
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision as respects England, for the execution and enforcement of Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (OJNo. L 268, 18.10.2003, p.24).

The Regulations come into force on 8th October 2004.

Regulation 3 provides for the enforcement of the Regulations and the specified Community provisions (the provisions of Regulation (EC) No. 1830/2003 specified in the Schedule).

Regulation 4 make provision for the appointment of inspectors.

Regulation 5 provides powers of entry, including the power to carry out tests and inspections and to take samples.

Regulation 6 enables inspectors to require the provision of information.

Regulation 7 provides for the service by inspectors of notices dealing with incorrectly labelled products.

Regulation 8 makes it an offence to contravene the specified Community provisions; to obstruct inspectors in the exercise of powers under these Regulations; and to give false information; and sets out a due diligence defence in respect of the contravention of the specified Community provisions.

Regulation 9 makes provision for offences committed due to the fault of another person.

Regulation 10 makes provision for offences committed by corporate bodies.

Regulations 11 and 12 prescribe penalties and specify time limits for bringing prosecutions.

A Regulatory Impact Assessment has been prepared for these Regulations and a copy has been placed in the library of each House of Parliament. Copies of the Regulatory Impact Assessment can be obtained from GM Controls Unit, DEFRA, Zone G/9, Ashdown House, 123 Victoria Street, London SW1E 6DE.