
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 608

**The Feed (Hygiene and Enforcement)
(Scotland) Regulations 2005**

PART 4

Administration and Enforcement Generally

Offences relating to the exercise of powers by authorised officers

27.—(1) Any person who wilfully obstructs an authorised officer in the exercise of the officer's functions under these Regulations or fails to comply with any requirement lawfully made by an authorised officer in the exercise of such functions is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale or to a term of imprisonment not exceeding 3 months or both.

(2) Any person not being an authorised officer who purports to act as such under these Regulations is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to a term of imprisonment not exceeding 3 months or to both.

(3) Subject to paragraph (4), if any person discloses to any other person—

(a) any information in relation to any manufacturing process or trade secret which has been obtained by the person making the disclosure on premises entered by virtue of these Regulations, or

(b) any other any such information otherwise obtained in pursuance of these Regulations, that person is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale unless the disclosure was made in and for the purpose of the performance by that person or any other person of functions under these Regulations.

(4) Paragraph (3) does not apply to prevent an authorised officer who has taken a sample under regulation 24 from disclosing—

(a) to the manufacturer or to the last seller of the material, information as to the place where and the person from whom the sample was taken;

(b) to that manufacturer or last seller or to any person on whose premises that material was kept, information as to the results of any analysis of that sample; or

(c) any information which it is necessary to disclose in order to prevent the occurrence of a serious risk to human or animal health or to the environment.