

SCHEDULE 5

Regulation 19

Application and modification of other provisions of the Order

Column 1 Provision of the Order	Column 2 Modifications
Article 2(4) Article (presumptions that food intended for human consumption)	Any reference to “the Order” is to be construed as including a reference to these Regulations and the EU Regulations 4 References to “sold” and “sale” are deemed to include references to “placed on the market and “placing on the market” Any reference to “the Order” is to be construed as including a reference to these Regulations and the EU Regulations
Article 19 (offences due to fault of another person) Article 20 (defence of due diligence)	For “any of the preceding provisions of this part” substitute “the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013 or Article 9(2) as applied by Regulation 7(1) of those Regulations In paragraph (1) for “any of the preceding provisions of this Part” substitute “ Article 9(2), as applied by regulation 7(1) of the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013. ” In paragraph (2) for “Article 13 or 14” insert “or regulation 3,4,5,6 or 17(1) of the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013 In paragraph (4) references to “sale” include references to “placing on the market”
Article 30(8) (which relates to documentary evidence) Article 33	For “this Order” (in each place occurring) substitute “ the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013 ” References in paragraph (1) to “the Order” are to be construed as including references to the EU Regulations and these Regulations
Article 34 (obstruction of officers) Article 35 (time limit for prosecutions)	Any reference to the “Order” in Article 34(1) is to be construed as including a reference to the EU Regulations and these Regulations. In Article 34(2) the reference to “any such requirement as is mentioned in paragraph (1)(b)” is deemed to be a reference to any such requirement as is mentioned in that paragraph as applied by regulation 19 and this schedule Applies to offences under these Regulations as it applies to offences punishable under Article 36(2) of the Order
Article 36(1) and (2) (punishment of offences)	In paragraph (1), after “Article 34(1)”, insert “, as applied and modified by regulation 19 of, and Schedule 5, to, the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013, ”. After paragraph (1), insert— “(1A) A person guilty of an offence under Article 9(2), as applied by regulation 7(1) of the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013, shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.”. In paragraph (2)—

Changes to legislation: *There are currently no known outstanding effects for the The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013, SCHEDULE 5. (See end of Document for details)*

- (a) for “any other offence under this Order”, substitute “ an offence under Article 34(2), as applied by regulation 19, of and Schedule 5 to, the Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013, ”; and
 - (b) in paragraph (b), for “the relevant amount”, substitute “ the statutory maximum ”.
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Changes to legislation:

There are currently no known outstanding effects for the The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013, SCHEDULE 5.