



Food Safety Act 1990

1990 CHAPTER 16

PART II

MAIN PROVISIONS

Defences etc.

20 Offences due to fault of another person.

Where the commission by any person of an offence under any of the preceding provisions of this Part is due to an act or default of some other person, that other person shall be guilty of the offence; and a person may be charged with and convicted of the offence by virtue of this section whether or not proceedings are taken against the first-mentioned person.

Modifications etc. (not altering text)

- C1** S. 20 applied by S.I. 1991/370, **reg. 3(2)**
S. 20 applied: (9.4.1992) by S.I. 1992/496, **reg. 7(1)(c)**; (29.5.1992) by S.I. 1992/1122, **reg. 4** (which S.I. was revoked (24.7.1992) by S.I. 1992/1601, **reg. 6**); (24.7.1992) by S.I. 1992/1601, **reg. 4**; (13.9.1992) by S.I. 1992/1971, **reg. 9(c)**; (14.9.1992) by S.I. 1992/1978, **reg. 7(c)**; (1.10.1992) by S.I. 1992/2037, **reg. 23(b)** (which S.I. was revoked (1.4.1995) by S.I. 1995/539, **reg. 25**, **Sch. 22** (with **regs. 3(2), 25, Sch. 22**))
S. 20 applied: (14.7.1993) by S.I. 1993/1520, **reg. 2(2)(c)**; (29.7.1993) by S.I. 1993/1658, **reg. 7(c)**
S. 20 applied (4.9.1996) by S.I. 1996/2265, **reg. 7(3)** (which S.I. was revoked (15.3.1997) by S.I. 1997/389, **reg. 14**)
S. 20 applied (15.3.1997) by S.I. 1997/389, **reg. 10(3)** (which S.I. was revoked (1.8.1997 at 6.00 p.m.) by S.I. 1997/1905, **reg. 20**); (11.8.1997) by S.I. 1997/1729, **reg. 34(1)(c)**; (1.8.1997 at 6.00 p.m.) by S.I. 1997/1905, **reg. 16(3)**
S. 20 applied (30.6.1999) by S.I. 1999/ 1513, **reg. 6(2)(a)**
S. 20 applied (W.) (1.4.2001) by S.I. 2001/1360, **reg. 7(1)(b)**
- C2** S. 20 applied (with modifications) (5.11.1991) by S.I. 1991/2486, **reg. 7(1)**

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S. 20 applied (with modifications): (1.1.1993 for certain purposes and 15.1.1993 otherwise) by S.I. 1992/3163, **regs. 1, 18(1)** (which S.I. was revoked (29.4.1998) by S.I. 1998/994, **reg. 59(1), Sch. 5**); (1.1.1993 for certain purposes and 15.1.1993 otherwise) by S.I. 1992/3164, **regs. 1, 19(1)** (which S.I. was revoked (29.4.1998) by S.I. 1998/994, **reg. 59(1), Sch. 5**); (18.12.1992 for certain purposes and 1.1.1993 otherwise) by S.I. 1992/3165, **regs. 1, 7(2)** (which S.I. was revoked (29.4.1998) by S.I. 1998/994, **reg. 59(1), Sch. 5**); (31.12.1992) by S.I. 1992/3236, **reg. 11(1)**

S. 20 applied (with modifications): (1.4.1994) by S.I. 1994/743, **reg. 8(1)(c)**; (1.5.1994) by S.I. 1994/1029, **reg. 25(b)** (which S.I. was revoked (1.4.1995) by S.I. 1995/540, **reg. 26** (with **reg. 3(5)**)); (2.9.1994) by S.I. 1994/2127, **reg. 5**; (1.1.1995) by S.I. 1994/3082, **reg. 21**

S. 20 applied (with modifications): (1.3.1995) by S.I. 1995/77, **reg. 23**; (1.4.1995) by S.I. 1995/539, **reg. 22**; (1.4.1995) by S.I. 1995/540, **reg. 24**; (1.4.1995) by S.I. 1995/614, **reg. 11**; (9.5.1995) by S.I. 1995/1086, **reg. 20(1)(c)**; (15.6.1995) by S.I. 1995/1372, **reg. 20(1)(c)**; (10.7.1995) by S.I. 1995/1544, **reg. 10**; (15.9.1995) by S.I. 1995/1763, **reg. 7(c)**; (15.9.1995) by S.I. 1995/2200, **reg. 18**; (20.9.1995) by S.I. 1995/2148, **reg. 17**; (1.1.1996) by: S.I. 1995/3116, **reg. 8**; S.I. 1995/3123, **reg. 9(c)**; S.I. 1995/3124, **reg. 11(c)**; S.I. 1995/3240, **reg. 10(c)** (which S.I. was revoked (1.7.1996) by S.I. 1996/1499, **reg. 49, Sch. 9**); (1.1.1996) by S.I. 1995/3187, **reg. 9**; (1.1.1996) by S.I. 1995/3202, **reg. 11**; (1.1.1996) by S.I. 1995/3205, **reg. 14**

S. 20 applied (with modifications): (29.3.1996) by S.I. 1996/961, **art. 4(c)**; (1.7.1996) by S.I. 1996/1499, **reg. 48**; (1.7.1996) by S.I. 1996/1502, **reg. 6**

S. 20 applied (with modifications): (16.6.1997) by S.I. 1997/1335, **reg. 6**; (30.6.1997) by S.I. 1995/1544, **reg. 10(1)** (as substituted (30.6.1997) by S.I. 1997/1414, **reg. 3**); (4.7.1997) by S.I. 1997/1499, **reg. 6(1)** (which S.I. was revoked (18.6.2002 (E.), 1.7.2002 (S.), 2.8.2002 (W.)) by S.I. 2002/890, **reg. 11, Sch.**; S.S.I. 2002/267, **reg. 11, Sch.**; S.I. 2002/1886, **reg. 11, Sch.**); (17.11.1997) by S.I. 1997/2537, **reg. 9**; (16.12.1997) by S.I. 1997/2959, **reg. 11**; (1.1.1998) by S.I. 1997/2965, **reg. 30** (with **reg. 32**); (31.3.1999) by S.I. 1997/2042, **reg. 9**; (31.3.1999) by S.I. 1997/2182, **reg. 9**

S. 20 applied (with modifications): (19.2.1998) by S.I. 1998/141, **reg. 10(c)**; (1.4.1998) by S.I. 1998/616, **reg. 6(1)(c)**; (29.4.1998) by S.I. 1998/994, **reg. 55(1)(b)**; (31.10.1998) by S.I. 1998/2424, **reg. 8(c)**

S. 20 applied (with modifications): (S.) (1.10.1999) by S.S.I. 1999/34, **reg. 8(1)**; (S.) (17.2.1999) by S.S.I. 1999/186, **art. 9**; (19.3.1999) by S.I. 1996/1499 **reg. 48** (as substituted by S.I. 1999/747, **reg. 11**); (30.6.1999) by S.I. 1999/1540, **reg. 19(1)(c)**; (1.10.1999) by S.I. 1999/2457, **reg. 8(1)**

S. 20 applied (with modifications): (E.) (10.4.2000) by S.I. 2000/768, **reg. 10(1)**; (S.) (10.4.2000) by S.S.I. 2000/83, **reg. 10(1)**; (W.) (25.7.2000) by S.I. 2000/1925, **reg. 10(1)**; (E.) (15.1.2001) by S.I. 2000/3323, **reg. 10(c)**

S. 20 applied (with modifications): (W.) (1.11.2001) by S.I. 2000/1866, **reg. 7(c)**; (S.) (1.11.2001) by S.S.I. 2000/130, **reg. 7(c)**; (E.) (1.11.2001) by S.I. 2000/845, **reg. 7(c)**

S. 20 applied (with modifications): (S.) (17.3.2001) by S.S.I. 2001/38, **reg. 10**; (W.) (1.5.2001) by S.I. 2001/1361, **reg. 8(1)**; (W.) (1.5.2001) by S.I. 2001/1440, **reg. 10(c)**

S. 20 applied (with modifications): (E.) (2.2.2002) by S.I. 2002/183, **reg. 6(1)** (which S.I. was revoked (20.6.2002) by S.I. 2002/1614, **reg. 6**); (W.) (2.2.2002) by S.I. 2002/203, **reg. 6(1)** (which S.I. was revoked (12.7.2002) by S.I. 2002/1798, **reg. 6**); (S.) (2.2.2002) by S.S.I. 2002/36, **reg. 6(1)** (which S.S.I. was revoked (24.6.2002) by S.S.I. 2002/300, **reg. 6**); (E.) (16.2.2002) by S.I. 2002/334, **art. 5(1)(b)**; (S.) (16.2.2002) by S.S.I. 2002/64, **art. 5(1)(b)**; (W.) (23.2.2002) by S.I. 2002/402, **art. 5(1)(b)**; (E.W.) (8.3.2002) by S.I. 2002/333, **reg. 6(c)**; (S.) (8.3.2002) by S.S.I. 2002/50, **reg. 6(c)**; (E.) (23.3.2002) by S.I. 2002/773, **reg. 5(1)(a)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2351, **reg. 7**); (E.) (23.3.2002) by S.I. 2002/774, **reg. 5(1)(a)** (which S.I. was revoked (13.9.2002) by S.I. 2002/2350, **reg. 7**); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/148, **regs. 1(1), 5(1)(a)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/424, **reg. 7**); (S.) (25.3.2002 at 1700 hours) by S.S.I. 2002/149, **regs. 1(1), 5(1)(a)** (which S.S.I. was revoked (13.9.2002) by S.S.I. 2002/425, **reg. 7**); (W.) (26.3.2002) by S.I. 2002/820, **reg. 5(1)(a)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2295, **reg. 7**); (W.) (26.3.2002) by S.I. 2002/821, **reg. 5(1)(a)** (which S.I. was revoked (9.9.2002) by S.I. 2002/2296, **reg. 7**); (E.) (4.4.2002) by S.I. 2002/931, **reg. 5(1)(b)**; (S.) (4.4.2002) by S.S.I. 2002/179, **reg. 6(1)(b)**; (W.) (16.4.2002) by S.I. 2002/1090, **reg. 5(1)(b)**; (E.) (18.6.2002) by S.I. 2002/890,

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- reg. 7(1)(b)**; (E.) (20.6.2002) by S.I. 2002/1614, **reg. 5(1)(a)**; (S.) (24.6.2002) by S.S.I. 2002/300, **reg. 5(1)(a)**; (S.) (1.7.2002) by S.S.I. 2002/267, **reg. 7(1)(b)**; (W.) (12.7.2002) by S.I. 2002/1798, **reg. 5(1)(a)**; (W.) (2.8.2002) by S.I. 2002/1886, **reg. 7(1)(b)**; (E.) (5.8.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/1817, regs. 1(2)(3), **9(c)**; (W.) (9.9.2002) by S.I. 2002/2295, **reg. 5(1)(a)** and S.I. 2002/2296, **reg. 5(1)(a)**; (E.) (13.9.2002) by S.I. 2002/2350, **reg. 5(1)(a)** and S.I. 2002/2351, **reg. 5(1)(a)**; (S.) (13.9.2002) by S.S.I. 2002/424, **reg. 5(1)(a)** and S.S.I. 2002/425, **reg. 5(1)(a)**; (S.) (23.9.2002 for certain purposes and otherwise 1.4.2004) by S.S.I. 2002/397, regs. 1(2)(3), **8(c)**; (W.) (31.12.2002 for certain purposes and otherwise 1.4.2004) by S.I. 2002/2939, regs. 1(2)(3), **9(c)**; (S.) (1.1.2003) by S.S.I. 2002/523, **reg. 5(1)(c)**; (W.) (9.1.2003) by S.I. 2002/3157, **reg. 5(1)(c)**; (E.) (13.1.2003) by S.I. 2002/3169, **reg. 5(1)(c)**
- C3** S. 20 extended (with modifications) (8.1.1992) by S.I. 1991/2843, **reg. 22(1)(b)**
- C4** S. 20 applied (with modifications) (E.) (28.3.2003) by Fish Labelling (England) Regulations 2003 (S.I. 2003/461), regs. 1, **10(b)**
- C5** S. 20 applied (with modifications) (S.) (28.3.2003) by The Fish Labelling (Scotland) Regulations 2003 (S.S.I. 2003/145), regs. 1(1), **10(b)**
- C6** S. 20 applied (with modifications) (W.) (17.4.2003) by Food (Pistachios from Iran) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/1119), regs. 1(1), **5(1)(a)**
- C7** S. 20 applied (with modifications) (30.6.2003) by Fish Labelling (Wales) Regulations 2003 (S.I. 2003/1635), regs. 1, **10**
- C8** S. 20 applied (with modifications) (30.6.2003) by Contaminants in Food (England) Regulations 2003 (S.I. 2003/1478), regs. 1, **7(1)(b)**
- C9** S. 20 applied (with modifications) (1.7.2003) by Contaminants in Food (Scotland) Regulations 2003 (S.S.I. 2003/289), regs. 1(1), **7(1)(b)**
- C10** S. 20 applied (with modifications) (11.7.2003) by Food (Brazil Nuts) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1722), regs. 1(1), **5(1)(a)**
- C11** S. 20 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (England) Regulations 2003 (S.I. 2003/1564), regs. 1(b), **9(c)**
- C12** S. 20 applied (with modifications) (12.7.2003) by Specified Sugar Products (England) Regulations 2003 (S.I. 2003/1563), regs. 1, **9(c)**
- C13** S. 20 applied (with modifications) (12.7.2003) by Fruit Juices and Fruit Nectars (Scotland) Regulations 2003 (S.S.I. 2003/293), regs. 1(1), **10(c)**
- C14** S. 20 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (Scotland) Regulations 2003 (S.S.I. 2003/311), regs. 1(1), **10(1)(c)** (with reg. 3)
- C15** S. 20 applied (with modifications) (17.7.2003) by Condensed Milk and Dried Milk (England) Regulations 2003 (S.I. 2003/1596), regs. 1, **9(1)(c)** (with reg. 11)
- C16** S. 20 applied (with modifications) (30.7.2003) by Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (England) Regulations 2003 (S.I. 2003/1940), regs. 1(1), **5(1)(a)**

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