
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the enforcement in England of—

a) in respect of beef derived from animals slaughtered on or after 1st September 2000, Title II of Regulation (EC) No. 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products (OJ No. L204, 11.8.00, p. 1) and Commission Regulation (EC) No. 1825/2000 laying down detailed rules for the application of Regulation (EC) No. 1760/2000 as regards the labelling of beef and beef products (OJ No. L216, 26.8.00, p. 8); and

b) in respect of beef derived from animals slaughtered before 1st September 2000, Commission Regulation (EC) No. 1141/97 laying down detailed rules for the implementation of Council Regulation (EC) No. 820/97 as regards the labelling of beef and beef products (OJ No. L 165, 24.6.97, p. 7).

The Regulations, which revoke and replace the Beef Labelling (Enforcement) Regulations 1998 (S.I. 1998/616) in so far as they apply in England, provide for the enforcement of the compulsory and voluntary beef labelling schemes established by the above Community instruments.

Regulation 3 provides that the Minister is the competent authority for the purposes of those schemes, while regulation 4 sets out enforcement authorities.

By regulation 5 it is made an offence for persons engaged in the marketing of beef to fail to comply with the applicable requirements of the compulsory and voluntary beef labelling schemes. It is also made an offence to fail to comply with the requirements of a notice served by an authorised officer requiring the removal from sale of beef which has been wrongly labelled and marketed. These offences are punishable on summary conviction to a fine not exceeding £5,000 (regulation 13(1)).

The Regulations also confer powers of entry, inspection, sampling and seizure on authorised officers (regulations 6 and 7) and make provision for the protection of officers acting in good faith (regulation 8). Regulation 9 creates offences in respect of the obstruction of any person acting in the execution of the Regulations, offences which may be punishable on summary conviction by a fine not exceeding £5,000 or imprisonment of up to three or six months (regulation 13(2) and (3)). Further provision is made in respect of offences due to the fault of another person (regulation 10), offences by bodies corporate (regulation 11) and the defence of due diligence (regulation 12). A Regulatory Impact Assessment has not been prepared in respect of these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Beef Labelling (Enforcement) (England) Regulations 2000.