
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 312

FOOD

The Food Information (Scotland) Regulations 2014

Made - - - - 12th November 2014
Laid before the Scottish
Parliament - - - - 14th November 2014
Coming into force in accordance with regulation 1(2)
to (4)

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 6(4), 16(1), 17, 18, 26, 45 and 48(1) of, and paragraphs 1 and 4(b) of Schedule 1 to, the Food Safety Act 1990^{M1}, section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972^{M2} and all other powers enabling them to do so.

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 specified provisions of Regulation (EU) No 1169/2011^{M3} of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004, to be construed as a reference to that Regulation as amended from time to time.

So far as the following Regulations are made in exercise of powers under the Food Safety Act 1990, the Scottish Ministers have had regard to relevant advice given by the Food Standards Agency in accordance with section 48(4A)^{M4} of that Act.

As required by Article 9 of Regulation (EC) No 178/2002^{M5} 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, there has been open and transparent public consultation during the preparation and evaluation of the following Regulations.

Marginal Citations

M1 1990 c.16. Section 1(1) and (2) (definition of “food”) was substituted by S.I. 2004/2990. Section 6(4) was amended by paragraph 6 of Schedule 9 to the [Deregulation and Contracting Out Act 1994](#) (c.40), [paragraph 10\(3\)](#) of Schedule 5 to the [Food Standards Act 1999](#) (c.28) (“the 1999 Act”), and Schedule 2 to the [Ministry of Agriculture, Fisheries and Food \(Dissolution\) Order 2002](#) (S.I. 2002/794). Sections 16(1)(e) and (f) were amended by paragraph 8 of Schedule 5 to the 1999 Act.

Sections 17 and 48 were amended by paragraphs 12 and 21 respectively of Schedule 5 to the 1999 Act. Section 17(2) was amended by section 40(1) of and paragraphs 7, 8 and 12 of Schedule 5 to the 1999 Act and [S.I. 2011/1043](#). Section 26(3) was amended by, and partially repealed by, paragraph 1 of Schedule 6 to the 1999 Act. Section 48 was also amended by [S.I. 2004/2990](#). Section 48(1) was amended by paragraphs 7 and 8 of Schedule 5 to the 1999 Act. Section 53(2) was amended by paragraph 19 of Schedule 16 to the [Deregulation and Contracting Out Act 1994 \(c.40\)](#), [Schedule 6](#) to the 1999 Act, [S.I. 2004/2990](#) and [S.I. 2004/3279](#). Amendments made by Schedule 5 to the 1999 Act which extend to Scotland shall be taken as pre-commencement enactments for the purposes of the [Scotland Act 1998 \(c.46\)](#) by virtue of section 49(2) of the 1999 Act. The functions of the Secretary of State, so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998. In so far as not transferred, those functions were transferred to the Scottish Ministers by the [Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2005 \(S.I. 2005/849\)](#).

- M2** [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(1) 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 \(c.7\)](#). Paragraph 1A of Schedule 2 was inserted by section 28 of the 2006 Act. The powers in section 2(2) of the 1972 Act are exercised as regards the whole or part of regulations 3 to 8 of this instrument. The functions conferred on the Minister of the Crown under section 2(2) of the 1972 Act, so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.
- M3** OJ L 304, 22.11.2011, p.18.
- M4** [Section 48\(4A\)](#) was inserted by paragraphs 7 and 21 of Schedule 5 to the Food Standards Act 1999.
- M5** OJ L 31, 1.2.2002, p.1, last amended by Commission Regulation (EC) No 596/2009 (OJ No L 188, 18.7.2009, p.14).

Changes to legislation:

There are currently no known outstanding effects for the The Food Information (Scotland) Regulations 2014, Introductory Text.