

SCHEDULE 3

Regulation 23

CONSEQUENTIAL AMENDMENTS

The Colours in Food Regulations 1995

1. In the Colours in Food Regulations 1995(1), for regulation 5(b) (use of colours on eggshells) substitute—

- “(b) the marking (as provided for by Council Regulation (EC) No. 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products(2) and Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs)(3),”.

The Food Labelling Regulations 1996

2. In the Food Labelling Regulations 1996(4)—

(a) for regulation 4(2)(f) (disapplication of labelling requirements) substitute—

- “(f) hen eggs, in so far as their labelling is regulated in Council Regulation (EC) No. 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products and Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs;” and

(b) in regulation 45 (enforcement)—

(i) for paragraph (2A) substitute—

“(2A) The Scottish Ministers—

- (a) may in relation to hen eggs for retail sale or sale to a mass caterer and to which Council Regulation (EC) No. 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products and Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs, apply, enforce and execute the provisions of these Regulations which relate to the particulars listed at points (1), (4) and (7) of Article 3(1) of Directive 2000/13/EC(5); and
- (b) must in relation to hen eggs not for retail sale or sale to a mass caterer and to which Council Regulation (EC) No. 1234/2007 and Commission Regulation (EC) No. 589/2008 apply, enforce and execute the provisions of these Regulations which relate to the particulars listed at points (1), (4) and (7) of Article 3(1) of Directive 2000/13/EC.”.

(1) S.I.1995/3124, to which the last relevant amendment was made by S.S.I. 2008/129.

(2) O.J. No. L 299, 16.11.2007, p.1. This Regulation was last amended by Council Regulation (EC) No. 510/2008 (O.J. No. L 149, 7.6.2008, p.61).

(3) O.J. No. L 163, 24.6.2008, p.6. This Regulation has been amended by Commission Regulation (EC) 598/2008 (O.J. No. L 164, 25.6.2008, p.14).

(4) S.I. 1996/1499, to which the last relevant amendment was made by S.S.I. 2008/129.

(5) O.J. No. L 109, 6.5.2000, p.29. The Directive has been amended by Commission Directive 2001/101/EC (O.J. No. L 310, 28.11.2001, p.19), Directive 2003/89/EC of the European Parliament and of the Council (O.J. No. L 308, 25.11.2003, p.15), Council Directive 2006/107/EC (O.J. No. L 363, 20.12.2006, p.411), Commission Directive 2006/142/EC (O.J. No. L 368, 23.12.2006, p.110) and Commission Directive 2007/68/EC (O.J. No. L 130, 28.11.2007, p.11).

The Food Hygiene (Scotland) Regulations 2006

3. In the Food Hygiene (Scotland) Regulations 2006⁽⁶⁾ for paragraph 2(2)(g) of Schedule 4 (chilled and hot holding requirements) to those Regulations substitute–

“(g) to which Council Regulation (EC) No. 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products and Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs applies.”.

The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006

4. In article 2 (interpretation) of the Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006⁽⁷⁾ for the definition of “packing centre” substitute–

““packing centre” has the same meaning as in sub-paragraph (q) of the second paragraph of Article 1 of Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs;”.

The Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006

5. In regulation 2 (interpretation) of the Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006⁽⁸⁾ for the definition of “packing centre” substitute–

““packing centre” has the same meaning as in sub-paragraph (q) of the second paragraph of Article 1 of Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs;”.

⁽⁶⁾ S.S.I. 2006/3, to which the last relevant amendment was made by S.S.I. 2008/129.

⁽⁷⁾ S.S.I. 2006/336.

⁽⁸⁾ S.S.I. 2006/337, to which the last relevant amendment was made by S.S.I. 2008/129.