

SCHEDULE 1

Regulation 2

[^{F1}Specified requirements]

F1	Sch. 1 heading substituted (31.12.2020) by The Food and Feed (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/372), regs. 1(2)(b), 4(4)(a)
Commencement Information	
I1	Sch. 1 in force at 20.7.2016, see reg. 1(1)

^{F2} Column 1 Specified provision of the EU Regulation	Column 2 Provisions of the EU Regulation to be read with the specified provision of the EU Regulation
F3 ...	F3 ...
Article 4(2) (requirement for food to be pre-packed)	Articles 1(1) and 4(1)
Article 9(1) (requirement for the composition of food to be nutritionally appropriate and suitable)	Articles 1(1), 4(1), 9(3) and (4)
Article 9(2) (prohibition on substances in dangerous quantities)	Articles 1(1) and 4(1)
F4 ...	F4 ...
Article 9(5) (requirements as to labelling, presentation and advertising of food)	Articles 1(1), 4(1) and 9(6)
Article 10 (additional requirements for infant formula and follow-on formula)	Article 4(1)
[^{F5} [^{F6} Article 15(1) (GB list)]	Article 1(1)(a) and (c) and Articles 4(1) and 15(3) and the Annex, insofar as they apply to infant formula and follow-on formula and food for special medical purposes]
^{F7} Specified provision of the Delegated Regulation	Provisions of the Delegated Regulation to be read with the specified provision of the Delegated Regulation
Article 2(2) (requirement for the formulation of food for special medical purposes to be based on sound medical and nutritional principles)	Article 1
The first sub-paragraph of Article 2(3) (requirement for food for special medical purposes developed to satisfy the nutritional requirements of infants to comply with the compositional requirements in Part A of Annex I)	Articles 1 and 2(4) and Part A of Annex I
The second sub-paragraph of Article 2(3) (requirement for food other than that developed	Articles 1 and 2(4) and Part B of Annex I

[^{F7} Specified provision of the Delegated Regulation	Provisions of the Delegated Regulation to be read with the specified provision of the Delegated Regulation
to satisfy the nutritional requirements of infants to comply with the compositional requirements in Part B of Annex I)	
Article 3(2) (residue threshold for certain active substances where food for special medical purposes is developed to satisfy the nutritional requirements of infants and young children)	Articles 1 and 3(1), (3) and (5)
Article 3(3) (maximum residue levels for substances listed in Annex II)	Articles 1 and 3(1) and (5) and Annex II
Article 3(4) (requirements on plant protection products)	Articles 1 and 3(1), (5) and Annex III
Article 4 (name of the food)	Article 1 and Annex IV
Article 5(1) (requirement for food for special medical purposes to comply with Regulation (EU) No 1169/2011 unless otherwise specified)	Articles 1 and 5(2)
Article 5(2) (additional mandatory particulars)	Articles 1 and 5(1) and (3)
Article 5(3) (application of articles 13(2) and (3) of Regulation (EU) No 1169/2011 to additional mandatory particulars)	Articles 1 and 5(1) and (2)
Article 6(1) (mandatory nutrition declaration)	Articles 1 and 6(3)
Article 6(2) (prohibition of repetition of information)	Article 1
Article 6(4) (application of articles 31 to 35 of Regulation (EU) No 1169/2011)	Articles 1 and 6(3) and (5)
Article 6(5) (energy value and amount of nutrients of food for special medical purposes)	Articles 1 and 6(4)
Article 6(6) (prohibition of expressing energy value and amount of nutrients as a percentage of reference intakes)	Articles 1 and 6(4)
The first sub-paragraph of Article 6(7) (presentation of nutrition declaration particulars)	Articles 1 and 6(4)
The second sub-paragraph of Article 6(7) (placement of nutrition declaration particulars)	Articles 1 and 6(4)
The third sub-paragraph of Article 6(7) (indication of amount of sodium)	Articles 1 and 6(4)
Article 7 (nutrition and health claims)	Article 1
Article 8(1) (requirement for mandatory particulars to appear in a language easily understood by consumers)	Article 1

[^{F7} Specified provision of the Delegated Regulation	Provisions of the Delegated Regulation to be read with the specified provision of the Delegated Regulation
The first sub-paragraph of Article 8(2) (prohibition of pictures of infants or certain other pictures or text)	Article 1
Article 8(3) (requirements relating to labelling, presentation and advertising)	Article 1
The first sub-paragraph of Article 8(4) (restriction on publication)	Article 1 and the third sub-paragraph of Article 8(4)
Article 8(5) (prohibition on use of promotional devices to induce sales)	Article 1
Article 8(6) (prohibition on providing free or low-priced products, samples or other promotional gifts)	Article 1
Article 9 (notification)	Article 1]]

F2	Sch. 1 Table substituted (22.2.2019) by The Foods for Specific Groups (Medical Foods) (Miscellaneous Amendments) (Scotland) Regulations 2018 (S.S.I. 2018/392) , regs. 1(1), 4(3)
F3	Words in sch. 1 omitted (22.2.2020) by virtue of The Foods for Specific Groups (Medical Foods for Infants) and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/7) , reg. 1, sch. 1 para. 1(4)(a)(i)
F4	Words in sch. 1 omitted (22.2.2020) by virtue of The Foods for Specific Groups (Medical Foods for Infants) and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/7) , reg. 1, sch. 1 para. 1(4)(a)(ii)
F5	Words in sch. 1 inserted (22.2.2020) by The Foods for Specific Groups (Medical Foods for Infants) and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/7) , reg. 1, sch. 1 para. 1(4)(a)(iii)
F6	Words in sch. 1 substituted (31.12.2020) by The Food and Feed (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/372) , regs. 1(2)(b), 4(4)(b)
F7	Words in sch. 1 substituted (22.2.2020) by The Foods for Specific Groups (Medical Foods for Infants) and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/7) , reg. 1, sch. 1 para. 1(4)(b)

SCHEDULE 2

Regulation 5

Modification of provisions of the Act

Commencement Information

I2 Sch. 2 in force at 20.7.2016, see [reg. 1\(1\)](#)

<i>Provision of the Act</i>	<i>Modifications</i>
Section 3 (presumptions that food intended for human consumption)	In subsection (1), for “this Act” substitute “the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 20 (offences due to fault of another person)	For “any of the preceding provisions of this Part” substitute “the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 21(1) (defence of due diligence)	In subsection (1), for “any of the preceding provisions of this Part” substitute “the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 22 (defence of publication in the course of business)	In subsection (1), for “any of the preceding provisions of this Part” substitute “any provision of the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 29 (procurement of samples)	In paragraph (b)(ii), after “under section 32 below” insert “including under section 32 as applied and modified by regulation 5 and schedule 2 of the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 30(8) (evidence of certificates given by a food analyst or examiner)	For “this Act” substitute “the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 32 (powers of entry)	In subsection (1), for paragraphs (a) to (c) substitute “(a) to enter any premises within the authority’s area for the purpose of ascertaining whether there has been any contravention of a specified EU requirement (as defined in regulation 2 of the Foods for Specific Groups (Scotland) Regulations 2016); (b) to enter any business premises, whether within or outside the authority’s area, for the purpose of ascertaining whether there is on the premises any evidence of any contravention of such a requirement; and (c) when exercising a power of entry under this section, to exercise the associated powers in sub-sections (5) and (6) relating to records.”.
Section 33 (obstruction etc. of officers)	In subsection (1), for “this Act” (in each place where it occurs) substitute “the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 35(1) (punishment of offences)	After “section 33(1) above” insert “as applied and modified by regulation 5 and schedule 2 of the Foods for Specific Groups (Scotland) Regulations 2016,”.
Section 36 (offences by bodies corporate)	In subsection (1), for “this Act” substitute “the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 36A(2) (offences by Scottish partnerships)	For “this Act” substitute “the Foods for Specific Groups (Scotland) Regulations 2016”.
Section 44 (protection of officers acting in good faith)	For “this Act”—

(1) Section 21(2) was amended by [S.I. 2004/3279](#).

(2) Section 36A was inserted by the Food Standards Act 1999, schedule 5, paragraph 16.

Changes to legislation: There are currently no known outstanding effects for the The Foods for Specific Groups (Scotland) Regulations 2016. (See end of Document for details)

<i>Provision of the Act</i>	<i>Modifications</i>
	(a) where it first appears substitute “the Foods for Specific Groups (Scotland) Regulations 2016 (“the 2016 Regulations”); and
	(b) on each other occasion it appears substitute “the 2016 Regulations”.

Changes to legislation:

There are currently no known outstanding effects for the The Foods for Specific Groups (Scotland) Regulations 2016.