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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 606**

**The Contaminants in Food (Scotland) Regulations 2005**

**Procurement and analysis of samples**

**5.—**(1) Where a sample is to be taken under section 29(b) or (d) of the Act of a food specified in Annex I to the Commission Regulation, that sample shall be taken in accordance with the methods of taking samples described or referred to—

*Nitrate*

- (a) (subject to the requirement specified in column 3 of section 1 of Annex I to the Commission Regulation<sup>(1)</sup>), in the Annex to Commission Directive [2002/63/EC](#) establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive [79/700/EC](#)<sup>(2)</sup>, where the food concerned is of a description specified in Section 1 of Annex I to the Commission Regulation to the sampling of which that Directive applies pursuant to Article 1.3 of that Regulation;

*Aflatoxins*

- (b) in Annex I to Directive [98/53/EC](#), where the food concerned is of a description specified in section 2 of Annex I to the Commission Regulation to the sampling of which that Directive applies pursuant to Article 1.3 of that Regulation;

*Ochratoxin A*

- (c) in Annex I to Directive [2002/26/EC](#), where the food concerned is of a description specified in section 2 of Annex I to the Commission Regulation to the sampling of which that Directive applies pursuant to Article 1.3 of that Regulation;

*Patulin*

- (d) in Annex I to Directive [2003/78/EC](#), where the food concerned is of a description specified in section 2 of Annex I to the Commission Regulation to the sampling of which that Directive applies pursuant to Article 1.3 of that Regulation;

*Lead, cadmium, mercury and 3-MCPD*

- (e) in Annex I to Directive [2001/22/EC](#), where the food concerned is of a description specified in section 3 or 4 of Annex I to the Commission Regulation to the sampling of which that Directive applies pursuant to Article 1.3 of that Regulation;

*Dioxins and dioxin-like PCBs*

- (f) in Annex I to Directive [2002/69/EC](#), where the food concerned is of a description specified in section 5 of Annex I to the Commission Regulation to the sampling of which that Directive applies pursuant to Article 1.3 of that Regulation;

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(1) The requirement is that the minimum number of units required for a laboratory sample in such circumstances is 10.  
(2) O.J. No. L 187, 16.7.02, p.30.

*Tin*

- (g) in Annex I to Directive [2004/16/EC](#), where the food concerned is of a description specified in section 6 of Annex I to the Commission Regulation to the sampling of which that Directive applies pursuant to Article 1.3 of that Regulation; and

*Benzo(a)pyrene*

- (h) in Annex I to Directive [2005/10/EC](#), where the food concerned is of a description specified in section 7 of Annex I to the Commission Regulation to the sampling of which that Directive applies pursuant to Article 1.3 of that Regulation.