

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 53

**EXITING THE EUROPEAN UNION
FOOD**

The Food Composition, Labelling and Standards (EU
Exit) (Scotland) (Amendment) Regulations 2019

Made - - - - 18th February 2019
Laid before the Scottish
Parliament - - - - 19th February 2019
Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred on them by paragraph 1(1) and (3) of schedule 2 the European Union (Withdrawal) Act 2018^{M1} and all other powers enabling them to do so.

There has been consultation as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

Marginal Citations

M1 2018 c.16.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Food Composition, Labelling and Standards (EU Exit) (Scotland) (Amendment) Regulations 2019 and come into force on exit day.

(2) These Regulations extend to Scotland only.

Commencement Information

I1 Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Amendment of the Quick-frozen Foodstuffs Regulations 1990

2. In regulation 5(3)(b) (labelling of quick-frozen foodstuffs) of the Quick-frozen Foodstuffs Regulations 1990^{M2} for “European Union” substitute “ United Kingdom ”.

Commencement Information

I2 Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M2 [S.I. 1990/2615](#), as amended by [S.I. 1992/2596](#), [S.I. 1994/298](#), [S.S.I. 2007/106](#), [S.I. 2011/1043](#) and [S.S.I. 2014/312](#).

Amendment of the Food (Lot Marking) Regulations 1996

3.—(1) The Food (Lot Marking) Regulations 1996^{M3} are amended as follows.

(2) In regulation 2 (interpretation) omit the definition of “first seller established within the European Union”.

(3) In regulation 3(2)(a) (lot marking requirement) for “European Union” substitute “ United Kingdom ”.

Commencement Information

I3 Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M3 [S.I. 1996/1502](#), as amended by [S.I. 2011/1043](#) and [2014/312](#).

Amendment of the Spreadable Fats, Milk and Milk Products (Scotland) Regulations 2008

4.—(1) The Spreadable Fats, Milk and Milk Products (Scotland) Regulations 2008^{M4} are amended as follows.

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

(a) omit the definition of “EU provision”, and

(b) after the definition of “sell by retail” insert—

““specified provisions” means those provisions listed in regulation 6(2);”.

(3) In regulation 5 (enforcement) for “EU provisions” substitute “ specified provisions ”.

(4) In regulation 6 (offences and penalty)—

(a) in sub-paragraph (1)(b) for “EU” substitute “ specified ”, and

(b) in sub-paragraph (2) for “EU” substitute “ specified ”.

(5) In regulation 7(2) (application of various provisions of the Act) for “EU” substitute “ specified ”.

Commencement Information

- I4** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M4** [S.S.I. 2008/216](#) amended by [S.I. 2011/1043](#), 2012/1809 and 2013/3235.

Amendment of the Fish Labelling (Scotland) Regulations 2013

- 5.—(1) The Fish Labelling (Scotland) Regulations 2013^{M5} are amended as follows.
- (2) In regulation 3 (consumer information and traceability requirements)—
- (a) in paragraph (3) for “Article 67(1) to (3) and (5) to (13) of Regulation 404/2011” substitute “ Article 67(1) to (3), (5) to (7) and (9) to (13) of Regulation 404/2011 ”, and
- (b) in paragraphs (6) and (7) for “the sterling equivalent of 50 euros” substitute “ £45 ”.

Commencement Information

- I5** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M5** [S.S.I. 2013/256](#) last amended by [S.S.I. 2015/48](#).

Amendment of the Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013

- 6.—(1) The Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013^{M6} are amended as follows.

[^{F1}(2) In regulation 8(b) for “the European Union” substitute “ Great Britain ”]

(3) In regulation 12 (1)(d) for “territory of the EU” substitute “ United Kingdom ”.

(4) In regulation 13 (competent authorities) omit “competent” and in the heading for “Competent authorities” substitute “ Authority ”.

(5) In schedule 1 (specified provisions of Regulation 1333/2008) in the entries for Article 26.1 and Article 26.2 in the second column for “Commission” substitute “ Authority ”.

(6) In schedule 2 (specified provisions of Regulation 1334/2008) in the entries for Article 19.2 and Article 19.3 in the second column for “Commission” substitute “ Authority ”.

(7) In schedule 3 (specified provisions of Regulation 2065/2003) in the entry for Article 9.5 in the second column for “Commission” substitute “ Authority ”.

(8) In schedule 4 (specified provisions of Regulation 1332/2008) in the entries for Article 14.1 and Article 14.2 in the second column for “Commission” substitute “ Authority ”.

- F1** Reg. 6(2) substituted (31.12.2020 immediately before IP completion day) by [The Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/372\)](#), regs. 1(2)(a), **6(2)**

Changes to legislation: There are currently no known outstanding effects for the The Food Composition, Labelling and Standards (EU Exit) (Scotland) (Amendment) Regulations 2019. (See end of Document for details)

Commencement Information

I6 Reg. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

Marginal Citations

M6 [S.S.I. 2013/266](#) amended by [S.S.I. 2014/312](#) and 2015/100.

St Andrew's House,
Edinburgh

JOE FITZPATRICK
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by paragraph 1(1) and (3) of schedule 2 of the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of retained EU law to operate effectively and other deficiencies (as defined in section 8(2) and (3) of that Act) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to subordinate legislation in the field of food composition, food labelling and food standards in relation to Scotland.

An impact assessment has not been produced for this instrument as no significant impact on the private or voluntary sector is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Food Composition, Labelling and Standards (EU Exit) (Scotland) (Amendment) Regulations 2019.