
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 372

**The Food and Feed (EU Exit) (Scotland)
(Amendment) Regulations 2020**

PART 2

Amendment of subordinate legislation

Amendment of the Official Feed and Food Controls (Scotland) Regulations 2009

3.—(1) The Official Feed and Food Controls (Scotland) Regulations 2009 ^{M1} are amended as follows.

- (2) Omit regulation 35 (serious risk to animal or public health).
- (3) In regulation 41 (offences and penalties)—
 - (a) in paragraph (1)(b) for “26(3), 27(5) or 35(4) or (5)” substitute “ 26(3) or 27(5) ”, and
 - (b) after paragraph 1(b), insert—
 - “(ba) contravenes or fails to comply with the provisions of any regulation made under Article 53 of Regulation 178/2002.”.
- (4) After regulation 42 (time limits for prosecutions (imports)) insert—

“Savings for declarations

42A. Notwithstanding the revocation of regulation 35, any declaration issued under regulation 35 that applies immediately before the revocation comes into force, continues to have effect as if it was made under Article 53 of Regulation 178/2002.”.

(5) ^{M2}In the table in schedule 4 (competent authorities for the purposes of certain provisions of Regulation 2017/625 in so far as they apply in relation to relevant feed law)—

- (a) in the first entry, in column 2 (provisions of Regulation 2017/625) for “4(2)(a)” substitute “ 4(2) ”,
- (b) in the first entry, in column 2 insert, in numerical order, the references to the following provisions of Regulation 2017/625—
 - (i) Article 59,
 - (ii) Article 60,
 - (iii) Article 62,
 - (iv) Article 100,
 - (v) Article 120,
 - (vi) Article 122, and
 - (vii) Article 123, [^{F1}and]
- (c) in the second entry, in column 2 for “4(2)(a)” substitute “ 4(2) ”[^{F2}.]

^{F3}(d)

(6) In the table in schedule 5 (competent authorities for the purposes of certain provisions of Regulation 2017/625 in so far as they apply in relation to food law)—

(a) in the first entry, in column 2 (provisions of Regulation 2017/625) for “4(2)(a)” substitute “4(2)”,

(b) in the first entry, in column 2 insert, in numerical order, the references to the following provisions of Regulation 2017/625—

(i) Article 59,

(ii) Article 60,

(iii) Article 62,

(iv) Article 100,

(v) Article 120,

(vi) Article 122, and

(vii) Article 123, [^{F4}and]

(c) in the second entry, in column 2 for “4(2)(a)” substitute “4(2)” [^{F5}.]

^{F6}(d)

(7) In the table in schedule 6 (specified import provisions) in column 2—

(a) in the entry relating to Article 5(1)(b) of Regulation 2019/1602, for “IMSOC” substitute “appropriate computerised information management system”,

^{F7}(b)

^{F8}(c)

^{F9}(d)

(e) in the entry relating to Article 6(2) of Regulation 2019/2124 for “the Union” substitute “Great Britain”,

(f) in the entry relating to Article 6(4) of Regulation 2019/2124 for “the Union” substitute “Great Britain”,

(g) in the entry relating to Article 6(6) of Regulation 2019/2124 for “the Union”, each time it occurs, substitute “Great Britain”,

^{F10}(h)

(i) in the entry relating to Article 1 of Regulation 2019/1013 for “into the Union” substitute “in Great Britain from a third country”.

Textual Amendments

F1 Word in reg. 3(5)(b) inserted (31.12.2020 immediately before IP completion day) by [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(a)(i)**

F2 Reg. 3(5)(c): full stop substituted for word (31.12.2020 immediately before IP completion day) by [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(a)(ii)**

F3 Reg. 3(5)(d) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(a)(iii)**

- F4** Word in reg. 3(6)(b) inserted (31.12.2020 immediately before IP completion day) by [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(b)(i)**
- F5** Reg. 3(6)(b): full stop substituted for word (31.12.2020 immediately before IP completion day) by [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(b)(ii)**
- F6** Reg. 3(6)(d) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(b)(iii)**
- F7** Reg. 3(7)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(c)(i)**
- F8** Reg. 3(7)(c) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(c)(ii)**
- F9** Reg. 3(7)(d) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(c)(iii)**
- F10** Reg. 3(7)(h) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animals, Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/455\)](#), regs. 1(3), **5(2)(c)(iv)**

Commencement Information

- I1** Reg. 3 in force at 31.12.2020 on IP completion day, see reg. 1(2)(b)

Marginal Citations

- M1** [S.S.I. 2009/446](#).
- M2** Regulation (EU) 2017/625 of the European Parliament and of the Council as relevantly amended by [The Official Controls \(Animal, Feed and Food, Plant Health etc.\) \(Amendment\) \(EU Exit\) Regulations 2020](#).

Changes to legislation:

There are currently no known outstanding effects for the The Food and Feed (EU Exit) (Scotland) (Amendment) Regulations 2020, Section 3.