STATUTORY INSTRUMENTS

1977 No. 1854

FOOD AND DRUGS

The Poultry Meat (Slaughterhouse Checks on the Absorption of Water) Regulations 1977

Made - - - -	12*th November* 1977
Laid before Parliament	21*st November* 1977
Coming into Operation	12*th December* 1977

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Social Services, being designated Ministers(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the Economic Community, acting jointly in exercise of the powers conferred on them by the said section 2(2) and section 123A of the Food and Drugs Act 1955(**c**) as amended by section 4(1) of, and paragraph 3(2)(*a*) of Schedule 4 to, the European Communities Act 1972 and as read with the Secretary of State for Social Services Order 1968(**d**) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Poultry Meat (Slaughterhouse Checks on the Absorption of Water) Regulations 1977, and shall come into operation on 12th December 1977.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

"authorised officer" means an authorised officer of a food and drugs authority;

"Community provision" means any provision of the Council regulation;

"the Council regulation" means Council regulation (EEC) No. 2967/76, laying down common standards for the water content of frozen and deep-frozen chickens, hens and cocks(**e**), as amended by Council regulation (EEC) No. 1691/77(**f**);

"food and drugs authority" has the meaning assigned to it by section 198 of the Local Government Act 1972(**g**);

(**a**) Designated by the European Communities (Designation) Order 1972—S.I. 1972/1811 (1972 III, p. 5216).
(**b**) 1972 c. 68.
(**c**) 1955 c. 16(4 & 5 Eliz. 2)
(**d**) S.I. 1968/1699 (1968 III, p. 4585).
(**e**) O.J. No. L339, 8.12.76, p. 1.
(**f**) O.J. No. L188, 28.7.77, p. 10.
(**g**) 1972 c. 70.

"the Minister" means the Minister of Agriculture, Fisheries and Food.

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

Enforcement authorities

3. Each food and drugs authority is hereby designated as the responsible authority in its area for the purposes of article 6 of the Council regulation and as such shall secure the enforcement and execution of the Community provisions and the provisions of these regulations.

Powers of authorised officers

4.—(1) For the purpose of enforcing or executing any Community provision or any provision of these regulations, an authorised officer shall, on producing, if so required, some duly authenticated document showing his authority, have a right to conduct on or in any premises which may be entered under the powers conferred by section 100 of the Food and Drugs Act 1955 such checks as may reasonably be necessary.

(2) The powers conferred on authorised officers by paragraph (1) of this regulation are without prejudice to any powers conferred on them by the Community provisions or by the Food and Drugs Act 1955.

Obstruction

5. No person shall—

(*a*) wilfully obstruct an authorised officer acting in the execution of the Community provisions or of these regulations; or

(*b*) without reasonable cause fail to give to any authorised officer acting as aforesaid any assistance, facilities or information which the authorised officer may reasonably require of him.

Offences and penalties

6.—(1) Any person who contravenes or fails to comply with any provision of article 2 of the Council regulation (which requires slaughterhouses to carry out regular checks on water absorbed by poultry, to record the results of those checks and, in appropriate cases, to make the necessary technical adjustments to their processing methods) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £100.

(2) Any person who contravenes or fails to comply with regulation 5 of these regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £50.

(a) 1889 c. 63.

Information to be provided by food and drugs authorities

7. Each food and drugs authority shall provide the Minister with such information relating to the execution of its duties under these regulations as he may from time to time require.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 10th November 1977.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

12th November 1977.

David Ennals,
Secretary of State for Social Services.

EXPLANATORY NOTE

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

These Regulations, which apply to England and Wales only, come into operation on 12th December 1977. The regulations supplement the provisions of Council regulation (EEC) No. 2967/76 laying down common standards for the water content of frozen and deep-frozen chickens, hens and cocks, as amended. The regulations, which provide for the enforcement of article 2 of the Council regulation—

(*a*) designate enforcement authorities (Regulation 3);

(*b*) specify the powers of authorised officers of the enforcement authorities (regulation 4);

(*c*) prescribe offences and penalties (Regulation 6).

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