

SCHEDULE 4

Regulation 10

Application and modifications of provisions of the Order

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Order</i>	<i>Modifications</i>
Article 4 (presumptions that food intended for human consumption)	In paragraph (1), for “this Order” substitute “the Jam and Similar Products Regulations (Northern Ireland) 2018”.
Article 9(1) and (2) (improvement notices)	For paragraph (1), substitute— “(1) If an authorised officer has reasonable grounds for believing that a person is failing to comply with any of regulations 4 to 8 of the Jam and Similar Products Regulations (Northern Ireland) 2018, he may, by a notice served on that person (in this order referred to as an “improvement notice”)— (a) state the officer’s grounds for believing that the person is failing to comply with the relevant provision; (b) specify the matters which constitute the person’s failure so to comply; (c) specify the measures which, in the officer’s opinion, the person must take in order to secure compliance; and (d) require the person to take those measures, or measures that are at least equivalent to them, within such period as may be specified in the notice”.
Article 19 (offences due to fault of another person)	For “any of the preceding provisions of this Part” substitute “Article 9(2), as applied by regulation 10 and Schedule 4 of the Jam and Similar Products Regulations (Northern Ireland) 2018,”.
Article 20 (1) and (5) (defence of due diligence)	In paragraph (1), for “any of the preceding provisions of this Part” substitute “Article 9(2), as applied by regulation 10 and Schedule 4 of the Jam and Similar Products Regulations (Northern Ireland) 2018,”.
Article 30(8) (which relates to evidence of certificates given by a food analyst or examiner)	For “this Order” substitute “the Jam and Similar Products Regulations (Northern Ireland) 2018”.
Article 34 (obstruction etc of officers)	In paragraph (1), for “this Order” (in each place occurring) substitute “the Jam and Similar Products Regulations (Northern Ireland) 2018”.
Article 36(1) and (2) (punishment of offences)	In paragraph (1), after “Article 34(1)”, insert, “as applied and modified by regulation 10 of, and Schedule 4 to, the Jam and Similar Products Regulations (Northern Ireland) 2018,”. After paragraph (1), insert— “(1A) A person guilty of an offence under Article 9(2), as applied by regulation 10 of the Jam and Similar Products Regulations (Northern Ireland) 2018, shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.”.

Status: This is the original version (as it was originally made).

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Order</i>	<i>Modifications</i>
	In paragraph (2)— (a) for “any other offence under this Order”, substitute “an offence under Article 34(2), as applied by regulation 10 of, and Schedule 4 to, the Jam and Similar Products Regulations (Northern Ireland) 2018.”; and (b) in paragraph (b), for “the relevant amount”, substitute “the statutory maximum.”
Article 37 (appeals)	For paragraph (1) substitute “Any person who is aggrieved by a decision of an authorised officer to serve an improvement notice under Article 9(1) as applied and modified by regulation 10 and Schedule 4 of the Jam and Similar Products Regulations (Northern Ireland) 2018 may appeal to a court of summary jurisdiction”. In paragraph (2A)(b) for “paragraph (1)(a)” substitute “paragraph (1)”
Article 38 (appeals against improvement notices)	In paragraphs (1) and (2), after “improvement notice” insert “under Article 9(1) as applied by regulation 10 and Schedule 4 of the Jam and Similar Products Regulations (Northern Ireland) 2018”