

## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Trade Descriptions Act 1968 (c. 29)*

- 4 (1) Section 38 of the Trade Descriptions Act 1968 (orders) shall be amended as follows.
- (2) In subsection (2), the words from “agricultural” to “stuffs” (in the second place it appears) shall be omitted.
- (3) After subsection (2) there shall be inserted the following subsections—
- “(2A) Any order under the preceding provisions of this Act which relates to any agricultural, horticultural or fishery produce, whether processed or not, food, feeding stuffs or the ingredients of food or feeding stuffs shall be made by the Board of Trade acting jointly with the following Ministers, that is to say, if the order extends to England and Wales, the Secretary of State concerned with health and if it extends to Scotland or Northern Ireland, the Secretary of State concerned.
- (2B) Before making an order to which subsection (2) or (2A) of this section applies the Board of Trade shall consult the Food Standards Agency.”