
STATUTORY INSTRUMENTS

2013 No. 2996

The Food Safety and Hygiene (England) Regulations 2013

Defence in relation to exports

13. In any proceedings for an offence of contravening or failing to comply with food law it shall be a defence for the accused to prove that —

- (a) the item in respect of which the offence is alleged to have been committed was intended for export to a country that is not a member State and that the item could lawfully be exported there under Article 12 of Regulation 178/2002; or
- (b) the item in respect of which the offence is alleged to have been committed was intended for export to a member State and that —
 - (i) the legislation applicable to that item in that member State is compatible with the relevant provisions of food law (except in so far as it relates to feed produced for or fed to food producing animals) at EU level, and
 - (ii) the item complies with that legislation.