1964 No. 44 (S. 3)

FOOD AND DRUGS

COMPOSITION—SCOTLAND

The Meat (Treatment) (Scotland) Regulations 1964

Made - - - -	15*th January* 1964
Laid before Parliament	23*rd January* 1964
Coming into Operation	30*th January* 1964

In exercise of the powers conferred on me by sections 4 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, I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Meat (Treatment) (Scotland) Regulations 1964, and shall come into operation on 30th January 1964.

Interpretation

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

"the Act" means the Food and Drugs (Scotland) Act 1956;

"animal" does not include bird or fish;

"human consumption" includes use in the preparation of food for human consumption;

"meat" means the flesh or other part of any animal which is intended for sale for human consumption;

"processed", in relation to meat, includes curing by smoking and any treatment or process resulting in a substantial change in the natural state of the meat but does not include boning, paring, grinding, cutting, cleaning or trimming; and "unprocessed" shall be construed accordingly;

"sell" includes offer or expose for sale or have in possession for sale; and "sale" shall be construed accordingly;

"specified substance" means any substance specified in the Schedule to these regulations;

and other expressions have the same meaning as in the Act.

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

Enforcement

3.—(1) The local authority of any area shall, subject to the provisions of the next following paragraph, enforce and execute the provisions of these regulations within their area.

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

(2) Where any part of the area of a local authority lies within the area of a port local authority such of the functions of the local authority under these regulations in relation to any food imported into that part shall, in so far as these functions fall to be exercised by the port local authority by virtue of any order made under section 172 of the Public Health (Scotland) Act 1897(a) be exercised by that port local authority.

(3) In this regulation "local authority" means the council of a county or of a large burgh within the meaning of the Local Government (Scotland) Act 1947(b); and any small burgh within the meaning of that Act shall, for the purposes of these regulations, be included in the county in which it is situated; and "port local authority" includes a joint port local authority.

Sale etc. of raw meat containing any added specified substance

4.—(1) No raw and unprocessed meat shall contain any added specified substance.

(2) No person shall sell, consign or deliver any raw and unprocessed meat which contains any added specified substance.

Condemnation of meat

5. Where any meat is certified by a public analyst as being meat which it is an offence against regulation 4 hereof to sell, consign or deliver, that meat may be treated for the purposes of section 9 of the Act (under which food may be seized and destroyed on the order of a justice of the peace) as being unfit for human consumption.

Penalties

6.—(1) If any person contravenes or fails to comply with any of the foregoing provisions of these regulations he shall be guilty of an offence under these regulations.

(2) Any person who is guilty of an offence under these regulations shall be liable:—

(*a*) on summary conviction to:—

(i) a fine not exceeding £100 or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment; and

(ii) in the case of a continuing offence to a further fine not exceeding £10 for every day during which the offence is continued; or

(*b*) on conviction on indictment to:—

(i) a fine not exceeding £500 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment; and

(ii) in the case of a continuing offence, to a further fine not exceeding £50 for every day during which the offence is continued.

Application of various sections of the Act

7.—(1) Section 41(2) and (5) (which relate to proceedings), 42(1), (2) and (3) (which relate 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

(a) 60 & 61 Vict. c. 38. (b) 10 & 11 Geo. 6. c. 43.

certificates of analysis) of the Act, shall apply for the purposes of these regulations as if references therein to proceedings, or a prosecution, under or taken under the 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 Act, the reference therein to section 41(5) of the 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 Act, the references therein to an offence against the Act included references to an offence against these regulations.

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

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

St. Andrew's House,
Edinburgh, 1.

15th January 1964.

Regulation 4

SCHEDULE

SPECIFIED SUBSTANCES

Ascorbic acid.
Erythorbic acid.
Nicotinic acid.
Nicotinamide.
Any salt or other derivative of any of the above mentioned substances.

EXPLANATORY NOTE

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

These regulations, which apply to Scotland only, make it an offence to sell, consign or deliver any raw and unprocessed meat intended for sale for human consumption which contains any added substance of a kind specified in the Schedule to the regulations.