

## SCHEDULE

Regulation 2(1)

Relevant Offences for the purposes of Part 3 of the 2015 Act as it applies to compliance notices

### **The Quick-frozen Foodstuffs Regulations 1990**

1. An offence under any of the following provisions of the Quick-frozen Foodstuffs Regulations 1990(1)—

- (a) regulation 3 (sale of quick-frozen foodstuffs),
- (b) regulation 4 (packaging of quick-frozen foodstuffs intended for supply to the ultimate consumer),
- (c) regulation 5(1), (2), (3) and (4) (labelling of quick-frozen foodstuffs),
- (d) regulation 6 (equipment),
- (e) regulation 7(1A) (penalties and enforcement).

### **Food (Lot Marking) Regulations 1996**

2. An offence under regulation 5(1) (enforcement) of the Food (Lot Marking) Regulations 1996(2).

### **Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997**

3. An offence under regulation 6(1) (offences and penalties) of the Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997(3).

### **Bread and Flour Regulations 1998**

4. An offence under any of the following provisions of the Bread and Flour Regulations 1998(4)—

- (a) regulation 4(4)(a) and (4)(b)(ii) (composition of flour),
- (b) regulation 5 (additional ingredients),
- (c) regulation 6(2) (restrictions on the use of the words ‘wholemeal’ and ‘wheatgerm’).

### **Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001**

5. An offence under regulation 7(1) (penalties and enforcement) of the Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001(5).

### **Kava-kava in Food (Scotland) Regulations 2002**

6. An offence under regulation 4(1) (penalty and enforcement) of the Kava-kava in Food (Scotland) Regulations 2002(6).

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(1) [S.I. 1990/2615](#) relevant amending instrument is [S.S.I. 2007/106](#).

(2) [S.I. 1996/1502](#).

(3) [S.I. 1997/2182](#).

(4) [S.I. 1998/141](#).

(5) [S.S.I. 2001/38](#).

(6) [S.S.I. 2002/523](#).

### **Food Supplements (Scotland) Regulations 2003**

7. An offence under regulation 9 (offences and penalties) of the Food Supplements (Scotland) Regulations 2003(7).

### **Cocoa and Chocolate Products (Scotland) Regulations 2003**

8. An offence under regulation 8(1) (penalties and enforcement) of the Cocoa and Chocolate Products (Scotland) Regulations 2003(8).

### **Condensed Milk and Dried Milk (Scotland) Regulations 2003**

9. An offence under regulation 7(1) (penalties and enforcement) of the Condensed Milk and Dried Milk (Scotland) Regulations 2003(9).

### **Specified Sugar Products (Scotland) Regulations 2003**

10. An offence under regulation 7(1) (penalties and enforcement) of the Specified Sugar Products (Scotland) Regulations 2003(10).

### **Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004**

11. An offence under any of the following provisions of the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004(11)—

- (a) regulation 4 (restrictions on the sale of processed CEREAL-BASED foods and baby foods),
- (b) regulation 5(1), (3) and (4) (general requirements as to manufacture and composition),
- (c) regulation 6 (added nutritional substances and nutrients),
- (d) regulation 7 (pesticide residues),
- (e) regulation 8 (labelling).

### **Jam and Similar Products (Scotland) Regulations 2004**

12. An offence under regulation 7(1) (penalties and enforcement) of the Jam and Similar Products (Scotland) Regulations 2004(12).

### **Genetically Modified Food (Scotland) Regulations 2004**

13. An offence under regulation 5 (offences and penalties) of the Genetically Modified Food (Scotland) Regulations 2004(13).

### **General Food Regulations 2004**

14. An offence under any of the following provisions of the General Food Regulations 2004(14)—

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(7) [S.S.I. 2003/278](#).

(8) [S.S.I. 2003/291](#).

(9) [S.S.I. 2003/311](#).

(10) [S.S.I. 2003/527](#).

(11) [S.S.I. 2004/8](#) as amended by [S.S.I. 2014/312](#).

(12) [S.S.I. 2004/133](#).

(13) [S.S.I. 2004/432](#).

(14) [S.I. 2004/3279](#) to which there are no amendments relevant to these Regulations.

- (a) regulation 4(b) (Article 14(1) food safety requirements),
- (b) regulation 4(c) (Article 16 (presentation) in so far as it relates to food),
- (c) regulation 4(d) (Article 18(2) or (3) (traceability) in so far as it relates to food business operators),
- (d) regulation 4(e) (Article 19(4) responsibilities for food: food business operators).

### **Tryptophan in Food (Scotland) Regulations 2005**

**15.** An offence under regulation 6(1) (offences and penalty) of the Tryptophan in Food (Scotland) Regulations 2005(**15**).

### **Addition of Vitamins, Minerals and Other Substances (Scotland) Regulations 2007**

**16.** An offence under any of the following provisions of the Addition of Vitamins, Minerals and Other Substances (Scotland) Regulations 2007(**16**)—

- (a) regulation 4(2)(a) (Article 3(1) (requirement that only vitamins or minerals listed in Annex I and in form listed in Annex II may be added to food) as read with Article 17(1) (transitional application of national rules)),
- (b) regulation 4(2)(b) (Article 4 (prohibition on addition of vitamins and minerals to certain foods)),
- (c) regulation 4(2)(c) (Article 5(2) (requirement to observe purity criteria)),
- (d) regulation 4(2)(d) (Article 6(6) (requirement for added vitamins and minerals to be in the food in at least a significant amount as defined)),
- (e) regulation 4(2)(e) (Article 7(1), (2) and (3) (restrictions and conditions applying to labelling, presentation and advertising of foods to which vitamins or minerals have been added) as read with the first subparagraph of Article 54(3) of 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).

### **Nutrition and Health Claims (Scotland) Regulations 2007**

**17.** An offence under regulation 5 (offences and penalties) of the Nutrition and Health Claims (Scotland) Regulations 2007(**17**).

### **Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007**

**18.** An offence under regulation 20 (offences and penalties) of the Natural Mineral Water, Spring Water and Bottled Water (Scotland) No. 2 Regulations 2007(**18**).

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(15) S.S.I. 2005/479.

(16) S.S.I. 2007/325 as amended by S.S.I. 2014/312, S.S.I. 2020/7 and S.S.I. 2020/156.

(17) S.S.I. 2007/383 as amended by S.S.I. 2014/312.

(18) S.S.I. 2007/483 as amended by S.S.I. 2009/273 and S.S.I. 2010/89.

### **Specified Products from China (Restriction on First Placing on the Market) (Scotland) Regulations 2008**

**19.** An offence under regulation 3(1) (restriction on placing on the market of rice products) of the Specified Products from China (Restriction on First Placing on the Market) (Scotland) Regulations 2008(**19**).

### **Food Irradiation (Scotland) Regulations 2009**

**20.** An offence under either of the following provisions of the Food Irradiation (Scotland) Regulations 2009(**20**)—

- (a) regulation 6(1)(b) (restriction on storage or transport),
- (b) regulation 8(1)(b) (documentation for food not ready for final sale).

### **Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2009**

**21.** An offence under regulation 3(1) (offences, penalties and execution and enforcement) of the Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2009(**21**).

### **Plastic Kitchenware (Conditions on Imports from China) (Scotland) Regulations 2011**

**22.** An offence under regulation 4 (offences and penalties) of the Plastic Kitchenware (Conditions on Imports from China) (Scotland) Regulations 2011(**22**).

### **Materials and Articles in Contact with Food (Scotland) Regulations 2012**

**23.** An offence under any of the following provisions of the Materials and Articles in Contact with Food (Scotland) Regulations 2012(**23**)—

- (a) regulation 4(3) (offences of contravening specified provisions of Regulation 1935/2004),
- (b) regulation 5 (offence of contravening Article 4 of Regulation 2023/2006),
- (c) regulation 7 (offences of contravening specified provisions of Regulation 450/2009),
- (d) regulation 14 (offences of contravening specified provisions of Regulation 10/2011),
- (e) regulation 16(4) (restrictions on the use of epoxy derivatives (BADGE, BFDGE and NOGE),
- (f) regulation 19(1) (offences and penalties).

### **Fish Labelling (Scotland) Regulations 2013**

**24.** An offence under regulation 5 (offences) of the Fish Labelling (Scotland) Regulations 2013(**24**).

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(19) [S.S.I. 2008/148](#) as amended by [S.S.I. 2012/3](#) and [S.S.I. 2013/221](#).

(20) [S.S.I. 2009/261](#).

(21) [S.S.I. 2009/427](#).

(22) [S.S.I. 2011/282](#).

(23) [S.S.I. 2012/318](#) relevant amending instrument is [S.S.I. 2019/32](#).

(24) [S.S.I. 2013/256](#) as amended by [S.S.I. 2015/48](#).

### **Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013**

**25.** An offence under any of the following provisions of the Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013**(25)**—

- (a) regulation 3 (offence of contravening EU requirements on food additives),
- (b) regulation 4 (offence of contravening EU requirements on flavourings, including smoke flavourings),
- (c) regulation 5 (offence of contravening EU requirements on flavourings, including smoke flavourings),
- (d) regulation 6 (offence of contravening EU requirements on food enzymes),
- (e) regulation 15(1) (offences and penalties).

### **Fruit Juices and Fruit Nectars (Scotland) Regulations 2013**

**26.** An offence under regulation 17 (offences and penalties) of the Fruit Juices and Fruit Nectars (Scotland) Regulations 2013**(26)**.

### **Products Containing Meat etc. (Scotland) Regulations 2014**

**27.** An offence under regulation 6(1) (penalties and enforcement) of the Products Containing Meat etc. (Scotland) Regulations 2014**(27)**.

### **The Food Information (Scotland) Regulations 2014**

**28.** An offence under regulation 10 (offences) of the Food Information (Scotland) Regulations 2014**(28)**.

### **Honey (Scotland) Regulations 2015**

**29.** An offence under regulation 17(1) (penalties and enforcement) of the Honey (Scotland) Regulations 2015**(29)**.

### **Country of Origin of Certain Meats (Scotland) Regulations 2016**

**30.** An offence under regulation 6(1) and (2) (offences and penalties) of the Country of Origin of Certain Meats (Scotland) Regulations 2016**(30)**.

### **Food for Specific Groups (Scotland) Regulations 2016**

**31.** An offence under regulation 4(1) (offences and penalties) of the Food for Specific Groups (Scotland) Regulations 2016**(31)**.

### **The Caseins and Caseinates (Scotland) (No. 2) Regulations 2016**

**32.** An offence under any of the following provisions of the Caseins and Caseinates (Scotland) (No. 2) Regulations 2016**(32)**—

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**(25)** [S.S.I. 2013/266](#) to which there are no amendments relevant to these Regulations.

**(26)** [S.S.I. 2013/305](#).

**(27)** [S.S.I. 2014/289](#) as amended by [S.S.I. 2019/33](#).

**(28)** [S.S.I. 2014/312](#) relevant amending instruments are [S.S.I. 2015/410](#), [S.S.I. 2016/191](#), [S.S.I. 2020/156](#) and [S.S.I. 2021/70](#).

**(29)** [S.S.I. 2015/208](#) to which there are no amendments relevant to these Regulations.

**(30)** [S.S.I. 2016/84](#) to which there are no amendments relevant to these Regulations.

**(31)** [S.S.I. 2016/190](#) relevant amending instruments are [S.S.I. 2018/392](#) and [S.S.I. 2020/7](#).

**(32)** [S.S.I. 2016/422](#) to which there are no amendments relevant to these Regulations.

**Status:** This is the original version (as it was originally made).

- (a) regulation 4 (restriction on the marketing and use of edible acid caseins, edible rennet caseins and edible caseinates),
- (b) regulation 5(1) and (2) (labelling of edible acid caseins, edible rennet caseins and edible caseinates).

#### **Novel Foods (Scotland) Regulations 2017**

**33.** An offence under regulation 6(2) (as read with Articles 24 and 35(2)) of the Novel Foods (Scotland) Regulations 2017(**33**).

#### **Food for Specific Groups (Infant Formula and Follow-On Formula) (Scotland) Regulations 2020**

**34.** An offence under regulation 4(1) (offences and penalties) of the Food for Specific Groups (Infant Formula and Follow-On Formula) (Scotland) Regulations 2020(**34**).

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(33) S.S.I. 2017/415.

(34) S.S.I. 2020/6.