
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 213

FOOD

The Food Hygiene and Official Feed and Food Controls (Scotland) Amendment Regulations 2014

<i>Made</i>	- - - -	<i>29th July 2014</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>31st July 2014</i>
<i>Coming into force</i>	- -	<i>1st October 2014</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2), and paragraph 1A of Schedule 2 to, the European Communities Act 1972 and all other powers enabling them to do so⁽¹⁾.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Scottish Ministers that it is expedient for any reference to Regulation (EU) No. 211/2013⁽²⁾ to be construed as a reference to that instrument as amended from time to time.

There has been 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⁾.

(1) 1972 c.68. Section 2(2) was amended by paragraph 15(3) of Schedule 8 to the Scotland Act 1998 (c.46) (“the 1998 Act”), section 27 of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7) (“the 2008 Act”). The functions conferred on the Minister of the Crown under section 2(2), in so far as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. Insofar as not transferred, and insofar as relating to food (including drink) including the primary production of food, relevant 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). Paragraph 1A of Schedule 2 to the 1972 Act was inserted by section 28 of the 2006 Act and has been amended by section 3(3) of and the Schedule to the 2008 Act.

(2) OJ L 68, 12.3.2013, p.26, as last amended by Regulation (EU) No. 704/2014.

(3) OJ L 31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 596/2009 of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny - Part Four (OJ L 188, 18.7.2009, p.14).