
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 243

**The Materials and Articles in Contact
with Food (Scotland) Regulations 2005**

PART 5

General

Amendments to the 1998 Regulations

15.—(1) The 1998 Regulations are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2 (interpretation)—

- (a) omit the definition of “the 1987 Regulations”;
- (b) after the definition of “the 1992 Regulations” insert—

““the 2005 Regulations” means the Materials and Articles in Contact with Food (Scotland) Regulations 2005;”(1).

(3) In regulation 6(1)(b) (method of testing the capability of plastic materials or articles to transfer constituents and methods of analysis)(2) for “regulation 14(2) of the 1987 Regulations” substitute “regulation 7(2) of the 2005 Regulations”.

(4) In regulation 9(1) (enforcement) for “the 1987 Regulations” substitute “the 2005 Regulations”.

(5) In regulation 11 (presumption as to food with which a plastic material or article, adhesive or material or article covered by a surface coating is to come into contact) for “the 1987 Regulations” substitute “Regulation (EC) No. 1935/2004 of the European Parliament and of the Council”(3).

(6) For regulation 12 (application of other provisions)(4) substitute—

“Application of other provisions

12.—(1) The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of the Act—

- (a) section 3 (presumptions that food intended for human consumption);
- (b) section 30(8) (relating to documentary evidence); and
- (c) section 44 (protection of officers acting in good faith).

(2) Regulation 13 of the 2005 Regulations shall apply in relation to proceedings taken under these Regulations as it does to proceedings taken under those Regulations.”.

(1) [S.S.I. 2005/243](#).

(2) Regulation 6(1) was inserted by [S.S.I. 2002/498](#).

(3) O.J. No. L 338, 13.11.04, p.4.

(4) Regulation 12 was amended by [S.S.I. 2002/498](#).

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Commencement Information

II Reg. 15 in force at 21.5.2005, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- Regulations revoked by [S.S.I. 2007/471 reg. 22\(b\)](#)
- reg. 15 revoked by [S.S.I. 2006/314 reg. 24\(g\)](#)