
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 608

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

PART 4

Administration and Enforcement Generally

Additional provisions relating to sampling and analysis

31.—(1) Any person who—

- (a) tampers with any material so as to procure that any sample of it taken or submitted for analysis under these Regulations does not correctly represent the material; or
- (b) tampers or interferes with any sample taken or submitted for analysis under these Regulations,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 3 months or both.

(2) Any analysis required to be made under regulation 30(4) may be performed by any person acting under the direction of the agricultural analyst ^{F1}....

(3) A certificate of analysis by an agricultural analyst ^{F2}... shall in any legal proceedings be received as evidence of the facts stated in the certificate if the party against whom it is to be given in evidence—

- (a) has been served with a copy of it not less than 21 days before the hearing; and
- (b) has not, before the seventh day preceding the hearing, served on the other party a notice requiring the attendance of the person who made the analysis.

(4) Any document purporting to be a certificate of analysis for the purposes of paragraph (3) shall be deemed to be such a certificate unless the contrary is proved.

Textual Amendments

F1 Words in [reg. 31\(2\)](#) omitted (15.11.2010) by virtue of [The Feed \(Sampling and Analysis and Specified Undesirable Substances\) \(Scotland\) Regulations 2010 \(S.S.I. 2010/354\)](#), [regs. 1, 21\(5\)\(a\)](#)

F2 Words in [reg. 31\(3\)](#) omitted (15.11.2010) by virtue of [The Feed \(Sampling and Analysis and Specified Undesirable Substances\) \(Scotland\) Regulations 2010 \(S.S.I. 2010/354\)](#), [regs. 1, 21\(5\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Feed (Hygiene and Enforcement) (Scotland) Regulations 2005, Section 31.