



Food (Scotland) Act 2015

2015 asp 1

PART 2

FOOD AND FEEDING STUFFS

Feeding stuffs

35 Regulation of animal feeding stuffs

- (1) The Scottish Ministers may, for the purpose of regulating—
 - (a) any animal feeding stuff, or
 - (b) anything done, or which might be done, to, or in relation to, or with a view to the production of, any animal feeding stuff,by order make the provision mentioned in subsection (2).
- (2) That is provision which—
 - (a) applies (with or without modifications), or
 - (b) is equivalent or reasonably similar to,any of the provisions of the 1990 Act (including any power to make orders or regulations or to give directions).
- (3) But an order under subsection (1) may not make provision creating an offence which is—
 - (a) punishable with imprisonment for a period of more than 2 years, or
 - (b) punishable on summary conviction with—
 - (i) imprisonment for a period of more than 12 months, or
 - (ii) a fine of more than £20,000.
- (4) An order under subsection (1) may modify any enactment.
- (5) Before making an order under subsection (1), the Scottish Ministers must—
 - (a) have regard to any relevant advice given to them by Food Standards Scotland, and
 - (b) consult such persons as appear to them to be representative of interests likely to be substantially affected by the order.

Status: This is the original version (as it was originally enacted).

- (6) If it appears to the Scottish Ministers that Food Standards Scotland has consulted any person that the Scottish Ministers are required to consult under subsection (5)(b), the Scottish Ministers may treat that consultation as being effective for the purposes of that subsection as if undertaken by them.