
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 498

**The Sea Fish (Marketing Standards)
(Scotland) Regulations 2004**

Powers of authorised officers

4.—(1) For the purposes of enforcing regulation 3 of these Regulations, an authorised officer, on producing (if so required) a duly authenticated document showing the authority of that officer, may—

- (a) at all reasonable times enter and inspect any premises (other than premises used only as a dwelling) at which any activity regulated by Regulation 2406/96 or Regulation 104/2000 is, or is reasonably suspected of being, carried on;
- (b) examine fish, containers for fish and labels found on such premises and seize any fish in respect of which the officer has reasonable grounds to suspect that there has been a contravention of, or failure to comply with a specified Community provision;
- (c) carry out at such premises such other inspections or tests as may reasonably be necessary;
- (d) require any person not to remove or cause to be removed any fish from such premises for such a period as may be reasonably necessary for the purposes of examination of it by the authorised officer;
- (e) require any person at such premises to produce any documents which are in the possession or custody of that person relating to the catching, landing, grading or marketing of any fish found on such premises; and
- (f) inspect and take copies of any such documents.

(2) An authorised officer entering any premises by virtue of paragraph (1) may be accompanied by any other person, and the officer may take any equipment or materials necessary to assist the officer in the exercise of the functions of that officer.

(3) The provisions of paragraphs (1) and (2) shall apply in relation to any land, vehicle or vessel as they apply in relation to premises.

(4) In this regulation “fish” means cephalopods, saltwater fish, scallops, shellfish, and whelks.