

## SCHEDULE 1

Regulation 3

### REGULATIONS RELATING TO DAIRY AND EGG HYGIENE: CONSEQUENTIAL PROVISIONS

#### PART I

##### Consequential modifications to the Ice Cream (Scotland) Regulations 1948

1. In regulation 1(3) there is inserted before the definition of “applicant” the following—  
““the Agency” means the Food Standards Agency;”.
2. In regulations 9(c) and 13(4) for the words “the Secretary of State” there is substituted the words “the Agency”.

#### PART II

##### Consequential modifications to the Dairy Products (Hygiene) (Scotland) Regulations 1995

1. In regulation 2(1) after the definition of “the Act” there is inserted the following—  
““the Agency” means the Food Standards Agency;”.
2. For regulation 17 there is substituted—  
“17. Every food authority shall provide the Agency with such information relating to the execution of its duties under these Regulations as the agency may from time to time require.”

#### PART III

##### Consequential modifications to the Egg Products Regulations 1993

1. In regulation 2(1) the definition of “appropriate Minister” is deleted.
- 2.—(1) In regulation 6(1)—
  - (a) for the words “The appropriate Minister” there is substituted the words “The food authority”; and
  - (b) for the words “he is satisfied” there is substituted the words “it is satisfied”.
- (2) In regulation 6(2)—
  - (a) for the words “The appropriate Minister” there is substituted the words “The food authority”; and
  - (b) for the words “his decision” there is substituted the words “its decision”.

#### PART IV

##### Consequential modifications to the Eggs (Marketing Standards) Regulations 1995

1. In regulation 2, after the definition of “the Act” there is inserted the following—

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

““the Agency” means the Food Standards Agency;”.

2. For paragraph (2) of regulation 4, there is substituted the following–

“(2) The Scottish Ministers shall enforce and execute the Community provisions referred to in sub-paragraph (a) of the definition of “Community provisions” in regulation 2(1) in so far as they do not relate to the matters to which paragraph (1) of this regulation relates.

(2A) The Agency shall enforce and execute the Community provisions referred to in sub-paragraph (b) of the definition of “Community provisions” in regulation 2(1) in so far as they do not relate to the matters to which paragraph (1) of this regulations relates.”

3. In regulation 5–

- (a) after the words “Community provision”, in both places where they occur, there is inserted the words “covered by regulation 4(2) or (2A)”; and
- (b) for the words “of the Minister”, in both places where they occur, there is substituted the words “of the Scottish Ministers or the Agency as appropriate”.

4. For regulation 6 there is substituted the following–

“6. If so requested by notice in writing served on him by or on behalf of the Minister or the Agency, any person carrying on any activity regulated by any Community provision referred to in regulation 4(2) or (2A) shall keep or cause to be kept such records as the Scottish Ministers or, as the case may be, the Agency, may reasonably require for the purpose of enforcing or executing any such provision and shall provide the Scottish Ministers or, as the case may be, the Agency, with such records as they or it may from time to time require.”.

5. In regulation 8(1)(a) for the words “to him by an authorised officer of the Minister or of a food authority” there is substituted the words “of him”.