

**THE INFANT FORMULA AND FOLLOW-ON FORMULA (SCOTLAND)
AMENDMENT REGULATIONS 2014 (“THE 2014 REGULATIONS”)**

This transposition note relates to Commission Directive 2006/141/EC on infant formulae and follow-on formulae and amending Directive 1999/21/EC (“Directive 2006/141”) as most recently amended by Commission Directive 2013/46/EU amending Directive 2006/141/EC with regard to protein requirements for infant formulae and follow-on formulae (“Directive 2013/46”).

Background

Directive 2006/141 was originally implemented in Scotland by the Infant Formula and Follow-on Formula (Scotland) Regulations 2007 (“the 2007 Regulations”). The 2014 Regulations amend the 2007 Regulations and implement Directive 2006/141 as amended by Directive 2013/46.

The 2014 Regulations

The following table demonstrates how each relevant provision of Directive 2013/46 has been given effect in the 2014 Regulations. Certain Articles of Directive 2013/46 do not need to be transposed into national law as they relate to general obligations on Member States, administrative provisions or deal with historical issues such as entry into force.

Article in Directive 2013/46	Objective	Implementing provision	Responsibility
Article 1, paragraph 1(a)	Amends Article 7 of Directive 2006/141 to provide for demonstration of suitability of infant formula manufactured from cows’ milk or goats’ milk proteins.	Regulation 2(3).	The Scottish Ministers (on the advice of the Food Standards Agency) are responsible for all the measures taken to implement this Directive in Scotland. Applies to all subsequent entries.
Article 1, paragraph 1(b)	Amends Article 7 of Directive 2006/141 to provide for demonstration of suitability of follow-on formula manufactured from protein	Regulation 2(4).	

	hydrolysates.		
Article 1, paragraph 2	Amends Article 12 of Directive 2006/141 to provide for the name under which infant formulae and follow-on formulae manufactured entirely from cows' milk or goats' milk must be sold.	Regulation 2(5) and (6).	
Article 1, paragraph 3 and Annex	Amends Annexes I, II, III and VI of Directive 2006/141 to enable the use of goats' milk proteins in the manufacture of infant formulae and follow-on formulae and to lower the minimum protein levels permitted in follow-on formulae manufactured from protein hydrolysates.	Regulation 2(2).	
Article 3, paragraph 1	Sets out the transposition date.	Regulation 1.	