

EXECUTIVE NOTE TO
THE GUAR GUM (RESTRICTION ON FIRST PLACING ON THE MARKET)
(SCOTLAND) REGULATIONS 2008
S.S.I. 2008/176

Description

1. The above instrument was made by Scottish Ministers under the powers conferred by sections 2(2) of the European Communities Act 1972 and all other powers enabling them to do so. The instrument is subject to negative resolution procedure.
2. **Policy Objective**
 - 2.1 This instrument provides for the enforcement in Scotland of Commission Decision 2008/352/EC, imposing special conditions governing guar gum originating in or consigned from India due to contamination risks of those products by pentachlorophenol and dioxins, of 29 April 2008.
3. **Policy Background**
 - 3.1 The Minister was advised on 1 August 2007 regarding a Rapid Alert System for Food and Feed (RASFF) that was sent to all Member States alerting them to a serious contamination of guar gum originating from India with dioxins and pentachlorophenol (PCP). In response to this the Commission carried out an urgent inspection visit to India to gather information on the possible source of the contamination and to assess the control measures put in place by the Indian authorities. The inspection team concluded that there is not enough evidence to identify the cause of the contamination incident. They also found that there are inadequate controls in place to ensure that this contamination does not occur again. Consequently, the Commission have published Decision imposing special conditions governing the import of guar gum and products containing more than 10% guar gum from India.
4. **Consultation**
 - 4.1 We have already informed stakeholders of the draft Commission Decision by means of an Information Letter.
5. **Other Administrations**
 - 5.1 This instrument applies in relation to Scotland only. Separate but similar measures are being enacted for England, Wales and Northern Ireland.

6. Impact

- 6.1 There will be no extra burden to Scottish business providing consignments are accompanied by the appropriate analytical report.

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