

*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Detergents Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## STATUTORY INSTRUMENTS

# 2005 No. 2469

## The Detergents Regulations 2005

PROSPECTIVE

### Enforcement notices

**9.—(1)** This regulation applies where an authorised officer has come to the opinion on reasonable grounds that there has been a contravention of regulation 6, 7 or 8 or of a directly applicable provision of Regulation 648/2004 in relation to a controlled product.

(2) The authorised officer may serve a notice in writing on one or more of the following persons—

- (a) the manufacturer of the controlled product;
- (b) the owner of the controlled product; and
- (c) any person appearing to him to be in possession or charge of the controlled product.

(3) Any notice served under paragraph (2) must specify—

- (a) the basis upon which the authorised officer has reached his opinion,
- (b) the action required to be taken by the person upon whom the notice is served, and
- (c) the period within which such action must be taken.

(4) The action specified in accordance with paragraph (3)(b)—

- (a) must be action that will either—
  - (i) where the contravention is capable of being remedied, remedy the contravention; or
  - (ii) permit the controlled product to be made available to third parties in such a state and manner that there would have been no contravention of these Regulations had it been placed on the market in that state and manner; and

(b) may include one or more of the following—

- (i) recovery of the controlled product from the market in the United Kingdom;
- (ii) where the controlled product had been imported into the United Kingdom, re-exportation of the controlled product from the United Kingdom;
- (iii) disposal of the controlled product; and
- (iv) disposal of anything treated with the controlled product.

(5) The period specified in accordance with paragraph (3)(c) must not be less than 14 days, except in an emergency.

(6) Any person who contravenes the provisions of a notice served under paragraph (2) (or who causes or permits any other person to do) shall be guilty of an offence.

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### Commencement Information

**II** Reg. 9 in force at 8.10.2005, see [reg. 1](#)

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2010/740 reg. 30](#)
- reg. 9 coming into force by [S.I. 2005/2469 reg. 1](#)