STATUTORY INSTRUMENTS

1982 No. 1726

AGRICULTURE

The Butter (EEC Special Sale) Regulations 1982

Made - - - -	1*st December* 1982
Laid before Parliament	2*nd December* 1982
Coming into Operation	3*rd December* 1982

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the European Economic Community, acting jointly in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Title and commencement

1. These regulations may be cited as the Butter (EEC Special Sale) Regulations 1982 and shall come into operation on 3rd December 1982.

Interpretation

2. In these regulations—

"the Commission Regulation" means Commission Regulation (EEC) No 2991/82 on the temporary marketing during the 1982/83 milk year of reduced-price butter for direct consumption in the Community(**c**);

"local weights and measures authority" has the meaning assigned to it by section 201(2) to (4) of the Local Government Act 1972(**d**);

"nominal quantity" has the same meaning as it has, as respects Great Britain, in Part I of the Weights and Measures Act 1979(**e**) and, as respects Northern Ireland, in Part VI of the Weights and Measures (Northern Ireland) Order 1981(**f**); and

"special sale butter" means butter to which the provisions of the Commission Regulation apply.

Requirements relating to the packaging of special sale butter

3.—(1) Subject to paragraph (4) below, no person shall sell in the United Kingdom any special sale butter which is packed ready for sale by retail unless the requirements of Article 5(2) of the Commission Regulation are observed in respect of that butter.

(**a**) S.I. 1972/1811. (**b**) 1972 c. 68. (**c**) OJ No. L 314, 10.11.82, p. 27.
(**d**) 1972 c. 70. (**e**) 1979 c. 45. (**f**) S.I. 1981/231 (N.I. 10).

(2) No person shall sell in the United Kingdom any butter in a package to which Article 6(2) of the Commission Regulation applies unless the requirements of the said Article 6(2) are observed in respect of that package.

(3) For the purposes of Article 5(2) of the Commission Regulation, there shall be printed on every pack of butter to which paragraph (1) above applies either, or both, of the following inscriptions—

(*a*) "Special sale—EEC";

(*b*) "Christmas butter".

(4) Paragraph (1) above shall not apply to a sale of special sale butter, packed ready for retail sale before the date of coming into operation of these regulations, for the purpose of repacking or marking in accordance with the requirements of Article 5(2) of the Commission Regulation.

Maximum retail price

4. No person shall sell by retail any special sale butter on a sale in the United Kingdom at a price exceeding 44p per 250g nominal quantity.

Enforcement in England and Wales and Northern Ireland

5. These regulations shall be enforced and executed by—

(*a*) as respects England and Wales, each local weights and measures authority within their area; and

(*b*) as respects Northern Ireland, the Department of Economic Development for Northern Ireland.

Offences and penalties

6. If any person contravenes, or fails to comply with, any provision of these regulations, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 1st December 1982.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

George Younger,
One of Her Majesty's Principal Secretaries of State.

1st December 1982.

EXPLANATORY NOTE

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

These regulations prescribe a maximum retail price for butter sold out of intervention stocks and EEC aided private storage at a subsidised price in accordance with the provisions of Commission Regulation (EEC) No 2991/82 (regulation 4) and require such butter which is packed ready for sale by retail to be sold in packs which conform with the provisions of Article 5(2) of that Regulation which relate to—

(*a*) the permitted weights of such packs; and

(*b*) the information to be printed on their wrappings (regulation 3(1) and (3)).

The regulations also require that the marking of outer containers is in accordance with Article 6(2) of the said Commission Regulation (regulation 3(2)).

The regulations also make provision for their enforcement and create criminal offences for contravention of, or failure to comply with, their provisions (regulations 5 and 6).

SI 1982/1726
ISBN 0-11-027726-0

