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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 291**

**The Cocoa and Chocolate Products (Scotland) Regulations 2003**

**Transitional provision**

**10.** In any proceedings for an offence under these Regulations it shall be a defence for the person charged to prove that—

- (a) the food concerned was marked or labelled before 3rd August 2003; and
- (b) the matters constituting the alleged offence would not have constituted an offence under the Cocoa and Chocolate Products (Scotland) Regulations 1976(1) if those Regulations had been in force when the food was marked or labelled.

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(1) S.I. 1976/914, amended by S.I. 1982/108, 1983/270, 1985/1068, 1990/2625, 1991/1476, 1992/2596, 1995/3186 and 3267, 1996/1499 and 1999/1136.