STATUTORY INSTRUMENTS

1962 No. 1668 (S. 68)

FOOD AND DRUGS

The Food and Drugs (Legal Proceedings) (Scotland) Regulations 1962

Made - - - -	*27th July* 1962
Laid before Parliament	*8th August* 1962
Coming into Operation	*9th August* 1962

In exercise of the powers conferred on me by sections 4, 7, 16 and 56 of the Food and Drugs (Scotland) Act 1956(a) and of all other powers enabling me in that behalf, and after consultation with such organisations as appear to me to be representative of interests substantially affected by these regulations and after reference to the Scottish Food Hygiene Council under section 25 of the said Act, I hereby make the following regulations:—

1.—(1) These regulations may be cited as the Food and Drugs (Legal Proceedings) (Scotland) Regulations 1962, and shall come into operation on 9th August 1962.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. The Regulations, the short titles of which are set out in the first column of the Schedule to these regulations, shall be amended by adding thereto in each case the following regulation:—

"(1) Sections 41 (2) and (5) (which relates to proceedings), 42 (1), (2) and (3) (which relates to evidence of certificates of analysis), 44 (which relates to the power of a court to require analysis by the Government Chemist), 46 (2) (which relates to the conditions under which a warranty may be pleaded as a defence) and 47 (which relates to offences in relation to warranties and certificates of analysis) of the Food and Drugs (Scotland) Act 1956 shall apply for the purposes of these regulations as if references therein to proceedings, or a prosecution, under or taken under that Act included references to proceedings, or a prosecution as the case may be, taken for an offence against these regulations and in addition as if—

(*a*) in the case of section 44 (1) of the Food and Drugs (Scotland) Act 1956, the reference therein to section 41 (5) of that Act included a reference to said section 41 (5) as applied by these regulations; and

(*b*) in the case of section 47 (1) and (2) of the Food and Drugs (Scotland) Act 1956, the references therein to an offence against that Act included references to an offence against these regulations.

(2) Section 41 (4) of the Food and Drugs (Scotland) Act 1956 shall apply for the purposes of these regulations as if the reference therein to section 47 of that Act included a reference to said section 47 as applied by these regulations."

(a) 4 & 5 Eliz. 2. c. 30. (b) 52 & 53 Vict. c. 63.

the regulation so added bearing, in the case of each of the said Regulations, the number set out in the second column of the said Schedule opposite the short title thereof.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
27th July 1962.

SCHEDULE

Short titles of Regulations	Number of the regulation added in accordance with regulation 2 hereof
~~The Flour (Composition) (Scotland) Regulations 1956(a) ... ...~~	~~7~~
The Colouring Matter in Food (Scotland) Regulations 1957(b)	11
The Antioxidant in Food (Scotland) Regulations 1958(c)	10
The Milk and Dairies (Channel Islands and South Devon Milk) (Scotland) Regulations 1958(d) ...	8
The Food Standards (Ice Cream) (Scotland) Regulations 1959(e)	9
The Arsenic in Food (Scotland) Regulations 1959(f), as amended(g)	7
The Condensed Milk (Scotland) Regulations 1959(h)	9
The Fluorine in Food (Scotland) Regulations 1959(i)	8
The Skimmed Milk with Non-Milk Fat (Scotland) Regulations 1960(j)	9

EXPLANATORY NOTE

(This Note is not part of the regulations, but is intended to indicate their general purport.)

These regulations amend the regulations named in the Schedule by applying specifically certain sections of the Food and Drugs (Scotland) Act 1956, which relate to legal proceedings, to proceedings for an offence against those regulations.

(a) S.I. 1956/1354 (1956 I, p. 998).
(b) S.I. 1957/1123 (1957 I, p. 1003).
(c) S.I. 1958/1467 (1958 I, p. 1167).
(d) S.I. 1958/2229 (1958 I, p. 1192).
(e) S.I. 1959/572 (1959 I, p. 1319).
(f) S.I. 1959/928 (1959 I, p. 1296).
(g) S.I. 1960/2344 (1960 II, p. 1479).
(h) S.I. 1959/1115 (1959 I, p. 1311).
(i) S.I. 1959/2182 (1959 I, p. 1302).
(j) S.I. 1960/2437 (1960 II, p. 1491).