persons monitoring enforcement action
10. Meaning of “enforcement authority” and related expressions
11. Offences relating to regulations 8 and 9
12. Right of appeal
13. Appeal to Crown Court against dismissal of appeal under regulation 12(1)
14. Staff of competent authority of another member State
15. Commission experts
16. Prohibition on disclosure of trade secrets

17. Execution and enforcement
18. Powers of entry
19. Obstruction etc. of officers
20. Penalties
21. Time limit for prosecutions

PART 3

OFFICIAL CONTROLS ON FEED AND FOOD OF NON–ANIMAL ORIGIN FROM THIRD COUNTRIES

22. Interpretation of this Part of these Regulations
23. Feed enforcement responsibilities
24. Food enforcement responsibilities
25. Functions of the Commissioners
26. Deferred execution and enforcement
27. Prohibition on introduction of certain feed and food
28. Checks on products
29. Detention, destruction, special treatment, re–dispatch and other appropriate measures and costs
30. Notices pursuant to Articles 18 and 19 of Regulation 882/2004 (imports of feed and food from third countries)
31. Right of appeal in respect of notices served under regulation 30
32. Appeal to Crown Court against dismissal of appeal under regulation 31
33. Serious risk to animal or public health
34. Costs
35. Procurement by authorised officers of samples with regard to food
36. Analysis etc. of samples
37. Powers of entry of authorised officers of a food authority
38. Obstruction etc. of officers (imports)
39. Offences and penalties
40. Time limit for prosecutions (imports)

PART 4

RECOVERY OF EXPENSES

41. Expenses arising from additional official controls
42. Expenses arising in respect of co-ordinated assistance and follow-up by the Commission

PART 5

ENFORCEMENT AND SUPPLEMENTARY PROVISIONS

43. Offences due to fault of another person
44. Defence of due diligence
45. Offences by bodies corporate
46. Offences by Scottish partnerships
47. Protection of officers acting in good faith
48. Service of documents
49. Revocation
Signature

SCHEDULE 1 — DEFINITIONS OF COMMUNITY LEGISLATION

SCHEDULE 2 — DEFINITION OF RELEVANT FEED LAW

SCHEDULE 3 — DEFINITION OF RELEVANT FOOD LAW

SCHEDULE 4 — COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 882/2004 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FEED LAW

SCHEDULE 5 — COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 882/2004 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FOOD LAW

Explanatory Note