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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 225**

**HORTICULTURE**

**The Marketing of Horticultural  
Produce (Scotland) Regulations 2009**

<i>Made</i>	- - - -	<i>3rd June 2009</i>
<i>Laid before the Scottish Parliament</i>	- -	<i>4th June 2009</i>
<i>Coming into force</i>		<i>1st July 2009</i>

**THE MARKETING OF HORTICULTURAL  
PRODUCE (SCOTLAND) REGULATIONS 2009**

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2. Interpretation
3. Designations and information disclosure
4. Authorised officer: powers of entry
5. Authorised officer: other powers
6. Authorised officer: power to affix a non compliance label
7. (1) Where an authorised officer, who has lawfully entered premises...
8. (1) Where an authorised officer, who has lawfully entered premises...
9. Authorised officer: Requirement to serve a notice in terms of regulations 6, 7 and 8
10. Authorised officer: powers to control the movement of horticultural produce
11. Right of review
12. Authorised officer: power to affix a stop notice label
13. Authorised officer: consents to the movement of controlled horticultural produce
14. Exercise of powers on premises
15. EU marketing rules offences
- 15A Provision of information – trader database
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16. Derogation from specific marketing standards
17. Offences relating to movement of controlled horticultural produce
18. Obstruction
19. Offence due to fault of another person
20. Defences

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://legislation.gov.uk) editorial team to *The Marketing of Horticultural Produce (Scotland) Regulations 2009*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

21. Offences by bodies corporate
22. Penalties
23. Revocations
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Signature

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SCHEDULE 1      Form and Completion of Labels  
PART I      Form of non compliance Label

PART II      Completion of non compliance Label

1. The reference number assigned to the label shall be inserted...
2. The personal number assigned to the authorised officer shall be...

PART III      Form of Stop Notice Label

PART IV      Completion of Stop Notice Label

1. The reference number assigned to the label shall be inserted...
2. The personal number assigned to the authorised officer shall be...

SCHEDULE 2      Provisions of Commission Implementing Regulation  
543/2011

Explanatory Note

### **Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marketing of Horticultural Produce (Scotland) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

### **Changes and effects yet to be applied to :**

- sch. 1 Pt. 1 words substituted by [S.S.I. 2019/169 reg. 3\(14\)](#)
- reg. 2(1) word omitted by [S.S.I. 2019/169 reg. 3\(2\)\(b\)](#)
- reg. 2(1) word omitted by [S.S.I. 2019/169 reg. 3\(2\)\(d\)](#)
- reg. 2(1) word omitted by [S.S.I. 2022/361 reg. 17\(a\)](#)
- reg. 2(1) words inserted by [S.S.I. 2019/169 reg. 3\(2\)\(c\)](#)
- reg. 2(1) words omitted by [S.S.I. 2019/169 reg. 3\(2\)\(a\)](#)
- reg. 2(1) words omitted by [S.S.I. 2022/361 reg. 17\(b\)](#)
- reg. 3(2) word omitted by [S.S.I. 2019/169 reg. 3\(3\)\(a\)](#)
- reg. 3(2) words omitted by [S.S.I. 2019/169 reg. 3\(3\)\(c\)](#)
- reg. 3(2) words substituted by [S.S.I. 2019/169 reg. 3\(3\)\(b\)](#)
- reg. 5(1)(h) word omitted by [S.S.I. 2019/169 reg. 3\(4\)](#)
- reg. 6(1) word omitted by [S.S.I. 2019/169 reg. 3\(5\)](#)
- reg. 7(1) word omitted by [S.S.I. 2019/169 reg. 3\(6\)\(a\)](#)
- reg. 7(3)(b) word omitted by [S.S.I. 2019/169 reg. 3\(6\)\(b\)](#)
- reg. 7(4)(b) word omitted by [S.S.I. 2019/169 reg. 3\(6\)\(c\)](#)
- reg. 8(1) word omitted by [S.S.I. 2019/169 reg. 3\(7\)](#)
- reg. 9(2) word omitted by [S.S.I. 2019/169 reg. 3\(8\)](#)
- reg. 10(2)(e) word omitted by [S.S.I. 2019/169 reg. 3\(9\)](#)
- reg. 13(2)(a) word omitted by [S.S.I. 2019/169 reg. 3\(10\)\(a\)](#)
- reg. 13(3)(a)(ii) word omitted by [S.S.I. 2019/169 reg. 3\(10\)\(b\)](#)
- reg. 15 heading word omitted by [S.S.I. 2019/169 reg. 3\(11\)\(a\)](#)
- reg. 15(3)(a) word omitted by [S.S.I. 2019/169 reg. 3\(11\)\(b\)](#)
- reg. 15(4) word omitted by [S.S.I. 2019/169 reg. 3\(11\)\(c\)](#)
- reg. 15(5) word omitted by [S.S.I. 2019/169 reg. 3\(11\)\(d\)](#)
- reg. 15(6)(a) word omitted by [S.S.I. 2019/169 reg. 3\(11\)\(e\)](#)
- reg. 15(7) word omitted by [S.S.I. 2019/169 reg. 3\(11\)\(f\)\(ii\)](#)
- reg. 15(7) words substituted by [S.S.I. 2019/169 reg. 3\(11\)\(f\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 3(11)(f)(i) substituted immediately before IP completion day by [S.S.I. 2020/368, regs. 1\(3\), 4\(2\)](#))
- reg. 15(7) words substituted by [S.S.I. 2019/169, reg. 3\(11\)\(f\)\(i\)](#) (as substituted) by [S.S.I. 2020/368 reg. 4\(2\)](#)
- reg. 18(1)(c) word omitted by [S.S.I. 2019/169 reg. 3\(12\)](#)

### **Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 25 inserted by [S.S.I. 2019/169 reg. 3\(13\)](#) (This amendment not applied to legislation.gov.uk. Reg. 13(3) revoked immediately before IP completion day by virtue of [S.S.I. 2019/289, regs. 1\(b\), 7](#))
- reg. 25 inserted by [S.S.I. 2019/209 reg. 3](#)
- reg. 25 words substituted in earlier amending provision [S.S.I. 2019/209, reg. 3](#) by [S.S.I. 2020/368 reg. 5\(2\)](#)
- reg. 25(1)(a) words substituted by [S.S.I. 2022/265 reg. 9\(a\)](#)
- reg. 25(2)(a) words substituted by [S.S.I. 2022/265 reg. 9\(b\)](#)