

### SCHEDULE 3

Regulation 29

#### Bulk transport in sea-going vessels of liquid oils or fats or of raw sugar

#### Offence

1. Any person who contravenes or fails to comply with any of the requirements of this Schedule is guilty of an offence.

#### Liquid oils or fats

<sup>F1</sup>2. ....

##### Textual Amendments

**F1** Sch. 3 paras. 2-6 omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(a)**

<sup>F1</sup>3. ....

##### Textual Amendments

**F1** Sch. 3 paras. 2-6 omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(a)**

<sup>F1</sup>4. ....

##### Textual Amendments

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<sup>F1</sup>5. ....

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*Changes to legislation: There are currently no known outstanding effects for the The Food Hygiene (Scotland) Regulations 2006, SCHEDULE 3. (See end of Document for details)*

**Raw sugar**

7. The bulk transport by sea of raw sugar which is not intended for use as food or as a food ingredient without a full and effective refining process is permitted in receptacles, containers or tankers that are not exclusively used for the transport of foodstuffs.

8. The receptacles, containers or tankers referred to in paragraph 7 shall be subject to the following conditions–

- (a) prior to loading the raw sugar, the receptacle, container or tanker shall be effectively cleaned to remove residues of the previous cargo and other soiling and inspected to establish that such residues have been removed effectively; and
- (b) the immediate previous cargo prior to the raw sugar shall not have been a bulk liquid.

9. A food business operator who is responsible for the transport of raw sugar by sea under paragraph 7 shall keep documentary evidence accurately describing in detail the immediate previous cargo carried in the receptacle, container or tanker concerned, and the type and effectiveness of the cleaning process applied prior to the transport of the raw sugar.

10. The documentary evidence shall accompany the consignment of raw sugar during all stages of transport to the refinery and a copy shall be retained by the refinery. The documentary evidence shall be marked as follows in a clearly visible and indelible fashion, in one or more Community languages: “This product must be refined before being used for human consumption”.

11. On request, a food business operator responsible for the transport of the raw sugar or the refining process shall provide the enforcement authority with the documentary evidence referred to in paragraphs 9 and 10.

12. Raw sugar which has been transported by sea in receptacles, containers or tankers which are not exclusively reserved for the transport of foodstuffs shall be subjected to a full and effective refining process before being considered suitable for use as food or as a food ingredient.

13. In fulfilling the obligations under Article 5(1) of Regulation 852/2004 (hazard analysis and critical control points) in relation to the bulk transport of raw sugar by sea under paragraph 7, a food business operator who is responsible for the transport or refining of raw sugar shall–

- (a) consider the cleaning process undertaken prior to the loading of the sugar for transport by sea to be a critical control point as referred to in Article 5(2)(b) of Regulation 852/2004; and
- (b) take into account the nature of the previous cargo which has been transported in any receptacle, container or tanker used for the transport of the sugar.

**Interpretation**

14.—(1) For the purposes of this Schedule, any words or expressions used both in this Schedule and in <sup>F2</sup>...Commission Directive 98/28/EC granting a derogation from certain provisions of Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport by sea of bulk raw sugar <sup>M1</sup> shall bear the same meanings as they respectively have in those Directives.

<sup>F3</sup>(2) .....

**Textual Amendments**

- F2** Words in sch. 3 para. 14(1) omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(b)**
- F3** Sch. 3 para. 14(2) omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(c)**

**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Scotland) Regulations 2006, SCHEDULE 3*. (See end of Document for details)

**Marginal Citations**

**M1** O.J. No. L 140, 12.5.98, p.10.

**Changes to legislation:**

There are currently no known outstanding effects for the The Food Hygiene (Scotland) Regulations 2006, SCHEDULE 3.