

## 1985 No. 1279

## CONSUMER PROTECTION

**The Aerosol Dispensers (EEC Requirements) and the Cosmetic Products (Amendment) Regulations 1985**

<i>Made - - - -</i>	<i>7th August 1985</i>
<i>Laid before Parliament</i>	<i>20th August 1985</i>
<i>Coming into Operation</i>	<i>1st October 1985</i>

Whereas the Secretary of State is a Minister designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to measures for safety and consumer protection as respects aerosols and cosmetic products, and any provisions concerning the composition, labelling, marketing, classification or description of aerosols and cosmetic products and in relation to the indication of origin on imported goods:

And whereas the Secretary of State has in accordance with the provisions of section 1(5) of the Consumer Protection Act 1961<sup>(c)</sup> consulted with such persons and bodies of persons as appear to him to be requisite:

Now, therefore, the Secretary of State in exercise of powers conferred on him by sections 1 and 2 of the said Act of 1961 and by section 2(2) of the said Act of 1972 and of all other powers enabling him in that behalf hereby makes the following Regulations:

1. These Regulations may be cited as the Aerosol Dispensers (EEC Requirements) and the Cosmetic Products (Amendment) Regulations 1985 and shall come into operation on 1st October 1985.

2. The Aerosol Dispensers (EEC Requirements) Regulations 1977<sup>(d)</sup> are hereby amended—

- (a) in Regulation 11(1), by the substitution for “£20” of “£400”; and
- (b) in Regulation 11(2), by the substitution for “£100, or in the case of a second or subsequent offence to a fine not exceeding £250” of “£2,000”.

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<sup>(a)</sup> S.I. 1972/1811, 1975/1707.

<sup>(b)</sup> 1972 c. 68.

<sup>(c)</sup> 1961 c. 40.

<sup>(d)</sup> S.I. 1977/1140, amended by S.I. 1980/136, 1981/1549.

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3. The Cosmetic Products Regulations 1978(a) are hereby amended in Regulation 6(3), by the substitution for "four hundred" of "two thousand".

*Alexander Fletcher,*  
Parliamentary Under-Secretary of State,  
Department of Trade and Industry.

7th August 1985.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Aerosol Dispensers (EEC Requirements) Regulations 1977 and the Cosmetic Products Regulations 1978 by increasing the maximum fines provided for in respect of various offences under those Regulations. The maximum fine provided for in Regulation 11(1) of the Aerosol Dispensers (EEC Requirements) Regulations 1977 is increased from £20 to £400, and Regulation 11(2) of those Regulations is amended so as to provide for a maximum fine of £2,000 or for a maximum of 3 months imprisonment or both, irrespective of whether the offence is a first offence or a second or subsequent one. The maximum fine provided for in Regulation 6(3) of the Cosmetic Products Regulations 1978 is increased from £400 to £2,000.

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(a) S.I. 1978/1354, amended by S.I. 1983/1477, 1984/1260.



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