
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 397

**The Food for Particular Nutritional Uses
(Addition of Substances for Specific Nutritional
Purposes) (Scotland) Regulations 2002**

Amendment of the Tryptophan in Food (Scotland) Regulations 1990

9.—(1) The Tryptophan in Food (Scotland) Regulations 1990(1) shall be amended in accordance with paragraph (2).

(2) In regulation 2 (interpretation)—

(a) after the definition of “appropriate medical certificate”, there shall be inserted the following definition:—

“designated PNU food” has the meaning assigned to it by the Food for Particular Nutritional Uses (Addition of Substances for Particular Nutritional Purposes) (Scotland) Regulations 2002;”;

(b) after the definition of “hospital”, there shall be inserted the following definition:—

““infant formula” and “follow on formula” have the meaning assigned to them the Infant Formula and Follow On Formula Regulations 1995(2);”;

(c) after the definition of “hospital”, the word “and” shall be omitted; and

(d) after the definition of “pharmacist”, there shall be inserted the following definition:—

“processed cereal-based food” and “baby food” have the meaning assigned to them by Processed cereal-based Foods and Baby Foods for Infants and Young Children Regulations 1997(3); and”.

(3) In regulation 3 (prohibition on sale, etc. of food containing tryptophan)—

(a) in paragraphs (1) and (2) for “Subject to paragraph (4)” there shall be substituted “Subject to paragraphs (4) and (4A)”;

(b) in paragraph (3) there shall be inserted at the beginning “Subject to paragraph (4A) of this regulation,”; and

(c) after paragraph (4) there shall be inserted the following paragraph:—

“(4A) Paragraphs (1) to (3) of this regulation shall not apply in respect of—

(a) laevorotatory tryptophan added to any infant formula or follow-on formula;

(b) laevorotatory tryptophan added to any processed cereal-based food or baby food; or

(c) laevorotatory tryptophan, its sodium, potassium, calcium or magnesium salts or its hydrochloride, added to any designated PNU food for a specific nutritional purpose in compliance with Commission Directive [2001/15/EC](#)(4)

(1) S.I.1990/1972, to which there are amendments not relevant to these Regulations.

(2) S.I. 1995/77, to which there are amendments not relevant to these Regulations.

(3) S.I. 1997/2042, to which there are amendments not relevant to these Regulations.

(4) O.J. No. L 52, 22.2.01, p.19.

(as corrected⁽⁵⁾) on substances that may be added for specific nutritional purposes in foods for particular nutritional uses.”.

(5) O.J. No. L 253, 21.9.01, p.34.