
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 37

FOOD

**The Notification of Marketing of Food for Particular
Nutritional Uses (Scotland) Regulations 2007**

<i>Made</i>	- - - -	<i>1st February 2007</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>2nd February 2007</i>
<i>Coming into force</i>	- -	<i>1st March 2007</i>

The Scottish Ministers, in exercise of the powers conferred by sections 17(1), 26(1)(a) and (3) and 48(1) of the Food Safety Act 1990⁽¹⁾ and of all other powers enabling them in that behalf, having had regard in accordance with section 48(4A)⁽²⁾ of that Act to relevant advice given by the Food Standards Agency and after consultation as required by Article 9 of 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⁽³⁾, hereby make the following Regulations:

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- (1) 1990 c. 16; section 1(1) and (2) (definition of “food”) was substituted by S.I.2004/2990; section 17(1) was amended by the Food Standards Act 1999 (c. 28) (“the 1999 Act”), section 40(1) and Schedule 5, paragraphs 8 and 12(a); section 26(3) was amended by the 1999 Act, section 40(4) and Schedule 6; section 48(1) was amended by the 1999 Act, section 40(1) and Schedule 5, paragraph 8; amendments made by Schedule 5 to the 1999 Act shall be taken as pre-commencement enactments for the purposes of the Scotland Act 1998 (c. 46) (“the 1998 Act”) by virtue of section 40(2) of the 1999 Act. The functions of the Secretary of State, so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. In so far as not so transferred, those functions were transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849).
- (2) Section 48(4A) was inserted by the 1999 Act, section 40(1) and Schedule 5, paragraph 21.
- (3) O.J. No. L 31, 1.2.02, p.1, as amended by 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 (O.J. No. L 245, 29.9.03, p.4) and Commission Regulation (EC) No. 575/2006 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority (O.J. No. L 100, 8.4.06, p.3).