
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 216

**The Spreadable Fats, Milk and Milk
Products (Scotland) Regulations 2008**

Exemptions from these Regulations

3.—(1) Except where paragraph (2) applies, unless and until there is a decision by the EEA Joint Committee to amend the EEA Agreement under Article 98 of the EEA Agreement so as to refer to the Council Regulation and the Commission Regulation, these Regulations do not apply in respect of any spreadable fat to which the EEA Agreement applies and which—

- (a) is brought into Scotland—
 - (i) from an EEA state (other than a Member State) in which it was lawfully produced and sold; or
 - (ii) from another part of the United Kingdom if that spreadable fat was brought there from such an EEA state; and
- (b) is suitably labelled to indicate the nature of the spreadable fat.

(2) Regulation 4 does not apply in respect of any margarine which—

- (a) is brought into Scotland—
 - (i) from an EEA State (other than the United Kingdom) in which it was lawfully produced and sold;
 - (ii) from a Member State (other than the United Kingdom) in which it was in free circulation and lawfully sold; or
 - (iii) from another part of the United Kingdom in which it was lawfully produced and sold or in free circulation and lawfully sold; and
- (b) is suitably labelled to indicate the nature of the margarine.

(3) For the purposes of paragraph (2), “free circulation” has the meaning it bears in Article 23(2) of the Treaty establishing the European Community.