

## **POLICY NOTE**

### **THE PRODUCTS CONTAINING MEAT etc. (SCOTLAND) AMENDMENT REGULATIONS 2016**

**SSI 2016/24**

#### **1. Description**

1.1 The above instrument is made by the Scottish Ministers in exercise of the powers conferred by sections 6(4), 16(1)(a), (e) and (f), 26(1)(a) and (3) and 48(1) of the Food Safety Act 1990 and all other powers enabling them to do so. This instrument is subject to the negative procedure.

#### **2. Policy Objective**

2.1 These Regulations are necessary to amend the Products Containing Meat etc. (Scotland) Regulations 2014 (“the 2014 Regulations”) in order to make corrections to the drafting of the instrument following Parliamentary scrutiny.

#### **3. Policy Background**

3.1 During Parliamentary scrutiny of the 2014 Regulations, a technical drafting error was identified whereby a defence under Section 22 of The Food Safety Act 1990 was omitted. Food Standards Scotland intends that section 22 of the Act will also be applied and gave an undertaking that this would be addressed at the first appropriate opportunity. Given that no other reason to amend the Products Containing Meat etc. (Scotland) Regulations 2014 is anticipated, it is appropriate to make this amendment before the end of the current Parliamentary session.

#### **4. Consultation**

4.1 No consultation has been carried out as is normally required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council as this instrument makes a single technical amendment to the 2014 Regulations which were fully consulted on.

#### **5. Other Administrations**

5.1 These Regulations apply in relation to Scotland only.

#### **6. Guidance**

6.1 A combined guidance note was prepared to accompany the consultation on the 2014 Regulations

#### **7. Impact Assessment**

7.1 No additional impact on business is anticipated as a result of the amendment being introduced in this instrument. Therefore, no Business and Regulatory Impact Assessment has been prepared.

## **8. Regulating small businesses**

This Regulation will apply to all businesses supplying regulated products containing meat.

## **9. Monitoring**

Food Standards Scotland will work with Enforcement Authorities where problems or suspected infringements of the legislation arise. The effectiveness of the 2014 Regulations, as amended, will be monitored via general feedback from industry and Enforcement Authorities.

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