
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 410

The Food Information (Miscellaneous Amendments) (Scotland) Regulations 2015

Amendment of the 2014 Regulations

- 3.—(1) The 2014 Regulations are amended in accordance with this regulation.
- (2) In regulation 2 (interpretation)—
- (a) in paragraph (1)—
- (i) at the appropriate alphabetical position insert ““[Directive 1999/2/EC](#)” means [Directive 1999/2/EC](#) of the European Parliament and of the Council on the approximation of laws of the Member States concerning foods and food ingredients treated with ionising radiation.”⁽¹⁾;
- (ii) in the definition of “prepacked food”, after “Article 2(2)(e)” insert “and “prepacked” is to be construed accordingly”;
- (b) in paragraph (3) after “applies” insert “)” and for “a regulation” substitute “a provision of the Regulations”;
- (c) in paragraph (4) for sub-paragraph (c) substitute—
- “(c) regulation 4(1) and (3) (derogation relating to minced meat);
- (ca) regulation 5(1), (3), (5) and (6) (foods that are not prepacked etc, containing an allergenic substance or product etc.)”.
- (3) In regulation 5 (foods that are not prepacked etc. containing an allergenic substance or product etc.) in paragraph (5)(a), after “aid is” insert “listed in or”.
- (4) In regulation 8 (irradiated foods)—
- (a) in paragraphs (2) and (4) for “ultimate” where it appears substitute “final”;
- (b) for paragraph (6) substitute:—
- “(6) In this regulation—
- “in bulk”, “ionising radiation” and “product” have the same meaning as in [Directive 1999/2/EC](#);
- “places on the market” is to be construed taking into account the meaning of “placed on the market” as used in Article 2 of [Directive 1999/2/EC](#); and”.
- (5) In Schedule 2 (foods that are not products to which regulation 7(1) applies), at the end of paragraph 3, omit “20”.
- (6) In Schedule 3 (specified FIC provisions) in the reference, omit “1(2)”.
- (7) In Schedule 3 in Part 1 (specified FIC provisions applying on and from 13th December 2014)
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(1) OJ L 66,13.3.1999, p.16, last amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council (OJ No L 311, 21.11.2008, p.1).

- (a) for each entry in the second column relating to “the first paragraph of Article 54(1)” substitute “the first sub-paragraph of Article 54(1)”; and
- (b) at the entry relating to Article 18(1) (list of ingredients), in the second column, for “(8)” substitute “8” and, in the same line, after “first” add “sub-”.

(8) At the end of the reference to Article 22(2) for “.” substitute “)”.

(9) In Schedule 4 (revocations), in Part 1 (revocations coming into force on 13th December 2014) omit the reference to The Miscellaneous Food Additives (Amendment) Regulations 1999 in the first column and the related text in the second column.

(10) In Schedule 5 (consequential and other amendments)—

- (a) in paragraphs 1, 4, 8, 11 and 12, in each place where this occurs, for “Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers”, substitute “Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004”;

(b) for paragraph 2 (the food labelling regulations 1996) substitute:—

“Schedule 8 (misleading descriptions), Part I of the Food Labelling Regulations 1996 is amended as follows—

- (a) in column 2 of the entry relating to the description “alcohol-free”, for subparagraph (b) substitute—

“(b) the drink is marked or labelled with—

- (i) an indication of its maximum alcoholic strength in a form comprising of the words “not more than” followed by a figure to not more than one decimal place indicating its maximum alcoholic strength and the symbol “% vol.” (required form 1), “alcohol % vol.” (required form 2), or “alc. % vol.” (required form 3), or
- (ii) in an appropriate case an indication that it contains no alcohol.”;

- (b) in column 2 of the entry relating to the description “dealcoholised”, for subparagraph (b) substitute—

“(b) the drink is marked or labelled with—

- (i) an indication of its maximum alcoholic strength in required form 1, 2 or 3; or
- (ii) in an appropriate case, an indication that it contains no alcohol.”; and

- (c) in column 2 of the entry relating to the description “low alcohol” (or any other word or description which implies that the drink being described is low in alcohol), for subparagraph (b) substitute—

“(b) the drink is marked or labelled with an indication of its maximum alcoholic strength in required form 1, 2 or 3.””

(c) for paragraph 5 substitute:—

“5. Regulation 2(1) (interpretation) of The Bread and Flour Regulations 1998 is amended as follows—

- (a) in the definition of “ingredient”, for “the Food Labelling Regulations 1996”, substitute “Article 2(2)(f) of Regulation (EU) No 1169/2011”;
- (b) in the definition of “labelling”, for “the Food Labelling Regulations 1996”, substitute “Article 2(2)(j) of Regulation (EU) No 1169/2011”;
- (c) omit the definition of “the labelling regulations”; and
- (d) insert the following definition in its alphabetical place—

““Regulation (EU) No 1169/2011” means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004; and””
- (d) in paragraph 7(b)(ii), for “1169/2011” substitute “1169/2011”.
- (e) in paragraph 13 for “. (c).” substitute “(c)”.