

Draft Regulations laid before the Scottish Parliament under section 9(4) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

**AGRICULTURE
FOOD**

The Eggs (Amendment) (Scotland) Regulations 2021

Made - - - - 2021

Coming into force - - 1st January 2022

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 9(1) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020⁽¹⁾, and all other powers enabling them to do so.

In accordance with section 9(5) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, the Scottish Ministers have consulted such persons as they consider are representative of the interests of persons likely to be affected by the regulations as they consider appropriate.

There has been consultation as required by Article 9 of Regulation (EC) 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽²⁾.

In accordance with section 9(4) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020 a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Eggs (Amendment) (Scotland) Regulations 2021 and come into force on 1 January 2022.

Amendment of Commission Regulation (EC) No 589/2008

2. In Article 24(3) (checks) of Commission Regulation (EC) No 589/2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for

(1) 2020 asp 17.

(2) EUR 178/2002, to which there are amendments not relevant to these Regulations.

eggs(3), in the first sub-paragraph, from “at the time” to “free circulation” substitute “before being offered for sale to the final consumer or to mass caterers”.

St Andrew’s House,
Edinburgh
Date

A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend [Commission Regulation \(EC\) No 589/2008](#) (“EUR 2008/589”) which establishes marketing standards for eggs. EUR 2008/589 is retained EU law, as defined in section 6(7) of the European Union (Withdrawal) Act 2018 (c.16). These Regulations come into force on 1 January 2022.

Regulation 2 amends Article 24(3) (checks) of EUR 2008/589. The amendment allows marketing standards checks on Class A eggs imported from third countries to take place before being offered for sale to the final consumer or to mass caterers, rather than at the time of customs clearance and before release for free circulation. For example, checks could take place at packing centres and wholesalers’ premises.

A Business and Regulatory Impact Assessment has not been produced for this instrument as no, or no significant, impact on business, charities or voluntary bodies is foreseen.