
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 34

The Spreadable Fats (Marketing Standards) (Scotland) Regulations 1999

Exemptions

3.—(1) Except where paragraph (2) below applies, unless and until there is a decision by the EEA Joint Committee under Article 98 of the EEA Agreement to amend it to refer to the Council Regulation and the Commission Regulation, these Regulations shall not apply in respect of any spreadable fat to which the EEA Agreement applies and which—

- (a) is brought into Scotland—
 - (i) from an EEA State (other than a member State) in which it was lawfully produced and sold, or
 - (ii) from another part of the United Kingdom if that spreadable fat was brought there from such an EEA State; and
- (b) is suitably labelled to indicate the nature of the spreadable fat.

(2) Regulation 4 of these Regulations shall not apply in respect of any margarine which—

- (a) is brought into Scotland –
 - (i) from an EEA State (other than the United Kingdom) in which it was lawfully produced and sold;
 - (ii) from a Member State (other than the United Kingdom) in which it was in free circulation and lawfully sold; and
 - (iii) from another part of the United Kingdom in which it was lawfully produced and sold or in which it was in free circulation and lawfully sold; and
- (b) is suitably labelled to indicate the nature of the margarine.

(3) For the purposes of paragraph (2) above, “free circulation” has the same meaning as in Article 23(2) of the Treaty establishing the European Community.