
STATUTORY INSTRUMENTS

1998 No. 1277

The Food (Cheese) (Emergency Control) Order 1998

Application of other provisions of the Act

4.—(1) For the purposes of this Order, the following provisions of the Act shall apply, and any reference in those provisions to the Act shall be construed for the purposes of this Order as a reference to this Order—

- (a) section 9(2) to (9), subject to the modifications specified in paragraph (2) of this article (inspection and seizure of suspected food);
- (b) section 33 (obstruction etc. of officers);
- (c) section 35(1) (punishment of offences) in so far as it relates to offences under section 33 as applied by subparagraph (b) above; and
- (d) section 44 (protection of officers acting in good faith).

(2) In section 9—

- (a) for subsection (2) there shall be substituted the following subsection—

“(2) The provisions of subsection (3) to (9) shall apply in any case where it appears to an authorised officer of a food authority, that any food is cheese in respect of which commercial operations are prohibited by an Order made under section 13 of this Act.”;

- (b) in subsections (4) and (6) there shall be added after the words “food safety requirements” wherever they appear the words “or is cheese in respect of which commercial operations are prohibited by an Order made under section 13 of this Act”;
- (c) in subsection (9)(c) there shall be added after the words “food safety requirements” the words “or that it is cheese in respect of which commercial operations are prohibited by an Order made under section 13 of this Act.”.