
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 373

The Animal Feed (Scotland) Regulations 2010

PART 8

Amendments to Regulations

Amendment of the Feed (Hygiene and Enforcement) (Scotland) Regulations 2005

15.—(1) The Feed (Hygiene and Enforcement) (Scotland) Regulations 2005^{M1} are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “agricultural analyst” insert the definition—

““the Animal Feed Regulations” means the Animal Feed (Scotland) Regulations 2010;”;
and

(b) after the definition of “Regulation 183/2005” insert the definition—

““Regulation 767/2009” means Regulation (EC) No. 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No. 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC;”.

(3) In regulation 15(2)(b) (offences, penalties and enforcement) omit “food-producing”.

(4) For regulation 24(13) (powers of entry for authorised officers) substitute—

“(13) In this regulation—

(a) “compound feeding stuff” bears the same meaning as “compound feed” as defined in Article 3(2)(h) of Regulation 767/2009;

(b) “feeding stuff which is intended for a particular nutritional purpose” bears the same meaning as “feed intended for particular nutritional purposes” as defined in Article 3(2)(o) of that Regulation; and

(c) “prescribed manner” means prescribed by any provision referred to in regulation 29.”.

(5) In each of regulations 34(1) and (2) (defences of fault of another person, mistake etc and export), 35(1) and (3) (defences by corporate bodies or Scottish partnerships) and 36(1) (time limit for prosecutions) after “these Regulations” insert “; or the Animal Feed Regulations”.

(6) In Schedule 1 (specified feed law)—

(a) omit “The Feeding Stuffs (Scotland) Regulations 2000”;

(b) for “The Feeding Stuffs (Scotland) Regulations 2005 (as modified by the Feeding Stuffs (Application to Zootechnical Additives etc.) (Scotland) Regulations 2005)” substitute “; The Animal Feed (Scotland) Regulations 2010 ”; and

- (c) insert at the end—
“Regulation 767/2009”.

Marginal Citations

M1 [S.S.I. 2005/608](#), as amended by [S.S.I. 2005/616](#), 2006/578, 2008/201, 2009/263 and 446, and 2010/354.

Amendment of the Official Feed and Food Controls (Scotland) Regulations 2009

16.—(1) The Official Feed and Food Controls (Scotland) Regulations 2009 ^{M2} are amended in accordance with paragraph (2).

(2) In paragraph (f) of Schedule 2 (definition of relevant feed law), for “the Feeding Stuffs (Scotland) Regulations 2005” substitute “;the Animal Feed (Scotland) Regulations 2010 ”.

Marginal Citations

M2 [S.S.I. 2009/446](#), as amended by [S.S.I. 2010/5](#), 177 and 354.

Revocations

17. The enactments listed in Schedule 2 are revoked.

[^{F1}Transitional provisions

18.—(1) The validity, effect or consequences of anything done under these Regulations as they had effect immediately before the Food Standards Scotland becomes the feed authority is not affected by the Food Standards Scotland becoming the feed authority.

(2) Any inspection, investigation or legal proceedings commenced prior to the Food Standards Scotland becoming the feed authority is not affected by the Food Standards Scotland becoming the feed authority.

(3) Any inspection, investigation or legal proceeding commenced prior to the Food Standards Scotland becoming the feed authority may be continued after that date as if the amendments to these Regulations coming into force on that day had not been made.

(4) Any liability to a penalty for an offence committed before the Food Standards Scotland becoming the feed authority is not affected by the Food Standards Scotland becoming the feed authority.

(5) Despite Food Standards Scotland becoming the feed authority, these Regulations as they had effect before that day continue to have effect for the purposes of investigating any offence referred in paragraph (4).]

Textual Amendments

F1 [Reg. 18](#) inserted (1.4.2021) by [The Feed \(Transfer of Functions\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/467\)](#), regs. 1(2), **7(9)**

Changes to legislation:

There are currently no known outstanding effects for the The Animal Feed (Scotland) Regulations 2010, PART 8.