
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 605

The Feeding Stuffs (Scotland) Regulations 2005

PART II

Presentation and Composition of Feeding Stuffs

Control of additives and premixtures

20.—(1) No person shall contravene or fail to comply with the provisions of the Additives Regulation specified in paragraph (2), insofar as they apply to additives and premixtures.

(2) The provisions referred to in paragraph (1) are—

- (a) Article 3(1) to (4) (placing on the market, processing and use of feed additives), as read with Article 10 (status of existing products);
- (b) Article 12 (supervision); and
- (c) Article 16(1) to (5) (labelling and packaging of feed additives and premixtures).

(3) In any proceedings for an offence under paragraph (2)(a), it shall be a defence to prove that the act giving rise to the offence—

- (a) is one to which Article 10 of the Additives Regulation applies; and
- (b) would not have constituted an offence under the 2000 Regulations as they were in force immediately before the coming into force of these Regulations.

(4) In any proceedings for an offence under paragraph (2)(c), it shall be a defence to prove that the act giving rise to the offence—

- (a) is one to which Article 25(2) of the Additives Regulation applies; and
- (b) would not have constituted an offence under the 2000 Regulations as they were in force immediately before the coming into force of these Regulations.

(5) Notwithstanding the revocation referred to in regulation 7, where before 18th October 2004 initial comments had been forwarded to the Commission in accordance with regulation 11(2) of the 2000 Regulations that application is to be treated as if regulation 11 of those Regulations was still in force.