
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 349

The Marketing of Bananas (Scotland) Regulations 2012

PART 3

Powers of authorised officers

Requirement to serve a notice in terms of regulation 9 or 10

11.—(1) If an authorised officer deems it appropriate to affix a non compliance label to any bananas or container holding bananas, the authorised officer must, at the same time serve a written notice on the owner of the bananas or an agent or employee or the owner, advising of the reasons for non compliance and clearly indicating—

- (a) in the case where regulation 9 applies, which of the situations contained in paragraph (2) or (3) of that regulation is applicable; or
- (b) in the case where regulation 10 applies, which of the circumstances contained in paragraphs (a) to (d) of that regulation is applicable.

(2) Any notice issued by an authorised officer in terms of this regulation must, in addition to the information required in terms of paragraph (1)(a) or (b) (as applicable), also contain the following information—

- (a) the notice shall be named “Notice of non compliance with ^{F1}... marketing rules”;
- (b) a reference to the Marketing of Bananas (Scotland) Regulations 2012;
- (c) a reference number to correspond with the compliance check, to be entered on the non compliance label affixed to the bananas, or as the case may be, to the container;
- (d) the name and address of the trader, importer or exporter responsible for the bananas;
- (e) the reasons for the non compliance with the ^{F1}... marketing rules;
- (f) a warning that it is an offence under these Regulations to display or offer for sale, deliver or market in any other manner bananas in contravention of the ^{F1}... marketing rules;
- (g) the origin of the bananas claimed;
- (h) the class of bananas claimed/attained;
- (i) the quantity of the consignment;
- (j) the signature of the authorised officer;
- (k) the date, time and place of the compliance check; and
- (l) an official stamp bearing the number identifying the authorised officer.

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Bananas (Scotland) Regulations 2012, Section 11. (See end of Document for details)

.....

Textual Amendments

- F1** Word in reg. 11(2) omitted (31.12.2020) by virtue of The Marketing of Horticultural Produce and Bananas (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/169), regs. 1(1)(b), **4(9)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Bananas (Scotland) Regulations 2012, Section 11.