
STATUTORY INSTRUMENTS

2013 No. 1478

The Cosmetic Products Enforcement Regulations 2013

PART 2

Offences, Penalties and Enforcement

Appeal rights

15.—(1) Any person having an interest in any cosmetic product which is for the time being detained under paragraph 4 of Schedule 2 by an enforcement authority or by an officer of such an authority may apply for an order requiring the goods to be released to him or to another person.

(2) On an application under this section to the appropriate court (as determined in accordance with regulation 16), an order requiring goods to be released shall be made only if the court is satisfied—

(a) that proceedings—

(i) for an offence in respect of a contravention of any provision of the EU Cosmetics Regulation or these Regulations; or

(ii) for the forfeiture of the goods under regulation 20 or 21,

have not been brought or, having been brought, have been concluded without the goods being forfeited; and

(b) where no such proceedings have been brought, that more than six months have elapsed since the goods were seized.