
STATUTORY INSTRUMENTS

1995 No. 3123

The Sweeteners in Food Regulations 1995

Transitional provision and exemption

11.—(1) In any proceedings for an offence against these Regulations it shall be a defence to prove that—

- (a) (i) the act was committed before 30th June 1996, or
(ii) the act was that of selling a sweetener or a food which, in either case, was put on the market or labelled before 30th June 1996; and
- (b) the matters constituting the offence would not have constituted an offence under any Regulations now revoked or amended by these Regulations if those Regulations had been in operation (in the case of Regulations now being amended, as if such amendments had not been made) when the act was committed or the sweetener or, as the case may be, the food was put on the market or labelled.

(2) These Regulations shall not apply to any sweetener or, as the case may be, food which—

- (a) is brought into Great Britain before 30th June 1996 from a member State in which it was lawfully produced and sold or in which it was in free circulation and lawfully sold; and
- (b) is suitably labelled to give the nature of the sweetener or, as the case may be, the food.

(3) For the purpose of paragraph (2) above, “free circulation” shall be construed in accordance with Article 9.2 of the Treaty establishing the European Community.