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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 414**

**AGRICULTURE**

**The Feeding Stuffs (Sampling and Analysis)  
Amendment (Scotland) Regulations 2004**

*Made* - - - - *23rd September*  
*Laid before the Scottish* *2004*  
*Parliament* - - - - *24th September 2004*  
*Coming into force* - - *1st November 2004*

The Scottish Ministers, in exercise of the powers conferred by sections 66(1), 75(1), 76(1), 77(4), 78(6), 79(1) and (2) and 84 of the Agriculture Act 1970(1), after consultation as required by section 84(1) of that Act with the persons or organisations appearing to represent the interests concerned, and in exercise of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Feeding Stuffs (Sampling and Analysis) Amendment (Scotland) Regulations 2004, and shall come into force on 1st November 2004.

(2) These Regulations extend to Scotland only.

**Amendment to the Feeding Stuffs (Sampling and Analysis) Regulations 1999**

2.—(1) The Feeding Stuffs (Sampling and Analysis) Regulations 1999(2) are amended in accordance with paragraph (2).

(2) For paragraph (3)(b)(ii) of regulation 6 (application of methods of analysis) substitute—

“(ii) the procedure set out in Commission Directive 2003/126/EC(3) on the analytical method for the determination of constituents of animal origin for the official control of feedingstuffs shall be used.”.

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(1) 1970 c. 40. Section 66(1) was relevantly amended by S.I. 1982/980, 1995/1412, 1996/1432 and 1999/1663. Section 66(1) contains definitions of “prescribed”, “regulations” and “the Ministers” relevant to the exercise of powers under which these Regulations are made. The functions of the Secretary of State in so far as within devolved competence were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (1998 c. 46) (“the 1998 Act”).

(2) S.I. 1999/1663, to which there are amendments not relevant to these Regulations.

(3) O.J. No. L 339, 24.12.2003, p.78.

St Andrew's House, Edinburgh  
23rd September 2004

*TOM McCABE*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which extend to Scotland only, further amend the Feeding Stuffs (Sampling and Analysis) Regulations 1999 (S.I.1999/1663, as already amended) which extend to the whole of Great Britain.

These Regulations implement Commission Directive [2003/126/EC](#) (O.J. No. L 339, 24.12.03, p.78) on the analytical method for the determination of constituents of animal origin for the official control of feedingstuffs.

These Regulations amend the Feeding Stuffs (Sampling and Analysis) Regulations 1999 by providing that where a microscopic examination is carried out for specified purposes, the procedure set out in Commission Directive [2003/126/EC](#) shall be used (regulation 2(2)).

A Regulatory Impact Assessment which includes a compliance cost assessment of the effect that these Regulations will have on business costs has been prepared and placed in the Scottish Parliament Information Centre. Copies may be obtained from the Food Standards Agency, 6th Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ.