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 S T A T U T O R Y I N S T R U M E N T S
 

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1985 No. 67

## FOOD

**The Food (Revision of Penalties) Regulations 1985**

<i>Made</i> - - - - -	18th January 1985
<i>Laid before Parliament</i>	31st January 1985
<i>Coming into Operation</i>	1st March 1985

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Social Services and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 4, 7, 13 and 118 of the Food Act 1984 **(a)** and now vested in them **(b)**, and of all other powers enabling them in that behalf; the Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated **(c)** for the purposes of section 2(2) of the European Communities Act 1972 **(d)** in relation to the common agricultural policy of the European Economic Community and in relation to the presentation and packaging of food intended for sale for human consumption, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf hereby make the following regulations, after consultation in accordance with section 118(6) of the said Act of 1984 with such organisations as appear to them to be representative of interests substantially affected by the regulations in so far as the regulations are made in exercise of the powers conferred by the said sections 4, 7 and 13:—

*Title and commencement*

1. These regulations may be cited as the Food (Revision of Penalties) Regulations 1985 and shall come into operation on 1st March 1985.

*Amendment of order and regulations*

2. The order and regulations specified in columns 1 and 2 of the Schedule to these regulations shall be amended by substituting in each provision specified in column 3 of the said Schedule “£2,000” for “£1,000”.

*Offences committed before 1st March 1985*

3. Nothing in these regulations shall affect the penalty which may be imposed for an offence committed before 1st March 1985.

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**(a)** 1984 c. 30.

**(b)** In the case of the Secretary of State for Social Services by virtue of S.I. 1968/1699 and in the case of the Secretary of State for Wales by virtue of S.I. 1978/272.

**(c)** S.I. 1972/1811 and 1981/833.

**(d)** 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with section 40 of the Criminal Justice Act 1982 (c. 48) and S.I. 1984/447.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 15th January 1985.



*Michael Jopling,*  
Minister of Agriculture, Fisheries and Food.

*Norman Fowler,*  
Secretary of State for Social Services.

18th January 1985.

*Nicholas Edwards,*  
Secretary of State for Wales.

16th January 1985.

Regulation 2

THE SCHEDULE

PART I

ORDER AND REGULATIONS WHOSE OFFENCES ARE SUMMARY

Column 1	Column 2	Column 3
Year and Number	Title	Provision amended
S.R. & O. 1926/820(a)	The Public Health (Imported Milk) Regulations 1926	Regulation 8
S.R. & O. 1944/42(b)	The Foods Standards (General Provisions) Order 1944	Article 2A
S.I. 1959/831(c)	The Arsenic in Food Regulations 1959	Regulation 5(1)
S.I. 1960/2331(c)	The Skimmed Milk with Non-Milk Fat Regulations 1960	Regulation 7(1)
S.I. 1964/19(a)	The Meat (Treatment) Regulations 1964	Regulation 5(1)
S.I. 1964/760(a)	The Soft Drinks Regulations 1964	Regulation 16(1)
S.I. 1966/1051(a)	The Salad Cream Regulations 1966	Regulation 8(1)
S.I. 1966/1073(a)	The Mineral Hydrocarbons in Food Regulations 1966	Regulation 6
S.I. 1966/1074(a)	The Butter Regulations 1966	Regulation 7(1)

(a) The relevant amending instrument is S.I. 1982/1727.

(b) The relevant amending instruments are S.R. & O. 1944/654 and S.I. 1982/1727.

(c) The relevant amending instruments are S.I. 1962/1287 and 1982/1727.

## PART I (continued).

Column 1	Column 2	Column 3
Year and Number	Title	Provision amended
S.I. 1967/1582(a)	The Solvents in Food Regulations 1967	Regulation 8(1)
S.I. 1967/1866(a)	The Ice-Cream Regulations 1967	Regulation 8(1)
S.I. 1967/1867(a)	The Margarine Regulations 1967	Regulation 11(1)
S.I. 1970/94(a)	The Cheese Regulations 1970	Regulation 16(1)
S.I. 1970/752(a)	The Cream Regulations 1970	Regulation 12(1)
S.I. 1973/1340(a)	The Colouring Matter in Food Regulations 1973	Regulation 9(1)
S.I. 1976/509(a)	The Specified Sugar Products Regulations 1976	Regulation 10(1)
S.I. 1976/541(a)	The Cocoa and Chocolate Products Regulations 1976	Regulation 16(1)
S.I. 1976/1832(a)	The Honey Regulations 1976	Regulation 10(1)
S.I. 1977/691(a)	The Erucic Acid in Food Regulations 1977	Regulation 5(1)
S.I. 1977/927(a)	The Fruit Juices and Fruit Nectars Regulations 1977	Regulation 12(1)
S.I. 1977/928(a)	The Condensed Milk and Dried Milk Regulations 1977	Regulation 10(1)
S.I. 1978/105(a)	The Antioxidants in Food Regulations 1978	Regulation 8(1)
S.I. 1978/1420(a)	The Coffee and Coffee Products Regulations 1978	Regulation 10(1)
S.I. 1979/752(a)	The Preservatives in Food Regulations 1979	Regulation 9(1)
S.I. 1979/1254(a)	The Lead in Food Regulations 1979	Regulation 6(1)
S.I. 1980/36(a)	The Chloroform in Food Regulations 1980	Regulation 6(1)
S.I. 1980/1833(a)	The Emulsifiers and Stabilisers in Food Regulations 1980	Regulation 8(1)
S.I. 1980/1834(a)	The Miscellaneous Additives in Food Regulations 1980	Regulation 7(1)
S.I. 1981/1063(a)	The Jam and Similar Products Regulations 1981	Regulation 16(1)
S.I. 1983/1211	The Sweeteners in Food Regulations 1983	Regulation 9(1)
S.I. 1983/1508	The Milk-based Drinks (Hygiene and Heat Treatment) Regulations 1983	Regulation 10(1)
S.I. 1984/1304	The Bread and Flour Regulations 1984	Regulation 11
S.I. 1984/1305	The Food Labelling Regulations 1984	Regulation 40
S.I. 1984/1566	The Meat Products and Spreadable Fish Products Regulations 1984	Regulation 15(1)

(a) The relevant amending instrument is S.I. 1982/1727.

## PART II

## REGULATIONS WHOSE OFFENCES ARE TRIABLE EITHER WAY

Column 1	Column 2	Column 3
Year and Number	Title	Provision amended
S.R. & O. 1934/1342(a)	The Public Health (Shell-Fish) Regulations 1934	Regulation 12(2)
S.I. 1959/734(b)	The Ice-Cream (Heat Treatment, etc.) Regulations 1959	Regulation 7
S.I. 1960/1602(a)	The Food Hygiene (Docks, Carriers, etc.) Regulations 1960	Regulation 25
S.I. 1963/1229(a)	The Meat Inspection Regulations 1963	Regulation 16(1)
S.I. 1963/1503(a)	The Liquid Egg (Pasteurisation) Regulations 1963	Regulation 4(1)
S.I. 1966/791(a)	The Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations 1966	Regulation 26
S.I. 1967/385(a)	The Food (Control of Irradiation) Regulations 1967	Regulation 6
S.I. 1970/1172(a)	The Food Hygiene (General) Regulations 1970	Regulation 30
S.I. 1976/1209(a)	The Poultry Meat (Hygiene) Regulations 1976	Regulation 29
S.I. 1977/1805(a)	The Slaughterhouses (Hygiene) Regulations 1977	Regulation 51(1)
S.I. 1981/454(a)	The Fresh Meat Export (Hygiene and Inspection) Regulations 1981	Regulation 17(1)
S.I. 1982/1018(a)	The Meat (Sterilisation and Staining) Regulations 1982	Regulation 26(1)

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations amend one order and a large number of regulations relating to food by increasing the maximum penalties which may be imposed on summary trial for offences against those provisions from £1,000 to £2,000 (regulation 2). This is in accordance with the Criminal Penalties etc (Increase) Order 1984 (S.I. 1984/447) which specifies the maximum fines that may be imposed for offences tried summarily.

The amendments, which extend to England and Wales only, come into force on 1st March 1985 and do not affect the penalty which may be imposed for an offence under the regulations so amended which was committed before that date (regulation 3).

(a) The relevant amending instrument is S.I. 1982/1727.

(b) The relevant amending instruments are S.I. 1962/1287 and 1982/1727.



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