
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 354

The Feed (Sampling and Analysis and Specified Undesirable Substances) (Scotland) Regulations 2010

PART 3

Amendment and modification of other legislation with regard to sampling and analysis

Amendment of the Feed Hygiene Regulations

- 21.**—(1) The Feed Hygiene Regulations are amended in accordance with paragraphs (2) to (6).
- (2) In regulation 2(1) (interpretation)—
- (a) omit the definition of “point 4 compliant laboratory”;
- (b) for the definition of “prescribed manner” substitute—
- ““prescribed manner” means the manner prescribed by Regulation (EC) No. 152/2009 of the European Parliament and of the Council laying down the methods of sampling and analysis for the official control of feed or otherwise in accordance with Article 11(1) of Regulation 882/2004;”;
- and
- (c) omit the definition of “sampled portion”.
- (3) For regulation 29 (application of various provisions of the Feeding Stuffs (Sampling and Analysis) Regulations 1999(1)) substitute—

“Appointment of agricultural analysts

- 29.**—(1) Subject to paragraph (3), an enforcement authority must appoint one or more agricultural analysts in connection with the performance of its duty under regulation 16 (enforcement).
- (2) An agricultural analyst appointed under paragraph (1) must have the qualifications prescribed in relation to the Act by regulation 5 of the Feed (Sampling and Analysis and Specified Undesirable Substances) (Scotland) Regulations 2010.
- (3) An agricultural analyst already appointed by an enforcement authority pursuant to section 67(3)(b) of the Act is deemed to be appointed for the purposes of paragraph (1).”.
- (4) In regulation 30 (procedure relating to samples for analysis)—
- (a) for paragraph (1)(b) substitute—
- “(b) send one part for analysis to the agricultural analyst for the area of the enforcement authority from which the authorised officer derives authority;”;
- (b) for paragraph (3) substitute—

- “(3) The part of the sample sent to the agricultural analyst must be accompanied by a statement signed by the authorised officer confirming that the sample was taken in the manner prescribed by law.”; and
- (c) in paragraph (4) omit “or as the case may be the point 4 compliant laboratory”.
- (5) In regulation 31 (additional provisions relating to sampling and analysis)—
- (a) in paragraph (2) omit “or the analyst at the point 4 compliant laboratory as the case may be”; and
- (b) in paragraph (3) omit “or an analyst at a point 4 compliant laboratory”.
- (6) In regulation 31A (secondary analysis by the Government Chemist) for paragraph (3)(a) substitute—
- “(a) completed in the form set out in Schedule 1 to the Feed (Sampling and Analysis and Specified Undesirable Substances) (Scotland) Regulations 2010 and in accordance with the notes to that Schedule;”.