SCHEDULES

SCHEDULE 1

Regulation 2(1)

DEFINITIONS OF COMMUNITY LEGISLATION

[F1":Directive 2004/41" means Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC;

Textual Amendments

F1 Words in sch. 1 substituted (11.1.2006) by The Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3), reg. 1(1), sch. 7 para. 51 (with reg. 35)

[F2:"Regulation 999/2001" means Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies as amended by, and as read with, the instruments set out in Schedule 1 to the Transmissible Spongiform Encephalopathies (Scotland) Regulations 2006.]

Textual Amendments

F2 Words in sch. 1 inserted (24.11.2006) by The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2006 (S.S.I. 2006/530), reg. 1(1), sch. 8 para. 5

"Regulation 178/2002" means Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety as last amended by Regulation 1642/2003;

"Regulation 1642/2003" means Regulation (EC) No. 1642/2003 of the European Parliament and of the Council amending Regulation (EC) No. 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety;

"Regulation 852/2004" means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs as read with Regulation 2073/2005;

"Regulation 853/2004" means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin as amended by Regulation 2074/2005 and Regulation 2076/2005 and as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and Regulation 2076/2005;

"Regulation 882/2004" means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules as read with Regulation 2074/2005 and Regulation 2076/2005;

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"Regulation 1688/2005" means Commission Regulation (EC) No. 1688/2005 implementing Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs; "Regulation 2073/2005" means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs;

"Regulation 2074/2005" means Commission Regulation (EC) No. 2074/2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004; and

"Regulation 2076/2005" means Commission Regulation (EC) No. 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004.]

Textual Amendments

- F1 Words in sch. 1 substituted (11.1.2006) by The Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3), reg. 1(1), sch. 7 para. 51 (with reg. 35)
- **F2** Words in sch. 1 inserted (24.11.2006) by The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2006 (S.S.I. 2006/530), reg. 1(1), sch. 8 para. 5

SCHEDULE 2

Regulation 2(1)

DEFINITION OF RELEVANT FEED LAW

"relevant feed law" means-

- (a) Part IV of the Agriculture Act 1970^{MI} , in so far as it applies in relation to feeding stuffs;
- (b) the Feeding Stuffs (Sampling and Analysis) Regulations 1999 M2;
- (c) the Feeding Stuffs (Scotland) Regulations 2000 M3;
- (d) the Genetically Modified Animal Feed (Scotland) Regulations 2004 M4
- (e) [F3the Food Hygiene (Scotland) Regulations 2006] in so far as they apply in relation to feed;
- ^{F4}(f)
- (g) the Feeding Stuffs (Scotland) Regulations 2005 M5; and
- (h) the Feed (Hygiene and Enforcement) (Scotland) Regulations 2005 M6,

but excluding the Act and Regulations listed above in so far as they may apply to-

- (a) any of the following feed additives-
 - (i) coccidiostats;
 - (ii) histomonostats; or

- (iii) any zootechnical additive falling within category (d) of Article 6(1) of Regulation 1831/2003; or
- (b) any premixture within the meaning given in Article 2(2)(e) of Regulation 1831/2003 consisting solely of a combination of such additives.

Textual Amendments

- Words in sch. 2 para. (e) substituted (11.1.2006) by The Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3), reg. 1(1), sch. 7 para. 50 (with reg. 35)
- F4 Sch. 2 para. (f) omitted (30.11.2007) by virtue of The Feed (Corn Gluten Feed and Brewers Grains) (Emergency Control) (Scotland) Revocation Regulations 2007 (S.S.I. 2007/493), regs. 1, 4

Marginal Citations

- M1 1970 c. 40.
- M2 S.I. 1999/1663, as amended by S.I. 1999/1871, S.S.I. 2000/453, 2001/104, 2002/285 and 2003/277.
- **M3** S.S.I. 2000/453, as amended by S.S.I. 2001/334, 2002/255 and 285, 2003/101, 312 and 474, 2004/208 and 458 and S.S.I. 2005/605.
- **M4** S.S.I. 2004/433.
- **M5** S.S.I. 2005/605.
- M6 S.S.I. 2005/608.

Textual Amendments

- F3 Words in sch. 2 para. (e) substituted (11.1.2006) by The Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3), reg. 1(1), sch. 7 para. 50 (with reg. 35)
- F4 Sch. 2 para. (f) omitted (30.11.2007) by virtue of The Feed (Corn Gluten Feed and Brewers Grains) (Emergency Control) (Scotland) Revocation Regulations 2007 (S.S.I. 2007/493), regs. 1, 4

Marginal Citations

- **M1** 1970 c. 40.
- M2 S.I. 1999/1663, as amended by S.I. 1999/1871, S.S.I. 2000/453, 2001/104, 2002/285 and 2003/277.
- **M3** S.S.I. 2000/453, as amended by S.S.I. 2001/334, 2002/255 and 285, 2003/101, 312 and 474, 2004/208 and 458 and S.S.I. 2005/605.
- **M4** S.S.I. 2004/433.
- **M5** S.S.I. 2005/605.
- **M6** S.S.I. 2005/608.

SCHEDULE 3

Regulation 2(1)

DEFINITION OF RELEVANT FOOD LAW

"relevant food law" means-

- (a) food law in so far as it applies in relation to food, except in so far as it involves—
 - (i) the regulation of residues of veterinary medicines and other substances under the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997 M7,

- (ii) the regulation of residues of pesticides under the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Regulations 2000 M8,
- (iii) the application of the rules laid down for the protection of designations of origin and geographical indications of agricultural products and foodstuffs in Council Regulation (EEC) No. 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ^{M9} as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded ^{M10},
- (iv) the application of the rules laid down for Community certificates of specific character which may be obtained for certain agricultural products and foodstuffs in Council Regulation (EEC) No. 2082/92 on certificates of specific character for agricultural products and foodstuffs MII as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded,
- (v) the regulation of organic products under the Organic Products (Imports from Third Countries) Regulations 2003 M12 and the Organic Products Regulations 2004 M13,
- (vi) the regulation of beef labelling under the Beef Labelling (Enforcement) (Scotland) Regulations 2001 M14, F5...
- (vii) the regulation of the import of and trade in products of animal origin-
 - (aa) under the Products of Animal Origin (Import and Export) Regulations 1996 M15, with the exception of the execution and enforcement of regulation 3 thereof by the Agency, and
 - (bb) under the Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002 M16, with the exception of the execution and enforcement of regulation 4 thereof by the Agency;
- [F6(vii)] Schedule 2 to the Transmissible Spongiform Encephalopathies (Scotland) Regulations 2006 in so far as that Schedule applies in relation to animals slaughtered for human consumption, together with point 2 of Part II of Chapter A of Annex III to Regulation 999/2001 in so far as that point applies in relation to animals slaughtered for human consumption.]
- (b) food law in so far as it applies in relation to materials and articles in contact with food F7...; and
- (c) food law in so far as it involves the regulation of primary production and those associated operations listed in paragraph 1 of Part AI of Annex I to Regulation 852/2004 under [F8the Food Hygiene (Scotland) Regulations 2006].

Textual Amendments

Word in sch. 3 para. (a)(vi) omitted (24.11.2006) by virtue of The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2006 (S.S.I. 2006/530), reg. 1(1), sch. 8 para. 6(a)

- F6 Sch. 3 para. (a)(vii) inserted (24.11.2006) by The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2006 (S.S.I. 2006/530), reg. 1(1), sch. 8 para. 6(b)
- F7 Words in sch. 3 para. (b) omitted (20.5.2006) by virtue of The Ceramic Articles in Contact with Food (Scotland) Regulations 2006 (S.S.I. 2006/230), regs. 1(2), 8(2)
- F8 Words in sch. 3 para. (c) substituted (11.1.2006) by The Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3), reg. 1(1), sch. 7 para. 50 (with reg. 35)

Marginal Citations

- M7 S.I. 1997/1729, amended by S.I. 2001/3590 and S.I. 2004/147.
- **M8** S.S.I. 2000/22, as amended by S.S.I. 2001/84, 221 and 435, 2002/271 and 489, 2003/118 and 445, 2004/104, 220 and 399 and 2005/109 and 281.
- **M9** O.J. No. L 208, 24.7.92, p.1.
- M10 O.J. No. L 236, 23.9.03, p.33.
- M11 O.J. No. L 208, 24.7.92, p.9.
- M12 S.I. 2003/2821.
- **M13** S.I. 2004/1604.
- M14 S.S.I. 2001/252.
- **M15** S.I. 1996/3124, amended by S.I. 1996/3125, 1997/1181 and 3023, 1998/994, 1999/221 and 683, S.S.I. 2000/62, 171 and 288, 2001/169 and 257, 2002/87, 234 and 445, 2003/299, 405, 466 and 568.
- **M16** S.S.I. 2002/445 as amended by S.S.I. 2002/565, 2003/165, 225, 333 and 411 and 2005/323.

Textual Amendments

- F5 Word in sch. 3 para. (a)(vi) omitted (24.11.2006) by virtue of The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2006 (S.S.I. 2006/530), reg. 1(1), sch. 8 para. 6(a)
- F6 Sch. 3 para. (a)(vii) inserted (24.11.2006) by The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2006 (S.S.I. 2006/530), reg. 1(1), sch. 8 para. 6(b)
- F7 Words in sch. 3 para. (b) omitted (20.5.2006) by virtue of The Ceramic Articles in Contact with Food (Scotland) Regulations 2006 (S.S.I. 2006/230), regs. 1(2), 8(2)
- F8 Words in sch. 3 para. (c) substituted (11.1.2006) by The Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3), reg. 1(1), sch. 7 para. 50 (with reg. 35)

Marginal Citations

- M7 S.I. 1997/1729, amended by S.I. 2001/3590 and S.I. 2004/147.
- **M8** S.S.I. 2000/22, as amended by S.S.I. 2001/84, 221 and 435, 2002/271 and 489, 2003/118 and 445, 2004/104, 220 and 399 and 2005/109 and 281.
- **M9** O.J. No. L 208, 24.7.92, p.1.
- M10 O.J. No. L 236, 23.9.03, p.33.
- M11 O.J. No. L 208, 24.7.92, p.9.
- **M12** S.I. 2003/2821.
- M13 S.I. 2004/1604.
- M14 S.S.I. 2001/252.
- **M15** S.I. 1996/3124, amended by S.I. 1996/3125, 1997/1181 and 3023, 1998/994, 1999/221 and 683, S.S.I. 2000/62, 171 and 288, 2001/169 and 257, 2002/87, 234 and 445, 2003/299, 405, 466 and 568.
- M16 S.S.I. 2002/445 as amended by S.S.I. 2002/565, 2003/165, 225, 333 and 411 and 2005/323.

SCHEDULE 4

Regulation 4(1)

COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 882/2004 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FEED LAW

Column 1 Competent authority	Column 2 Provisions of Regulation 882/2004
The Agency	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 12, 19(1), (2) and (3), 24, 31(1) and (2)(f), 34, 35(3) and (4), 36, 37(1), 38, 39, 40(2) and (4), 52(1) and 54.
The feed authority	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 15(1) to (4), 16(1) and (2), 18, 19(1) and (2), 20, 21, 22, 24, 31, 34, 35(3), 36, 37(1), 38, 39, 40(2) and (4) and 54.

SCHEDULE 5

Regulation 4(3)

COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 882/2004 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FOOD LAW

Column 1 Competent authority	Column 2 Provisions of Regulation 882/2004
The Agency	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 12, 14, 19(1), (2) and (3), 24, 31, 34, 35(3) and (4), 36, 37(1), 38, 39, 40(2) and (4), 52(1) and 54.
The food authority	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 15(1) to (4), 16(1) and (2), 18, 19(1) and (2), 20, 21, 22, 24, 31, 34, 35(3), 36, 37(1), 38, 39, 40(2) and (4) and 54.

SCHEDULE 6

Regulation 49

REVOCATIONS

Column 1 Instruments	Column 2 Reference	Column 3 Extent of revocation
The Mineral Hydrocarbons in Food (Scotland) Regulations 1966	S.I. 1966/1263	Regulation 10

The Erucic Acid in Food (Scotland) Regulations 1977	S.I. 1977/1028	Regulation 9
The Chloroform in Food (Scotland) Regulations 1980	S.I. 1980/289	Regulation 9
The Imported Food (Scotland) Regulations 1985	S.I. 1985/913	The whole Regulations
The Caseins and Caseinates (Scotland) Regulations 1986	S.I. 1986/836	Regulation 10
The Food (Control of Irradiation) Regulations 1990	S.I. 1990/2490	Regulation 8
The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990	S.I. 1990/2625	Article 8
The Food Safety (Exports) Regulations 1991	S.I. 1991/1476	The whole Regulations
The Flavourings in Food Regulations 1992	S.I. 1992/1971	Regulation 8
The Food Additives Labelling Regulations 1992	S.I. 1992/1978	Regulation 6
The Extraction Solvents in Food Regulations 1993	S.I. 1993/1658	Regulation 6
The Infant Formula and Follow–on Formula Regulations 1995	S.I. 1995/77	Regulations 5(2) and 6(2)
The Sweeteners in Food Regulations 1995	S.I. 1995/3123	Regulation 8
The Colours in Food Regulations 1995	S.I. 1995/3124	Regulation 10
The Miscellaneous Food Additives Regulations 1995	S.I. 1995/3187	Regulation 8
The Food Labelling Regulations 1996	S.I. 1996/1499	Regulation 47
The Miscellaneous Food Additives (Amendment) Regulations 1997	S.I. 1997/1413	Regulation 5
The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997	S.I. 1997/1729	Regulation 29
The Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997	S.I. 1997/2182	Regulation 8

The Imported Food Regulations 1997	S.I. 1997/2537	The whole Regulations
The Bread and Flour Regulations 1998	S.I. 1998/141	Regulation 9
The Plastic Materials and Articles in Contact with Food Regulations 1998	S.I. 1998/1376	Regulation 3(2)
The Food Labelling (Amendment) Regulations 1998	S.I. 1998/1398	Regulation 12
The Drinking Milk Regulations 1998	S.I. 1998/2424	Regulation 7
The Food Labelling (Amendment) Regulations 1999	S.I. 1999/747	Regulation 10
The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999	S.I. 1999/1540	Regulation 18(1) and (3)
The Spreadable Fats (Marketing Standards) (Scotland) Regulations 1999	S.S.I. 1999/34	Regulation 7
The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000	S.S.I. 2000/62	Regulation 7(1) and Part I of Schedule 5
The Foods for Special Medical Purposes (Scotland) Regulations 2000	S.S.I. 2000/130	Regulation 6
The Food Irradiation Provisions (Scotland) Regulations 2000	S.S.I. 2000/309	Regulation 8
The Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001	S.S.I. 2001/38	Regulation 9
The Food For Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2002	S.S.I. 2002/397	Regulation 7
The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002	S.S.I. 2002/445	Schedule 8, paragraph 3

The Plastic Materials and Articles in Contact with Food (Amendment) (Scotland) Regulations 2002	S.S.I. 2002/498	Regulation 5(a) in so far as it amends regulation 3(2) of S.I. 1998/1376
The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Scotland) Regulations 2003	S.S.I. 2003/139	Regulation 13(a) and (c)
The Food Supplements (Scotland) Regulations 2003	S.S.I. 2003/278	Regulation 10
The Cocoa and Chocolate Products (Scotland) Regulations 2003	S.S.I. 2003/291	Regulation 9
The Fruit Juices and Fruit Nectars (Scotland) Regulations 2003	S.S.I. 2003/293	Regulation 8
The Condensed Milk and Dried Milk (Scotland) Regulations 2003	S.S.I. 2003/311	Regulation 8
The Specified Sugar Products (Scotland) Regulations 2003	S.S.I. 2003/527	Regulation 8
The Honey (Scotland) Regulations 2003	S.S.I. 2003/569	Regulation 9
The Food Labelling Amendment (Scotland) Regulations 2003	S.S.I. 2003/578	In Regulation 4(2), the reference to regulation 47(b)
The Meat Products (Scotland) Regulations 2004	S.S.I. 2004/6	In Regulation 8(a)(iii) "or" and Regulation 8(b)
The Processed Cereal–based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004	S.S.I. 2004/8	Regulation 11
The Jam and Similar Products (Scotland) Regulations 2004	S.S.I. 2004/133	Regulation 8
The Food Safety (Act of Accession concerning the Czech Republic and other States) (Consequential Amendments) (Scotland) Regulations 2004	S.S.I. 2004/395	Regulation 7
The Food Labelling (Added Phytosterols or Phytostanols) (Scotland) Regulations 2005	S.S.I. 2005/1	Regulation 9

Marginal Citations

M17 Regulation 10 was inserted by the Food Safety (Exports) Regulations 1991 (S.I. 1991/1476), regulation 2(1).

Changes to legislation:
There are currently no known outstanding effects for the The Official Feed and Food Controls (Scotland) Regulations 2005.