1962 No. 977

FOOD AND DRUGS

LABELLING, DESCRIPTION AND SALE BY WEIGHT

The Pre-Packed Food (Weights and Measures: Marking) (Amendment) Regulations 1962

Made - - - -	*9th May* 1962
Laid before Parliament	*15th May* 1962
Coming into Operation	*16th May* 1962

The Board of Trade, after consultation with organisations appearing to them to be representative of interests substantially affected by these Regulations and in pursuance of the powers conferred upon them by section 7 (1) and (2) and section 123 of the Food and Drugs Act 1955(a) and section 7 (1) and (2) and section 56 of the Food and Drugs (Scotland) Act 1956(b) and all other powers enabling them in that behalf, hereby make the following Regulations:—

1. The Pre-Packed Food (Weights and Measures: Marking) Regulations 1957(c) shall have effect as if to regulation 5 there were added the following paragraphs:—

"(3) The provisions of section 113 (which relates to contraventions due to default of some other person), subsection (2) of section 115 (which relates to conditions under which a warranty may be pleaded as defence) and section 116 (which relates to offences in relation to warranties) of the Food and Drugs Act 1955 shall apply as respects contraventions of the provisions of these Regulations as if any reference in those sections to proceedings or a prosecution under that Act were a reference to proceedings or, as the case may be, a prosecution for an offence against these Regulations.

(4) The provisions of subsection (2) of section 46 (which relates to conditions under which a warranty may be pleaded as defence) and section 47 (which relates to offences in relation to warranties) of the Food and Drugs (Scotland) Act 1956 shall apply as respects contraventions of the provisions of these Regulations as if any reference in those sections to proceedings or a prosecution under that Act were a reference to proceedings or, as the case may be, a prosecution for an offence against these Regulations.".

2. The Interpretation Act 1889(d) shall apply to the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of Parliament.

(a) 4 & 5 Eliz. 2. c. 16.
(b) 4 & 5 Eliz. 2. c. 30.
(c) S.I. 1957/1880 (1957 I, p. 1010).
(d) 52 & 53 Vict. c. 63.

3. These Regulations may be cited as the Pre-Packed Food (Weights and Measures: Marking) (Amendment) Regulations 1962 and shall come into operation on the 16th May 1962.

9th May 1962.

Niall Macpherson,
Parliamentary Secretary to the Board of Trade.

EXPLANATORY NOTE

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

These Regulations, which come into operation on the 16th May 1962, provide for the application of certain provisions of the Food and Drugs Act 1955 and the Food and Drugs (Scotland) Act 1956 in relation to proceedings for offences against the Pre-Packed Food (Weights and Measures: Marking) Regulations 1957. The provisions applied relate to the defence of contravention due to the default of third parties, the defence of warranty and offences in connection with warranties.