

# **FOOD LAW**

# **IN**

# **SCOTLAND**

**PRODUCED BY: FOOD STANDARDS AGENCY SCOTLAND**

This document has been produced with the aim of providing information and guidance on most areas relating to food law. Whilst it outlines the main provisions of food legislation, it should not be relied upon as authoritative. Expert advice can be sought from your local authority. It may be necessary to seek independent legal advice.

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# INTRODUCTION

In general the legislation listed in this guide applies only to Scotland. Similar legislation applies to England, Wales and Northern Ireland.

However, the Food Safety Act 1990, and regulations made under it between 1990 and June 1999, apply to Great Britain unless otherwise stated. Generally speaking, regulations made since 1999 only apply to Scotland, although on occasion GB wide regulations have been made, for example as part of the implementation of Regulation 178/2002.

The Food Standards Agency became operational on 3 April 2000 in accordance with the Food Standards Act 1999 and the Commencement Orders – The Food Standards Act 1999 (Commencement No 1) Order 2000 and Food Standards Act 1999 (Commencement No 2) Order 2000.

Consequently, and in pursuance of The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000, functions and powers in relation to food safety consumer protection and animal feed which were hitherto exercised by the Scottish Ministers are now the responsibility of the Food Standards Agency.

The guide provides contact details for further information at the end of each section.

**These notes are intended only as a general guide.  
For definitive information the appropriate Act, Order, Regulation or Code of Practice should be consulted.  
Independent legal advice is recommended.**

*Copies of the legislation referred to in this document may be obtained from The Stationery Office Bookshop\*, 71 Lothian Road, EDINBURGH, EH3 9AZ (Tel: 0131-228-4181) or The Stationery Office Publications Centre\*, PO Box 276, LONDON SW8 5DT (Tel: 0870-600-5522). The legislation can be obtained from the HMSO Website : [www.scotland-legislation.hmso.gov.uk/](http://www.scotland-legislation.hmso.gov.uk/)*

\* Previously called Her Majesty's Stationery Office (HMSO)

Copies may also be obtained from The Stationery Office Bookshops listed below or through booksellers;

**123 Kingsway, LONDON WC2B 6PQ (Tel: 020-7242-6393)**

**9-21 Princess Street, MANCHESTER M60 8AS (Tel: 0161-834-7201)**

**33 Wine Street, BRISTOL BS1 2BQ (Tel: 0117-926-4306)**

**68/69 Bull Street, BIRMINGHAM B4 6AD (Tel: 0121-236-9696)**

**The Stationery Office Oriel Bookshop, The Friary, CARDIFF CF1 4AA (Tel: 029-2039-5548)**

16 Arthur Street, BELFAST BT1 4GD (Tel: 028-9023-8451)

***Note: Some of the Regulations listed may not be available from The Stationery Office Bookshops because they are amending Regulations, which have been revoked. These Regulations have been included only if their effects are still in force. However it may be possible to obtain copies of revoked legislation from good reference libraries.***

***Enquiries relating to enforcement of legislation should be addressed to: Food Standards Agency Scotland, Local Authority Enforcement Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone 01224 285113).***

This document is issued by: -

***Food Standards Agency Scotland, 6<sup>th</sup> Floor, St. Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ. (Telephone 01224 285100 or Fax 01224 285168).***

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# **PART 1: REGULATION (EC) No 178/2002**

**Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28 January 2002 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**

## **1-A: GENERAL**

This Regulation provides a framework for food and feed Law within the EC and imposes obligations both on Member States and on food and feed business operators. It applies to all stages of production, processing and distribution of food and feed, but does not apply to primary production for private domestic use or to the domestic preparation, handling or storage of food for private domestic consumption.

Guidance on the implementation of the Regulation is available at [http://europa.eu.int/comm/food/food/foodlaw/guidance/index\\_en.htm](http://europa.eu.int/comm/food/food/foodlaw/guidance/index_en.htm)

## **1-B KEY PROVISIONS OF REGULATION (EC) No. 178/2002**

### **Scope And Definition**

**Article 2** provides a definition of “food” in Community law for the first time. This has prompted UK legislation to adopt this definition, discussed later in this guide. Further definitions are outlined in **Article 3**, including other basic expressions such as “food business”, “food business operator”, “feed business”, “feed business operator”, “food law”, “primary production” etc.

## CHAPTER II: GENERAL FOOD LAW (Main Provisions)

### Principles of Transparency

**Article 9** requires public consultation during the preparation, evaluation and revision of food law, except in cases of urgency. Public authorities are also obliged to take appropriate steps to inform the general public where there are reasonable grounds to suspect that a food or feed may represent a risk to human or animal health (**Article 10**).

### General Requirements of Food Law

This part of the Regulation harmonises Community law by setting out the following general food and feed law requirements. They apply directly in all Member States. The measures in relation to food are enforced in Scotland by the General Food Regulations 2004 and the measures in relation to feed are enforced by the Feeding Stuffs (Safety Requirements for Feed for Food-Producing Animals) Regulations 2004 (see below).

**Article 14** sets out “*food safety requirements*”: in particular that food shall not be placed on the market if it is unsafe. It is deemed to be unsafe if it is considered to be injurious to health or unfit for human consumption. (This article replaces the prohibition on sale of food not complying with food safety requirements previously found in section 8 of the Food Safety Act 1990.)

**Article 15**, similarly, sets out “*feed safety requirements*”. Feed which is deemed to be unsafe is described as feed which is considered to have an adverse effect on human or animal health or which makes food derived from food-producing animals unsafe for human consumption.

**Article 16** makes general provision in respect of *presentation* of food and feed, which should not mislead consumers.

**Article 17** imposes general *responsibilities*. Food and feed business operators must ensure that foods and feeds satisfy food law and check that all legal requirements are met. Member States must maintain a system of official controls and ensure that the requirements of food law are being fulfilled.

**Article 18** makes provision for the *traceability* of food, feed and food-producing animals.

**Article 19** sets out further *responsibilities of food business operators* regarding withdrawal of food which does not comply with food safety requirements or which is believed to be injurious to human health. **Article 20** sets out similar responsibilities of feed business operators.

## **1-C: STATUTORY INSTRUMENTS IMPLEMENTING OR ENFORCING REGULATION (EC) No. 178/2002 IN DOMESTIC LAW**

### **SI/SSI Number**

#### **SI 2004 No 2990 The Food Safety Act 1990 (Amendment) Regulations 2004**

This instrument substituted the European law definition of food in EC Reg 178/2002 for the previous definition of food in the Food Safety Act 1990. Both the Food and Environment Protection Act 1985 and the Food Standards Act 1999 therefore also take the same definition (see section 24 of FEPA 1985 and section 36(4) of the Food Standards Act 1999).

It also disapplies the consultation requirements imposed by section 48(4) of the 1990 Act where consultation is required under Article 9 of Regulation (EC) No. 178/2002, and makes consequential amendments to the Food Safety Act 1990.

#### **SI 2004 No 3279 The General Food Regulations 2004**

<http://www.legislation.hmsso.gov.uk/si/si2004/20043279.htm>

This Instrument provides for the enforcement of certain provisions of Regulation (EC) No. 178/2002 in so far as relating to food. Contravention of Articles 14(1), 16, 18(2) or (3) or 19 (discussed in general terms above) is an offence punishable on summary conviction by up to six months' imprisonment and/or a fine of the statutory maximum (currently £5,000) or £20,000 in respect of contraventions of Article 14(1). Conviction on indictment may result in an unlimited fine and/or imprisonment for up to two years (regulations 4 and 5).

Responsibility for enforcing the relevant Articles is given to local authorities (food authorities) by regulation 6. The Food Standards Agency may also enforce Articles 14 and 19 as regards "relevant food" - that is, where the FSA is specified in regulations as being the enforcement authority.

The instrument also designates competent authorities for the purposes of Regulation (EC) No. 178/2002 and applies various provisions of the Food Safety Act 1990 to the regulations (regulations 3 and 7).

#### **SI 2004 No 3254 The Feeding Stuffs (Safety Requirements for Feed for Food-Producing Animals) Regulations 2004**

<http://www.legislation.hmsso.gov.uk/si/si2004/20043254>

This instrument fulfils a similar role to 2004/3279 but applies in respect of feed. Contravention of Articles 15(1), 16, 18(2) or (3) or 20 is an offence. In the case of a contravention of Article 15.1 (feed safety) in summary proceedings that offence is punishable by a fine of up to the statutory maximum (£5,000) or 3 months imprisonment or both and on conviction on indictment penalties of an unlimited fine or up to two years' imprisonment or both can be imposed. Contraventions of the other Articles referred to may only be prosecuted by way of summary proceedings and on conviction carries a penalty of a fine of up to the statutory maximum (£5,000) or 3 months imprisonment or both. Competent and enforcement authorities are

designated and various provisions of the Food Safety Act 1990 and Feeding Stuffs (Sampling and Analysis) Regulations 1999 are applied.

The Regulations also make provision for the inspection, seizure and detention of animal feed which it is suspected fails to comply with the feed safety requirements set out in Article 15 of Regulation (EC) No. 178/2002 (regulations 6 and 7). Amendments are also made to the Agriculture Act 1970 and Food Standards Act 1999, reflecting Regulation (EC) No 178/2002. In particular the requirement to consult under section 84(1) of the 1970 Act prior to making regulations under that Act is disapplies where Article 9 of Regulation 178/2002 applies.

## **PART 2: THE FOOD SAFETY ACT 1990 (CHAPTER 16)**

### **2-A: GENERAL**

The main provisions of the Food Safety Act 1990 came into force on 1 January 1991. The Act applies to Great Britain and provides the domestic framework for all its food legislation.

Functions under the Act, so far as within devolved competence, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998. In so far as not so transferred, the functions under the 1990 Act listed in the Schedule to the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849) were transferred to the Scottish Ministers by that Order with effect from 23 March 2005.

### **2-B: KEY PROVISIONS OF THE FOOD SAFETY ACT 1990**

#### **PART I: PRELIMINARY**

**Section 1** defines "food" and other basic expressions used in the Act such as "food business", "food premises" and "food source". Readers should note that with effect from 7 December 2004, the definition of "food" is aligned with the European definition in Regulation (EC) No. 178/2002.

**Section 2** extends the meaning of sale to include food supplied otherwise than in the course of a business and **Section 3** sets out presumptions applying to food and food ingredients; for instance that food commonly used for human consumption found on certain food premises is presumed to be intended for sale for human consumption.

#### **PART II: MAIN PROVISIONS**

**Section 7** sets out the offence of rendering food injurious to health. This is determined by reference to the factors set out in Article 14(4)(a) to (c) of Regulation 178/2002: that is, the short and long term effects on the consumer or subsequent generations, the probable cumulative toxic effects and the particular health sensitivities of any group of consumers for whom the food is intended.

**Section 8** sets out what is meant by food which fails to comply with food safety requirements for the purposes of Part II of the Act. That is, food which is unsafe in terms of Article 14 of EC Regulation 178/2002. (discussed above).

**Section 14** makes it an offence to sell food which is not of the "nature or substance or quality" demanded by the purchaser and **Section 15** creates an offence of falsely describing, advertising or presenting food.

#### **General Enforcement Provisions**

**Section 9** of the Food Safety Act gives enforcement officers powers to inspect any food intended for human consumption and to detain or seize food suspected of not complying with food safety requirements. It allows a Sheriff or Justice of the Peace to

condemn food when satisfied that food safety requirements are not met. **Section 10** provides for improvement notices to be issued where food hygiene or food processing regulations have been contravened. **Section 11** provides for prohibition orders to be imposed by the courts where there is a risk of injury to health and the proprietor of the food business has been convicted of an offence under food hygiene or food processing regulations. **Section 12** provides emergency prohibition powers for use by authorised officers or the courts where there is an imminent risk of injury to health. Under **section 13** the Scottish Ministers have power to make emergency control orders prohibiting commercial operations in relation to food, food sources or contact materials when there is an imminent risk of injury to health.

## **Defences**

**Section 20** enables a prosecution to be taken against the real offender as opposed to the immediate offender. **Section 21** provides for a defence if the accused can prove to a court that they took all reasonable precautions and exercised all due diligence to avoid committing an offence. **Section 22** contains a special defence for businesses, which publish an advertisement in good faith.

## **PART III: ADMINISTRATION AND ENFORCEMENT**

**Section 32** sets out who may enter premises to enforce the Act and explains what they can do while on premises. It also makes unauthorised disclosure of information obtained when using such powers an offence. **Section 33** makes it an offence intentionally to obstruct a person enforcing the Act or to provide false or misleading information.

**Section 34** provides time limits for prosecutions.

## **Penalties and Modes of Trial**

**Section 35** sets out the penalties for offences. **Section 36** provides that officers of a body corporate as well as the corporation itself are liable for prosecution where they are proved to have acted negligently or consented to the alleged offence. **Section 36A** makes a similar provision for Scottish partnerships. **Sections 37 and 39** provide for appeals against the decision of an enforcement authority to serve an improvement notice, and to refuse certificates under **Section 11(6) or 12(8)**. **Section 38** does not apply in Scotland.

Punishments and modes of trial may also be detailed in the individual Regulations having effect under the Act. Some older regulations containing offences and penalties were amended by the Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985, which lays down the maximum fines for summary convictions for offences under these Regulations. The current values of fines are set out in the Criminal Procedure (Scotland) Act 1995, section 225.

## **PART IV: MISCELLANEOUS AND SUPPLEMENTAL**

**Section 54** provides for the Act to apply to the Crown and to Crown premises subject to special arrangements and certain exemptions. **Section 56** amends the Water

(Scotland) Act 1980 to extend its controls on the quality of water used for domestic purposes to cover water used in food production.

## **2-C:STATUTORY INSTRUMENTS IMPLEMENTING THE FOOD SAFETY ACT 1990**

### SI/SSI Number

- SI 1990 No 2463 **The Food (Sampling and Qualifications) Regulations 1990**  
[http://www.hmso.gov.uk/si/si1990/Uksi\\_19902463\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1990/Uksi_19902463_en_1.htm)
- SI 1990 No 2487 **The Food Safety Act 1990 (Consequential Modifications) (No 2) (Great Britain) Order 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902487\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902487_en_1.htm)
- SI 1990 No 2614 **Detention of Food (Prescribed Forms) Regulations 1990**  
[http://www.hmso.gov.uk/si/si1990/Uksi\\_19902614\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1990/Uksi_19902614_en_1.htm)
- SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990**  
[http://www.hmso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)
- SI 1991 No 100 **Food Safety (Improvement And Prohibition - Prescribed Forms) Regulations 1991**  
[http://www.hmso.gov.uk/si/si1991/Uksi\\_19910100\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1991/Uksi_19910100_en_1.htm)
- SI 1991 No 2825 **The Food Premises (Registration) Regulations 1991**  
[http://www.legislation.hmso.gov.uk/si/si1991/Uksi\\_19912825\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1991/Uksi_19912825_en_1.htm)
- SI 1993 No 2022 **The Food Premises (Registrations) (Amendment) Regulations 1993**  
[http://www.hmso.gov.uk/si/si1993/Uksi\\_19932022\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1993/Uksi_19932022_en_1.htm)
- SI 1997 No 723 **The Food Premises (Registrations) (Amendment) Regulations 1997**  
<http://www.hmso.gov.uk/si/si1997/97072301.htm>
- SI 2003 No 1895 **The Food Safety (Ships and Aircraft) (England and Scotland) Order 2003**  
<http://www.legislation.hmso.gov.uk/si/si2003/20031895.htm>

## **2-D: RECENT STATUTORY INSTRUMENTS AMENDING THE FOOD SAFETY ACT 1990**

### SI/SSI Number

SI 2004 No 2990     **The Food Safety Act 1990 (Amendment) Regulations 2004 (GB Instrument)**

<http://www.legislation.hmso.gov.uk/si/si2004/20042990.htm>

SI 2004 No 3279     **The General Food Regulations 2004**

<http://www.legislation.hmso.gov.uk/si/si2004/20043279.htm>

## **2-E: CODES OF PRACTICE FOR LOCAL AUTHORITIES**

This Code of Practice is issued under Section 40 of the Food Safety Act 1990 (the Act), as amended by the Food Standards Act, which empowers the Scottish Ministers to issue Codes of Practice concerning the execution and enforcement of the Act and Regulations made under it by Food Authorities. The following Code of Practice and Practice Guidance replace all Codes previously made under the Act.

### **No.     Title**

1.     Food Safety Act 1990 Code of Practice Scotland
2.     Food Safety Act 1990 Practice Guidance Scotland

For copies of this new Code of Practice and Practice Guidance please refer to <http://www.food.gov.uk/foodindustry/regulation/foodlawguidebranch/foodlawguidech01/revcopsscot>

## **2-F: FURTHER INFORMATION ON THE FOOD SAFETY ACT 1990**

A detailed booklet:

"THE FOOD SAFETY ACT AND YOU - A GUIDE" (PB 2507)

is available, free of charge, from:

**FoodSense, Admail 6000, London SW1A 2XX**

**Tel: 0645 556000**

***Note: Enquiries relating to the Food Safety Act and the enforcement of Codes of Practice should be addressed to: Food Standards Agency Scotland, Local Authority Enforcement Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone: 01224 285194).***

## **2-G: THE GENERAL PRODUCT SAFETY REGULATIONS**

SI/SSI Number

SI 1994 No 2328 **The General Product Safety Regulations 1994**  
[http://www.hms0.gov.uk/si/si1994/Uksi\\_19942328\\_en\\_1.htm](http://www.hms0.gov.uk/si/si1994/Uksi_19942328_en_1.htm)

## PART 3: FOOD LABELLING AND THE MARKING OF FOOD

*Note: Enquiries regarding the legislation in this part should, unless otherwise stated, be addressed to: Food Standards Agency Scotland, Food Standards, Diet and Nutrition Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285165).*

### 3-A: FOOD LABELLING REGULATIONS

#### SI/SSI Number

- SI 1996 No 1499 **The Food Labelling Regulations 1996**  
[http://www.hmso.gov.uk/si/si1996/Uksi\\_19961499\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1996/Uksi_19961499_en_1.htm)
- These Regulations are amended by:
- SI 1998 No 141 **The Bread and Flour Regulations 1998;**  
<http://www.hmso.gov.uk/si/si1998/19980141.htm>
- SI 1998 No 1398 **The Food Labelling (Amendment) Regulations 1998**  
<http://www.hmso.gov.uk/si/si1998/19981398.htm>
- SI 1998 No 2424 **The Drinking Milk Regulations 1998**  
<http://www.hmso.gov.uk/si/si1998/19982424.htm>
- SI 1999 No 747 **The Food Labelling (Amendment) Regulations 1999**  
<http://www.hmso.gov.uk/si/si1999/19990747.htm>
- SI 1999 No 982 **The Sweeteners in Food (Amendment) Regulations 1999**  
<http://www.legislation.hmso.gov.uk/si/si1999/19990982.htm>
- SI 1999 No 1136 **The Miscellaneous Food Additives (Amendment) Regulations 1999.**  
<http://www.hmso.gov.uk/si/si1999/19991136.htm>
- SI 1999 No 1483 **The Food Labelling (Amendment) (No. 2) Regulations 1999**  
<http://www.hmso.gov.uk/si/si1999/19991483.htm>
- SI 1999 No 1540 **The Natural Mineral Water, Spring Water and Bottled Water Regulations 1999.**  
<http://www.hmso.gov.uk/si/si1999/19991540.htm>
- SSI 2000 No 83 **The Genetically Modified and Novel Foods (Labelling) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000083.htm>
- SSI 2000 No 309 **The Food Irradiation Provisions (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000309.htm>
- SSI 2001 No 38 **The Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010038.htm>

SSI 2001 No 212 **The Sweeteners in Food Amendment (Scotland) Regulations 2002**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010212.htm>

SSI 2002 No 524 **The Food Labelling Amendment (Scotland) Regulations 2002**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020524.htm>

SSI 2003 No 132 **The Miscellaneous Food Additives (Amendment) (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030132.htm>

SSI 2003 No 145 **The Fish Labelling (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030145.htm>

SSI 2003 No 291 **The Cocoa and Chocolate Products (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030291.htm>

SSI 2003 No 293 **The Fruit Juices and Fruit Nectars (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030293.htm>

SSI 2003 No 311 **The Condensed Milk and Dried Milk (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030311.htm>

SSI 2003 No 527 **The Specified Sugar Products (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030527.htm>

SSI 2003 No 569 **The Honey (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030569.htm>

SSI 2003 No 578 **The Food Labelling Amendment (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030578.htm>

SSI 2003 No 599 **The Miscellaneous Food Additives Amendment (Scotland) (No.2) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030599.htm>

SSI 2004 No 6 **The Meat Products (Scotland) Regulations 2004**

<http://www.scotland-legislation.hmso.gov.uk/scotland/ssi20040006.htm>

SSI 2004 No 133 **The Jam and Similar Products (Scotland) Regulations 2004**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040133.htm>

- SSI 2004 No 269    **The Food Labelling Amendment (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040269.htm>
- SSI 2004 No 395    **The Food Safety (Act of Accession concerning The Czech Republic and other States) (Consequential Amendments) (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040395.htm>
- SSI 2004 No 472    **The Food Labelling Amendment (No. 2) (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040472.htm>
- SSI 2004 No 525    **The Contaminants in Food (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040525.htm>
- SSI 2005 No 1      **Food Labelling (Added Phytosterols or Phytosterols) (Scotland) Regulations 2005/1**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2005/20050001.htm>

### **3-B: DECLARATION ON ADDITIVES**

This is a general description of the requirements to declare additives used as ingredients in foods as provided by the Food Labelling Regulations 1996.

Additives used as ingredients to perform certain functions in pre-packed foods must be declared on the label. The appropriate category name of the additives function must be followed by its specific name or serial number. The categories are:

Acid	Flour treatment agent
Acidity regulator	Gelling agent
Anti-caking agent	Glazing agent
Anti-foaming agent	Humectant
Antioxidant	Modified starch
Bulking agent	Preservative
Colour	Propellant gas
Emulsifier	Raising agent
Emulsifying Salts	Stabiliser
Firming agent	Sweetener
Flavour enhancer	Thickener

There are other requirements of the regulations that apply to 3 specific categories and that apply when the additive serves more than one function.

Flavourings may be declared by either that name alone or by a more specific name.

In the case of acids, if the specific name includes the word "acid", the category name may be omitted.

In the case of modified starches, neither the specific name nor the serial number need be indicated. In the case of a modified starch which may contain gluten, the category name must be accompanied by an indication of the specific vegetable origin of the starch.

If an additive serves more than one function in a food the category name which represents its principal function must be used to describe it. Where no category name is available for the function performed by an additive in a food, the additive must be declared in the ingredients list by its specific name. A serial number cannot be used on its own.

In most instances, non-prepacked foods and foods which are prepacked on the premises where they are sold are exempt from the above requirements. Exceptions to this exemption are that any additive used in the food to perform the function of an antioxidant, artificial sweeteners, colour, flavour enhancer or preservative must be indicated next to the name of the food, or on a ticket or notice displayed in immediate proximity to the food using the category name. However, in the case of edible ices and flour confectionery there need only be an indication that these additives may be present (on a notice displayed near the food).

### **3-C: LOT MARKING REGULATIONS**

#### SI/SSI Number

SI 1996 No 1502 **The Food (Lot Marking) Regulations 1996**  
[http://www.hmso.gov.uk/si/si1996/Uksi\\_19961502\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1996/Uksi_19961502_en_1.htm)

### **3-D: WINE REGULATIONS**

WINES: for the labelling of still wines and grape must (including restrictions on the use of the word 'wine'), the following EEC Regulations apply:

(a) 2392/89 (OJ No. L232) - as amended by 3886/89 (OJ No. L378), 2356/91 (OJ No. L216), 3897/91 (OJ No. L368) and by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241) and 1427/96 ( OJ No. L184 including corrigendum OJ No. L233).

(b) 3201/90 (OJ No. L309) - as amended by Corrigendum (OJ No. L28, 2.2.91), 2384/91 (OJ No. L219), 3298/91 (OJ No. L312), 153/92 (OJ No. L17), 3650/92 (OJ No. L 369), 1847/93 (OJ No. L164) (OJ No. L168), 1362/94 (OJ No. L150 including corrigendum OJ No. L268), 2603/95 (OJ No. L267), 692/96 (OJ No. L97), 1056/96 (OJ No. L140), 609/97 (OJ No. L93), 1472/97 (OJ No. L200), 2543/97 (OJ No. L347), 847/98 (OJ No. L120), 2770/98 (OJ No. L346) and 1470/99 (OJ No. L170) apply and should be consulted.

For the labelling of sparkling wines and aerated sparkling wines the following EC Regulations apply:

(a) 2333/92 (OJ No. L231) as amended by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241) and 1429/96 (OJ No. L184) and 1419/97 (OJ No. L196).

b) 554/95 (OJ No. L56) as amended by 1915/96 (OJ No. L252) apply and should be consulted.

For the labelling of liqueur wines, semi-sparkling wines and aerated semi-sparkling wines the following EEC Regulations apply:

(a) 3895/91 (OJ No. L368)

(b) 3901/91 (OJ No. L368)

For the labelling of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails the following EEC Regulations apply:

(a) 1601/91 (OJ No. L149) as amended by 3279/92 (OJ No. L327) and by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241), 3378/94 (OJ No. L366) and 2061/96 (OJ No. L277) apply and should be consulted.

The Common Agricultural Policy (Wine) (Scotland) Regulations, 2002, SSI 2002/325 - provides for the enforcement of EC Regulations in Scotland, concerned with the production and marketing of wine and related products.

***Further information relating to the above wine legislation can be obtained from Louise Stewart, Scottish Executive Environment and Rural Affairs Department, Room 259, Pentland House, 47 Robb's Loan, EDINBURGH, EH14 1TY (Telephone - 0131-244-6294).***

#### SI/SSI Number

SI 1996 No 696 **The Common Agricultural Policy (Wine) Regulations 1996**  
[http://www.hms0.gov.uk/si/si1996/Uksi\\_19960696\\_en\\_1.htm](http://www.hms0.gov.uk/si/si1996/Uksi_19960696_en_1.htm)

These Regulations are amended by:

SI 1997 No 542 **The Common Agricultural Policy (Wine) (Amendment) Regulations 1997**  
<http://www.hms0.gov.uk/si/si1997/97054201.htm>

SI 1999 No 482 **The Common Agricultural Policy (Wine) (Amendment) Regulations 1999**  
<http://www.legislation.hms0.gov.uk/si/si1999/19990482.htm>

SSI 2003 No 164 **The Common Agricultural Policy (Wine) (Scotland) (Amendment) Regulations 2003**  
<http://www.legislation.hms0.gov.uk/si/si1999/19990482.htm>

SSI 2004 No 272 **The Common Agricultural Policy (Wine) (Scotland) (Amendment) Regulations 2004**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040272.htm>

*Further information on wine legislation can be obtained from the Department of Environment, Food and Rural Affairs, Food and Drink Industry Division, Alcoholic Drinks Branch, Room 251, Nobel House, 17 Smith Square, London, SW1P 3JR (Telephone 020 7238 3195 ; Fax-020 7238 3177).*

### **3-E: BEEF LABELLING SCHEME REGULATIONS**

#### SI/SSI Number

SSI 2001 No 252 **The Beef Labelling (Enforcement) (Scotland) Regulations 2001**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2001/20010252.htm>

**The Regulations revoke and replace the Beef Labelling (Enforcement) Regulations 1998**

*Note: Enquiries regarding the above legislation should be addressed to the Scottish Executive Environment and Rural Affairs Department, Room 262 Pentland House, 47 Robb's Loan, EDINBURGH, EH14 1TY. (Telephone 0131-244-6408 Fax 0131-244-6950).*

## PART 4: REGULATIONS ON THE COMPOSITION AND LABELLING OF PARTICULAR FOODS

*Note: Enquiries regarding the legislation in this part should, unless otherwise stated, be addressed to: Food Standards Agency Scotland, Food Standards, Diet and Nutrition Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285156).*

### 4-A: BREAD AND FLOUR

#### SI/SSI Number

SI 1998 No 141 **The Bread and Flour Regulations 1998**

<http://www.hmsso.gov.uk/si/si1998/19980141.htm>

SI 1999 No 1136 **The Miscellaneous Food Additives (Amendment) Regulations 1999**

<http://www.hmsso.gov.uk/si/si1999/19991136.htm>

### 4-B: CASEINS AND CASEINATES

#### SI/SSI Number

SI 1985 No 2026 **The Caseins and Caseinates Regulations 1985** implement: Council Directive 83/417/EEC (OJ No. L 237, 26.8.83, p 25) on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) Intended for human consumption;  
These Regulations prescribe reserved descriptions, composition and manufacturing characteristics for edible acid casein, edible rennet casein and edible caseinates. The Regulations impose requirements for the labelling of casein products additional to those in the Food Labelling Regulations 1996.

The Regulations are amended by:

SI 1986 No 836 **The Caseins and Caseinates (Scotland) Regulations 1986** – implement:

Council Directive 83/417/EEC of 25 July 1983 on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption;

first Commission Directive 85/503/EEC of 25 October 1985 on methods of analysis for edible caseins and caseinates.

These Regulations prescribe reserved descriptions, composition and manufacturing characteristics for edible acid casein, edible rennet casein and edible caseinates. The Regulations impose

requirements for the labelling of casein products additional to those in the Food Labelling Regulations 1996.

These Regulations are amended by:

- SI 1989 No 2321 **The Caseins and Caseinates (Amendment) Regulations 1989**  
[http://www.hmso.gov.uk/si/si1989/Uksi\\_19892321\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1989/Uksi_19892321_en_1.htm)
- SI 1990 No 1 **The Caseins and Caseinates (Scotland) Amendment Regulations 1990**  
[http://www.hmso.gov.uk/si/si1990/Uksi\\_19900001\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1990/Uksi_19900001_en_1.htm)
- SI 1990 No 2625 **The Food Safety Act (Consequential Modifications) (Scotland) Order 1990;**  
[http://www.hmso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)
- SI 1991 No 1476 **The Food Safety (Exports) Regulations 1991;**  
[http://www.hmso.gov.uk/si/si1991/Uksi\\_19911476\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1991/Uksi_19911476_en_1.htm)
- SI 1992 No 2596 **The Food (Forces Exemptions) (Revocations) Regulations 1992;**  
[http://www.hmso.gov.uk/si/si1992/Uksi\\_19922596\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1992/Uksi_19922596_en_1.htm)
- SI 1996 No 1499 **The Food Labelling Regulations 1996;**  
[http://www.hmso.gov.uk/si/si1996/Uksi\\_19961499\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1996/Uksi_19961499_en_1.htm)
- SI 1998 No 1398 **The Food Labelling (Amendment) Regulations 1998.**  
<http://www.hmso.gov.uk/si/si1998/19981398.htm>
- SSI 2002 No 524 **The Food Labelling Amendment (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020524.htm>

#### **4-C: COCOA AND CHOCOLATE PRODUCTS**

##### SI/SSI Number

- SSI 2003 No 291 **The Cocoa and Chocolate Products (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030291.htm>

#### **4-D: COFFEE AND COFFEE PRODUCTS**

##### SI/SSI Number

- SSI 2001 No 38 **The Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010038.htm>

These Regulations are amended by:

SSI 2003 No 527 **The Specified Sugar Products (Scotland) Regulations 2003**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030527.htm](http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030527.htm)

#### **4-E: CONDENSED AND DRIED MILK**

##### SI/SSI Number

SSI 2003 No 311 **The Condensed Milk and Dried Milk (Scotland) Regulations 2003**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030311.htm](http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030311.htm)

SSI 2003 No 492 **The Condensed Milk and Dried Milk (Scotland) Amendment Regulations 2003**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030493.htm](http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030493.htm)

#### **4-F: DRINKING MILK**

##### SI/SSI Number

SI 1998 No 2424 **The Drinking Milk Regulations 1998**  
<http://www.legislation.hmso.gov.uk/si/si1998/19982424.htm>

*Note: Enquiries about drinking milk legislation should be addressed to the Scottish Executive Environment and Rural Affairs Department, Milk, Pig, Eggs and Poultry Branch, Room 262, Pentland House, 47 Robb's Loan, EDINBURGH, EH14 1TY. (Telephone 0131-244-6953 Fax 0131-244-3110).*

#### **4-G: ERUCIC ACID**

##### SI/SSI Number

SI 1977 No 1028 **The Erucic Acid in Food (Scotland) Regulations 1977** -Erucic acid is a normal constituent of some foods and is neither an additive nor a contaminant. These Regulations restrict the erucic acid content of oil or fat and of food to which oil or fat has been added.

These Regulations are amended by:

SI 1982 No 18 **The Erucic Acid in Food (Scotland) Amendment Regulations 1982;**

SI 1983\* No 270 **The Food and Drugs (Scotland) Act 1956 (Transfer of Enforcement Functions) Regulations 1983**

SI 1985\* No 1068 **The Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985;**

SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990;**  
[http://www.legislation.hmsso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)

SI 1991 No 1476 **The Food Safety (Exports) Regulations 1991**  
[http://www.legislation.hmsso.gov.uk/si/si1991/Uksi\\_19911476\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1991/Uksi_19911476_en_1.htm)

#### **4-H: FLOUR - SEE BREAD AND FLOUR**

#### **4-I: FRUIT JUICES AND FRUIT NECTARS**

##### SI/SSI Number

SSI 2003 No 293 **The Fruit Juices and Fruit Nectars (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2003/20030293.htm>

#### **4-J: HONEY**

##### SI/SSI Number

SSI 2003 No 569 **The Honey (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2003/20030569.htm>

*Note: Enquiries on the above legislation should be addressed to: Food Standards Agency Scotland, Food Standards, Diet and Nutrition Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285156).*

#### **4-K: INFANT FORMULA AND FOLLOW-ON FORMULA**

##### SI/SSI Number

SI 1995 No 77 **The Infant Formula and Follow-on Formula Regulations 1995**  
[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19950077\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19950077_en_1.htm)

These Regulations are amended by:

SI 1997 No 451 **The Infant Formula and Follow-on Formula (Amendment) Regulations 1997**  
<http://www.legislation.hmsso.gov.uk/si/si1997/97045101.htm>

SSI 2000 No 217 **The Infant Formula and Follow-on Formula Amendment (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000217.htm>

SSI 2004 No 7 **The Infant Formula and Follow-on Formula Amendment (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040007.htm>

**Note: Enquiries on the above legislation should be addressed to: Food Standards Agency Scotland, Food Standards, Diet and Nutrition Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285156).**

#### **4-L: JAM AND SIMILAR PRODUCTS**

##### SI/SSI Number

SSI 2004 No 133 **The Jam and Similar Products (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040133.htm>

**Note: Enquiries on the above legislation should be addressed to: Food Standards Agency Scotland, Food Standards, Diet and Nutrition Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285156).**

#### **4-M: MEAT PRODUCTS**

##### SI/SSI Number

SSI 2004 No 6 **The Meat Products (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040006.htm>

#### **4-N: MILK AND MILK PRODUCTS**

##### SI/SSI Number

SI 1990 No 816 **The Milk and Milk Products (Protection of Designations) (Scotland) Regulations 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19900816\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19900816_en_1.htm)

These Regulations are amended by:

SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)

SI 1995 No 3267 **The Food (Miscellaneous Revocations and Amendments) Regulations 1995**

SI 1996 No 1499 **The Food Labelling Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19961499\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19961499_en_1.htm)

#### **4-O: THE NATURAL MINERAL WATER, SPRING WATER AND BOTTLED DRINKING WATER**

##### SI/SSI Number

SI 1999 No 1540 **The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999**  
<http://www.legislation.hmso.gov.uk/si/si1999/19991540.htm>

SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000, (part v)**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm>

SSI 2003 No 139 **The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030139.htm>

SSI 2004 No 132 **The Natural Mineral Water, Spring Water and Bottled Drinking Water Amendment (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040132.htm>

*Note: Enquiries relating to protection of designation regulations and the natural mineral water, spring water and bottled drinking water regulations should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285137).*

#### **4-P: QUICK FROZEN FOODS**

##### SI/SSI Number

SI 1990 No 2615 **Quick Frozen Foodstuffs Regulations 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902615\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902615_en_1.htm)

These Regulations are amended by:

SI 1992 No 2596 **The Food (Forces Exemptions) (Revocations) Regulations 1992**  
[http://www.legislation.hmso.gov.uk/si/si1992/Uksi\\_19922596\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1992/Uksi_19922596_en_1.htm)

SI 1994 No 298 **The Quick Frozen Foodstuffs (Amendment) Regulations 1994**

SSI 2004 No 395 **The Food Safety (Act of Accession concerning the Czech Republic and other States) (Consequential Amendments) (Scotland) Regulations 2004**

<http://www.scotland-legislation.hmso.gov.uk/scotland/ssi2004/20040395.htm>

*Note: Enquiries relating to quick frozen foods should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285113).*

#### **4-Q: SLIMMING FOODS**

##### SI/SSI Number

SI 1997 No 2182 **The Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997**

<http://www.legislation.hmso.gov.uk/si/si1997/97218201.htm>

#### **4-R: SPREADABLE FATS**

##### SI/SSI Number

SI 1995 No 3116 **The Spreadable Fats (Marketing Standards) Regulations 1995**

[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953116\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953116_en_1.htm)

SI 1998 No 452 **The Spreadable Fats (Marketing Standards) (Amendment) Regulations 1998**

<http://www.legislation.hmso.gov.uk/si/si1998/19980452.htm>

SI 1998 No 2538 **The Spreadable Fats (Marketing Standards) (Amendment) (No 2) Regulations 1998**

<http://www.legislation.hmso.gov.uk/si/si1998/19982538.htm>

SSI 1999 No 34 **The Spreadable Fats (Marketing Standards) (Scotland) Regulations 1999**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi1999/19990034.htm>

SI 1999 No 540 **The Spreadable Fats (Marketing Standards) (Amendment) Regulations 1999**

<http://www.legislation.hmso.gov.uk/si/si1999/19990540.htm>

*Note: Enquiries relating to spreadable fats legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285154).*

#### **4-S: SUGAR**

##### SI/SSI Number

SSI 2003 No 527    **The Specified Sugar Products (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030527.htm>

#### **4-T: WEANING FOODS**

##### SI/SSI Number

SSI 2004 No 7    **The Infant Formula and Follow-on Formula Amendment (Scotland) Regulations 2004**  
**SSI 2004 No 7**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040007.htm>

SSI 2004 No 8    **The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040008.htm>

#### **4-U: REVOCATIONS**

##### SI/SSI Number

SI 1991 No 1231    **The Food (Miscellaneous Revocations) Regulations 1991**  
[http://www.legislation.hmso.gov.uk/si/si1991/Uksi\\_19911231\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1991/Uksi_19911231_en_1.htm)

SI 1995 No 3267    **The Food (Miscellaneous Revocations and Amendments) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953267\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953267_en_1.htm)

#### **4-V: FOODS FOR SPECIAL MEDICAL PURPOSES**

##### SI/SSI Number

SSI 2000 No 130    **Foods for Special Medical Purposes (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000130.htm>

#### **4-W: FOOD FOR PARTICULAR NUTRITIONAL USES**

##### SI/SSI Number

SSI 2002 No 50    **The Notification of Marketing of Food for Particular Nutritional Uses (Scotland) Regulations 2002**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020050.htm>

SSI 2002 No 397    **The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2002**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020397.htm>

SSI 2004 No 90    **The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Amendment Regulations 2004**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040090.htm>

#### **4-X: FOOD SUPPLEMENTS**

##### SI/SSI Number

SSI 2003 No 278    **The Food Supplements (Scotland) Regulations 2003**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030278.htm>

***Note: Enquiries on the above legislation should be addressed to: Food Standards Agency Scotland, Food Standards, Diet and Nutrition Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285146).***

## PART 5: REGULATIONS DEALING WITH THE CHEMICAL SAFETY OF FOOD

*Note: Enquiries regarding the legislation in this part should, unless otherwise stated, be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285161).*

### 5-A: FOOD ADDITIVES LABELLING

#### SI/SSI Number

SI 1992 No 1978 **The Food Additives Labelling Regulations 1992**  
[http://www.legislation.hmso.gov.uk/si/si1992/Uksi\\_19921978\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1992/Uksi_19921978_en_1.htm)

These Regulations are amended by:

SI 1995 No 3123 **The Sweeteners in Food Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953123\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953123_en_1.htm)

SI 1995 No 3124 **The Colours in Food Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953124\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953124_en_1.htm)

SI 1995 No 3187 **The Miscellaneous Food Additives Regulations 1995**  
[http://www.hmso.gov.uk/si/si1995/Uksi\\_19953187\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1995/Uksi_19953187_en_1.htm)

SI 1996 No 1499 **The Food Labelling Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19961499\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19961499_en_1.htm)

SI 1999 No 1136 **The Miscellaneous Food Additives (Amendment) Regulations 1999**  
<http://www.legislation.hmso.gov.uk/si/si1999/19991136.htm>

### 5-B: AFLATOXINS

#### SI/SSI Number

SSI 2002 No 424 **The Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (Scotland) (No. 2) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020424.htm>

These Regulations are amended by:

SSI 2003 No 413 **The Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (Scotland) Amendment Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030413.htm>

SSI 2002 No 425 **The Food (Peanuts from China) (Scotland) (No.2) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020425.htm>

These Regulations are amended by:

SSI 2003 No 419 **The Food (Peanuts from China) (Emergency Control) (Scotland) Amendment Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030419.htm>

SSI 2003 No 396 **The Food (Brazil Nuts) (Emergency Control) (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030396.htm>

These Regulations are amended by:

SSI 2003 No 558 **The Food (Brazil Nuts) (Emergency Control) (Scotland) Amendment Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030558.htm>

SSI 2003 No 414 **The Food (Pistachios from Iran) (Emergency Control) (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030414.htm>

These Regulations are amended by:

SSI 2005 No 70 **The Food (Pistachios from Iran) (Emergency Control) (Scotland) Amendment Regulations 2005**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2005/20050070.htm>

SSI 2003 No 418 **The Food (Peanuts from Egypt) (Emergency Control) (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030418.htm>

These Regulations are amended by:

SSI 2004 No 210 **The Food (Emergency Control) (Scotland) (Miscellaneous Amendments) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040210.htm>

## **5-C: ARSENIC**

### SI/SSI Number

SI 1959 No 928 **The Arsenic in Food (Scotland) Regulations 1959** - lay down a general limit of 1 milligram per kilogram for arsenic in food. [NB

- the schedule to the Regulations gives details of foods to which a separate limit applies].

The Regulations are amended by:

- SI 1960 No 2344 **The Arsenic in Food (Scotland) Amendment Regulations 1960**
- SI 1962 No 1668 **The Food and Drugs (Legal Proceedings) (Scotland) Regulations 1962**
- SI 1973 No 1039 **The Arsenic in Food (Scotland) Amendment Regulations 1973**
- SI 1983\* No 270 **The Food and Drugs (Scotland) Act 1956 (Transfer of Enforcement Functions) Regulations 1983**
- SI 1985\* No 1068 **The Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985**
- SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)
- SI 1991 No 1476 **The Food Safety (Exports) Regulations 1991**  
[http://www.legislation.hmso.gov.uk/si/si1991/Uksi\\_19911476\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1991/Uksi_19911476_en_1.htm)
- SI 1992 No 1971 **The Flavouring in Food Regulations 1992**  
[http://www.legislation.hmso.gov.uk/si/si1992/Uksi\\_19921971\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1992/Uksi_19921971_en_1.htm)
- SI 1995 No 3202 **The Bread and Flour Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953202\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953202_en_1.htm)

## **5-D: CHEMICAL CONTAMINANTS**

SI/SSI Number

- SSI 2004 No 525 **The Contaminants in Food (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040525.htm>

## **5-E: CHLOROFORM**

SI/SSI Number

- SI 1980 No 289 **The Chloroform in Food (Scotland) Regulations 1980** - make it an offence to sell or import food containing added chloroform.

These Regulations are amended by:

- SI 1983\* No 270 **The Food and Drugs (Scotland) Act 1956 (Transfer of Enforcement Functions) Regulations 1983;**

- SI 1985\* No 1068 **The Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985;**
- SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)
- SI 1991 No 1476 **The Food Safety (Exports) Regulations 1991**  
[http://www.legislation.hmso.gov.uk/si/si1991/Uksi\\_19911476\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1991/Uksi_19911476_en_1.htm)

## **5-F: COLOURS**

### SI/SSI Number

- SI 1995 No 3124 **The Colours in Food Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953124\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953124_en_1.htm)
- SSI 2000 No 131 **The Colours in Food (Amendment) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000131.htm>
- SSI 2001 No 422 **The Colours in Food Amendment (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010422.htm>
- SSI 2005 No 94 **The Colours in Food Amendment (Scotland) Regulations 2005**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2005/20050094>

***Note: Enquiries on the above legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285154).***

## **5-G: EXTRACTION SOLVENTS**

### SI/SSI Number

- SI 1993 No 1658 **The Extraction Solvents in Food Regulations 1993**  
[http://www.legislation.hmso.gov.uk/si/si1993/Uksi\\_19931658\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1993/Uksi_19931658_en_1.htm)
- These Regulations are amended by:
- SI 1995 No 1440 **The Extraction Solvents in Food (Amendment) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19951440\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19951440_en_1.htm)
- SI 1998 No 2257 **The Extraction Solvents in Food (Amendment) Regulations 1998**  
<http://www.legislation.hmso.gov.uk/si/si1998/19982257.htm>

## 5-H: FLAVOURINGS

### SI/SSI Number

SI 1992 No 1971 **The Flavourings in Food Regulations 1992**  
[http://www.legislation.hmso.gov.uk/si/si1992/Uksi\\_19921971\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1992/Uksi_19921971_en_1.htm)

These Regulations are amended by:

SI 1994 No 1486 **The Flavourings in Food (Amendment) Regulations 1994**  
[http://www.legislation.hmso.gov.uk/si/si1994/Uksi\\_19941486\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1994/Uksi_19941486_en_1.htm)

SI 1996 No1499 **The Food Labelling Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19961499\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19961499_en_1.htm)

**Note: Enquiries on the above legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285154).**

## 5-I: FOOD CONTACT MATERIALS AND ARTICLES

**Note: An Explanatory Note on the food contact materials and articles legislation is available from: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285161).**

**Note2: The Materials and Articles in Contact with Food Regulations 1987 and the Plastic Materials and Articles in Contact with Food Regulations 1998 cover Great Britain only.**

### SI/SSI Number

SI 1987 No 1523 **The Materials and Articles in Contact with Food Regulations 1987**  
[http://www.legislation.hmso.gov.uk/si/si1987/Uksi\\_19871523\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1987/Uksi_19871523_en_1.htm)

These Regulations are amended by:

SI 1994 No 979 **The Materials and Articles in Contact with Food (Amendment) Regulations 1994**  
[http://www.legislation.hmso.gov.uk/si/si1994/Uksi\\_19940979\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1994/Uksi_19940979_en_1.htm)

SI 1998 No 1376 **The Plastic Materials and Articles in Contact with Food Regulations 1998**  
<http://www.legislation.hmso.gov.uk/si/si1998/19981376.htm>

These Regulations are amended by:

- SSI 2000 No 431 **The Plastic Materials and Articles in Contact with Food (Amendment) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000431.htm>
- SSI 2002 No 498 **The Plastic Materials and Articles in Contact with Food (Amendment) (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020498.htm>
- SSI 2003 No 9 **The Plastic Materials and Articles in Contact with Food (Amendment) (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030009.htm>
- SSI 2004 No 524 **The Plastic Materials and Articles in Contact with Food Amendment (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040524.htm>
- SSI 2005 No 92 **The Plastic Materials and Articles in Contact with Food Amendment (Scotland) Regulations 2005**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2005/20050092.htm>
- SI 1972 No 1957 **The Cooking Utensils (Safety) Regulations 1972**  
 These Regulations (which do not implement EC legislation) restrict the lead content of tin or other metallic coatings on kitchen utensils.
- SI 1998 No 1647 **The Ceramic Ware (Safety) Regulations 1998**  
[http://www.legislation.hmso.gov.uk/si/si1988/Uksi\\_19881647\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1988/Uksi_19881647_en_1.htm)
- SI 1995 No 1012 **The N-Nitrosamines and N-Nitrosatable Substances in Elastomer or Rubber Teats and Dummies (Safety) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19951012\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19951012_en_1.htm)

***Note: Enquiries about the Rubber Teats and Dummies Regulations (SI 1995 No. 1012) should be addressed to the Consumer Safety Unit, Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, 4.H.2, 1 Victoria Street, London SW1H 0ET. (Telephone (0)20 7215-0361).***

***Enquiries about the Cooking Utensils and Ceramic Ware Regulations (SI 1972 No. 1957 and SI 1988 No. 1647) should be addressed to the Consumer Safety Unit, Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, 4.G.6, 1 Victoria Street, London SW1H 0ET. (Telephone (0)20 7215-0362).***

## 5- J: MINERAL HYDROCARBONS

### SI/SSI Number

SI 1966 No 1263 **The Mineral Hydrocarbons in Food (Scotland) Regulations 1966** - prohibit (subject to certain exceptions relating to lubricants, chewing compounds and the rind of cheese and permitted miscellaneous additives) hydrocarbons in the composition or preparation of food; lay down specifications for mineral hydrocarbon and a test for the presence of polycyclic hydrocarbon.

These Regulations are amended by:

SI 1983\* No 270 **The Food and Drugs (Scotland) Act 1956 (Transfer of Enforcement Functions) Regulations 1983;**

SI 1985\* No 1068 **The Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985;**

SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)

SI 1991 No 1476 **The Food Safety (Exports) Regulations 1991**  
[http://www.legislation.hmso.gov.uk/si/si1991/Uksi\\_19911476\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1991/Uksi_19911476_en_1.htm)

SI 1995 No 3187 **The Miscellaneous Food Additives Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953187\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953187_en_1.htm)

## 5-K: MISCELLANEOUS ADDITIVES

### SI/SSI Number

SI 1995 No 3187 **The Miscellaneous Food Additives Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953187\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953187_en_1.htm)

SI 1997 No 1413 **The Miscellaneous Additives (Amendment) Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/97141301.htm>

SI 1999 No 1136 **The Miscellaneous Food Additives (Amendment) Regulations 1999**  
<http://www.legislation.hmso.gov.uk/si/si1999/19991136.htm>

SSI 2001 No 103 **The Miscellaneous Food Additives (Amendment) (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010103.htm>

SSI 2001 No 450 **The Miscellaneous Food Additives (Amendment) (No. 2) (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010450.htm>

- SSI 2003 No. 132 **The Miscellaneous Food Additives (Amendment) (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030132.htm>
- SSI 2003 No 599 **The Miscellaneous Food Additives Amendment (Scotland) (No.2) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030599.htm>
- SSI 2004 No 413 **The Miscellaneous Food Additives Amendment (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040413.htm>
- SSI 2002 No 179 **The Food (Jelly Confectionery) (Emergency Control) (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020179.htm>
- SSI 2004 No 187 **The Food (Jelly Mini-Cups) (Emergency Control) (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040187.htm>
- SSI 2004 No 56 **The Food (Chilli and Chilli Products)(Emergency Control)(Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040056.htm>

***Note: Enquiries on the above legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285154).***

## **5-L: PESTICIDES**

### SI/SSI Number

- SSI 2000 No 22 **The Pesticides (Maximum Residue Levels in Crops, Food and FeedingStuffs) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000022.htm>
- SSI 2001 No 84 **The Pesticides (Maximum Residue Levels in Crops, Food and FeedingStuffs) (Scotland) (Amendment) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010084.htm>
- SSI 2001 No 221 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 2) Regulations 2001**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010221.htm>

- SSI 2001 No 435 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 3) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010435.htm>
- SSI 2002 No 271 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020271.htm>
- SSI 2002 No 489 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 2) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020489.htm>
- SSI 2003 No 118 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/s-200301.htm>
- SSI 2003 No 445 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 2) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030445.htm>
- SSI 2004 No 104 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040104.htm>
- SSI 2004 No 220 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 2) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040220.htm>
- SSI 2004 No 399 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 3) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040399.htm>
- SSI 2005 No 109 **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 3) regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2005/20050109.htm>

**Note: Enquiries on pesticides legislation should be addressed to Pesticides Safety Directorate, Mallard House, Kings Pool, 3 Peasholme Green, York, YO1 7PX (Telephone - 01904 455775 ).**

## **5-M: SWEETENERS**

### SI/SSI Number

- SI 1995 No 3123 **The Sweeteners in Food Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953123\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953123_en_1.htm)
- These Regulations are amended by:
- SI 1996 No 1477 **The Sweeteners in Food (Amendment) Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19961477\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19961477_en_1.htm)
- SI 1997 No 814 **The Sweeteners in Food (Amendment) Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/97081401.htm>
- SI 1999 No 982 **The Sweeteners in Food (Amendment) Regulations 1999**  
<http://www.legislation.hmso.gov.uk/si/si1999/19990982.htm>
- SSI 2001 No 212 **The Sweeteners in Food Amendment (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010212.htm>
- SSI 2002 No 61 **The Sweeteners in Food Amendment (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020061.htm>
- SSI 2003 No 274 **The Sweeteners in Food (Amendment) (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030274.htm>
- SSI 2004 No 548 **The Sweeteners in Food Amendment (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040548>

**Note: Enquiries on the above legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285154).**

## **5-N: TRYPTOPHAN**

### SI/SSI Number

- SI 1990 No 1792 **The Tryptophan in Food (Scotland) Regulations 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19901792\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19901792_en_1.htm)

These Regulations are amended by:

- SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990**  
[http://www.legislation.hmsso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)
- SI 1991 No 1476 **The Food Safety (Exports) Regulations 1991**  
[http://www.legislation.hmsso.gov.uk/si/si1991/Uksi\\_19911476\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1991/Uksi_19911476_en_1.htm)
- SSI 2002 No 397 **The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2002/20020397.htm>

## **5-O: VETERINARY MEDICINES**

### SI/SSI Number

- SI 1997 No 1729 **The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997**  
<http://www.legislation.hmsso.gov.uk/si/si1997/97172901.htm>
- SI 1997 No 2893 **The Charges for Inspections and Controls Regulations 1997**  
<http://www.legislation.hmsso.gov.uk/si/si1997/19972893.htm>
- SI 1998 No 2880 **The Charges for Inspections and Controls (Amendment) Regulations 1998**  
<http://www.legislation.hmsso.gov.uk/si/si1998/19982880.htm>

***Note: Enquiries on veterinary medicines legislation should be addressed to Veterinary Medicines Directorate, Woodham Lane, New Haw, Addlestone, Surrey, England, KT15 3LS (Telephone: 01932 336911)***

## PART 6: EGGS & POULTRY

***Note: Enquiries regarding the legislation in Sections A and B should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ. (Telephone 01224 285154).***

***Enquiries regarding Section C should be addressed to the Scottish Executive Environment and Rural Affairs Department, Milk, Pig, Eggs and Poultry Branch, Room 262, Pentland House, 47 Robb's Loan, EDINBURGH, EH14 1TY. (Telephone 0131-244-6953 Fax 0131-244-3110).***

***Enquiries regarding Section D should be addressed to the Animal Food Chain and Novel Foods Branch 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ. (Telephone 01224 285191).***

### 6-A: EGG PRODUCTS

#### SI/SSI Number

- SI 1993 No 1520    **The Egg Products Regulations 1993**  
[http://www.legislation.hmso.gov.uk/si/si1993/Uksi\\_19931520\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1993/Uksi_19931520_en_1.htm)
- These Regulations are amended by:
- SI 1995 No 1763    **The Food Safety (General Food Hygiene) Regulations 1995  
(in relation to potable water)**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19951763\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19951763_en_1.htm)
- SI 1996 No 1499    **The Food Labelling Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19961499\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19961499_en_1.htm)
- SSI 2000 No 62    **The Food Standards Act 1999 (Transitional and  
Consequential Provisions and Savings) (Scotland)  
Regulations 2000**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm](http://www.scotland-<br/>legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm)
- SSI 2002 No 524    **The Food Labelling Amendment (Scotland) Regulations 2002**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020524.htm](http://www.scotland-<br/>legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020524.htm)
- SSI 2004 No 395    **The Food Safety (Act of Accession concerning the Czech  
Republic and other States) (Consequential Amendments)  
(Scotland) Regulations 2004**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040395.htm](http://www.scotland-<br/>legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040395.htm)

## 6-B: UNGRADED EGGS

### SI/SSI Number

SI 1990 No 1336 **The Ungraded Eggs (Hygiene) (Scotland) Regulations, 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19901336\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19901336_en_1.htm)

These Regulations are amended by:

SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)

## 6-C: EGGS - MARKETING STANDARDS

### SI/SSI Number

SI 1995 No 1544 **The Eggs (Marketing Standards) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19951544\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19951544_en_1.htm)

These Regulations are amended by:

SI 1996 No 1725 **The Egg (Marketing Standards) (Amendment) Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19961725\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19961725_en_1.htm)

SI 1997 No 1414 **The Egg (Marketing Standards) (Amendment) Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/97141401.htm>

SI 1998 No 1665 **The Egg (Marketing Standards) (Amendment) Regulations 1998**  
<http://www.legislation.hmso.gov.uk/si/si1998/19981665.htm>

SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm>

## 6-D: POULTRY MEAT - WATER CONTENT

### SI/SSI Number

SI 1983 No 1372 **The Poultry Meat (Water Content) (Scotland) Regulations 1983** - provide for the enforcement in Scotland of Council Regulation 2967/76/EEC (as amended) laying down common standards for the water content of frozen and deep frozen chickens, hens and cocks.

These Regulations are amended by:

SI 1984 No 1576 **The Poultry Meat (Water Content) (Scotland) (Amendment) Regulations 1984**

SI 1990 No 2625 **The Food Safety Act 1990 (Consequential Modifications) (Scotland) Order 1990**  
[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902625\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902625_en_1.htm)

## PART 7: OTHER LEGISLATION

### 7-A: ALCOHOLIC LIQUOR DUTIES ACT 1979 - Section 71

Prescribes a penalty for misdescribing liquor as spirits or as wine fortified with spirits. In practice, therefore, this Section reinforces Section 15 of the Food Safety Act 1990 as far as these products are concerned.

***Note: All enquiries concerning Customs and Excise legislation should be addressed to HM Customs and Excise, Portcullis House, 21 India Street, Glasgow G2 4PZ. (Telephone 0141-221 3828).***

### 7-B: BOVINE SPONGIFORM ENCEPHALOPATHY (BSE)

**NB** Not all the statutory instruments listed in this section make direct provisions for food safety, some for example lay down requirements for animal feedingstuffs. However, they have been included in this list for the sake of completeness.

#### SI/SSI Number

- |                 |  |
|-----------------|--|
| SI 1988 No 2264 | <b>The Zoonoses Order 1988</b><br><a href="http://www.hmsso.gov.uk/si/si1988/Uksi_19882264_en_1.htm">http://www.hmsso.gov.uk/si/si1988/Uksi_19882264_en_1.htm</a>  |
| SI 1994 No 2627 | <b>The Bovine Spongiform Encephalopathy (Miscellaneous Amendments) Order 1994</b><br><a href="http://www.legislation.hmsso.gov.uk/si/si1994/Uksi_19942627_en_1.htm">http://www.legislation.hmsso.gov.uk/si/si1994/Uksi_19942627_en_1.htm</a>             |
| SI 1996 No 1193 | <b>The Bovine Animals (Enforcement of Community Purchase Scheme) Regulations 1996</b><br><a href="http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19961193_en_1.htm">http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19961193_en_1.htm</a>         |
| SI 1996 No 2097 | <b>The Fresh Meat (Beef Controls) No. 2 Regulations 1996</b><br><a href="http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19962097_en_1.htm">http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19962097_en_1.htm</a>                                  |
| SI 1996 No 2522 | <b>The Fresh Meat (Beef Controls) (No 2) (Amendment) Regulations 1996</b><br><a href="http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19962522_en_1.htm">http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19962522_en_1.htm</a>                     |
| SI 1996 No 3186 | <b>The Selective Cull (Enforcement of Community Compensation Conditions) Regulations 1996</b><br><a href="http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19963186_en_1.htm">http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19963186_en_1.htm</a> |
| SI 1997 No 2964 | <b>The Specified Risk Material Order 1997</b><br><a href="http://www.legislation.hmsso.gov.uk/si/si1997/19972964.htm">http://www.legislation.hmsso.gov.uk/si/si1997/19972964.htm</a>   |
| SSI 1999 No 186 | <b>The Beef Bones (Scotland) Regulations 1999</b><br><a href="http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi1999/19990186.htm">http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi1999/19990186.htm</a>         |
| SI 1999 No 1103 | <b>The Bovines and Bovine Products (Trade) Regulations 1999</b><br><a href="http://www.legislation.hmsso.gov.uk/si/si1999/19991103.htm">http://www.legislation.hmsso.gov.uk/si/si1999/19991103.htm</a>   |

- SI 1999 No 1554 **The Bovines and Bovine Products (Trade) (Amendment) Regulations 1999**  
<http://www.legislation.hmso.gov.uk/si/si1999/19991554.htm>
- SSI 2000 No 184 **Bovines and Bovine Products (Trade) Amendment (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000184.htm>
- SSI 2000 No 344 **The Specified Risk Material Order Amendment (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000344.htm>
- SSI 2001 No 4 **The Specified Risk Material Order Amendment (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010004.htm>
- SSI 2001 No 287 **The Specified Risk Material Amendment (Scotland) Order 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010287.htm>
- SSI 2002 No 1 **The BSE Monitoring (Scotland) Amendment Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020001.htm>
- SSI 2002 No 255 **The TSE (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020255.htm>
- SSI 2003 No 198 **The TSE (Scotland) Amendment Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030198.htm>
- SSI 2003 No 411 **The Animal By-Products (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030411.htm>
- SSI 2004 No 277 **The TSE (Scotland) Amendment Regulations 2004**  
<http://www.opsi.gov.uk/legislation/scotland/ssi2004/20040277.htm>
- SSI 2005 No 173 **The TSE (Scotland) Amendment Regulations 2005**  
<http://www.opsi.gov.uk/legislation/scotland/ssi2005/20050173.htm>
- SSI 2005 No 218 **The Production of Bovine Collagen Intended for Human Consumption in the United Kingdom (Scotland) Regulations 2005**  
<http://www.opsi.gov.uk/legislation/scotland/ssi2005/20050218.htm>

***Note: Enquiries on BSE legislation should be addressed to: Food Standards Agency Scotland, Animal Food Chain and Novel Foods Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285145).***

## **7-C(i): FEEDING STUFFS**

### **THE AGRICULTURE ACT 1970 (as amended)**

This is the primary legislation governing control of animal feedingstuffs. Part IV of the Act requires that sellers of feedingstuffs should provide purchasers with a "statutory statement" and provides for the control and enforcement of Part IV and Regulations made under it by the relevant authorities. Functions under Part IV of the Act, in so far as within devolved competence, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998.

The 1970 Act was amended by the Feeding Stuffs (Safety Requirements for Feed for Food-Producing Animals) Regulations 2004 in order to provide for the transposition of EC Regulations 178/2002 in relation to feed (see above).

#### SI/SSI Number

SI 1999 No 1663 **The Feeding Stuffs (Sampling and Analysis) Regulations 1999**

<http://www.legislation.hmso.gov.uk/si/si1999/19991663.htm>

SI 1999 No 1872 **The Feeding Stuffs (Establishments and Intermediaries) Regulations 1999**

<http://www.legislation.hmso.gov.uk/si/si1999/19991872.htm>

SI 1999 No 2325 **The Feeding Stuffs (Enforcement) Regulations 1999**

<http://www.legislation.hmso.gov.uk/si/si1999/19992325.htm>

These Regulations have been amended by

SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm>

SSI 2000 No 453 **The Feeding Stuffs (Scotland) Regulations 2000**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000453.htm>

- SSI 2001 No 104 **The Feeding Stuffs (Sampling and Analysis) Amendment (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010104.htm>
- SSI 2001 No 334 **The Feeding Stuffs and the Feeding Stuffs (Enforcement) Amendment (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010334.htm>
- SSI 2002 No 285 **The Feeding Stuffs Amendment (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020285.htm>
- SSI 2003 No 101 **The Feeding Stuffs (Scotland) Amendment Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030101.htm>
- SSI 2003 No 277 **The Feeding Stuffs (Miscellaneous Amendments) (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030277.htm>
- SSI 2003 No 312 **The Feeding Stuffs (Scotland) Amendment (No. 2) Regulations 2003**(NB – regulations 5 and 8(c) are currently suspended by order of the Court of Session on 30.10.03, pending the outcome of an application to the European Court of Justice in respect of the English Regulations.).  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030312.htm>
- SSI 2003 No 474 **The Feeding Stuffs (Scotland) Amendment (No 3) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030474.htm>
- SSI 2004 No 208 **The Feeding Stuffs (Scotland) Amendment Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040208.htm>
- SSI 2004 No 414 **The Feeding Stuffs (Sampling and Analysis) Amendment (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040414.htm>
- SSI 2004 No 433 **The Genetically Modified Animal Feed (Scotland) Regulations 2004**  
<http://www.scotland-legislations.hmso.gov.uk/legislation/scotland/ssi2004/20040433.htm>
- SSI 2004 No 458 **The Feeding Stuffs (Scotland) Amendment (No. 2) Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040458.htm>

SI 2004 No 3254 **The Feeding Stuffs (Safety Requirements for Feed for Food-Producing Animals) Regulations 2004**  
<http://www.legislation.hmsso.gov.uk/si/si2004/20043254.htm>

***Note: Enquiries on the above feeding stuffs legislation should be addressed to: Food Standards Agency Scotland, Animal Food Chain and Novel Foods Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285138).***

**7-C(ii):** The Following Regulations were made under **The Medicines Act 1968:**

SI 1998 No 1044 **The Medicines (Exemption for Merchants in Veterinary Drugs) Order 1998 (Fees)**  
<http://www.legislation.hmsso.gov.uk/si/si1998/19981044.htm>

The following regulations also apply to animal feedingstuffs, but were not made under the Medicines Act 1968.

SI 1998 No 1046 **The Medicated Feedingstuffs Regulations 1998**  
<http://www.legislation.hmsso.gov.uk/si/si1998/19981046.htm>

SI 1998 No. 1047 **The Feedingstuffs (Zootechnical Products) Regulations 1998**  
<http://www.legislation.hmsso.gov.uk/si/si1998/19981047.htm>

The fees that AMI charge under the Medicated Feedingstuffs and Zootechnical Products were increased in 2002 and 2003 by the following SIs.

SI 2002 No 696 **The Feedingstuffs (Zootechnical Products) (Amendment) (England, Scotland and Wales) Regulations 2002**  
<http://www.legislation.hmsso.gov.uk/si/si2002/20020696.htm>

SI 2002 No 697 **The Medicated Feedingstuffs (Amendment) (England, Scotland and Wales) Regulations 2002**  
<http://www.legislation.hmsso.gov.uk/si/si2002/20020697.htm>

SI 2003 No. 545 **The Feedingstuffs (Zootechnical Products) (Amendment) Regulations 2003**  
<http://www.legislation.hmsso.gov.uk/si/si2003/20030545.htm>

SI 2003 No 752 **The Medicated Feedingstuffs (Amendment) (Scotland, England and Wales) Regulations 2003**  
<http://www.legislation.hmsso.gov.uk/si/si2003/20030752.htm>

SI 1998 No 1048 **The Medicated Feedingstuffs and Feedingstuffs (Zootechnical Products) (Consequential Provisions) Regulations 1998**  
<http://www.legislation.hmsso.gov.uk/si/si1998/19981048.htm>

***Note: Enquiries on the Medicated Animal Feedingstuffs should be addressed to the Enforcement & Feed Additives Branch, Veterinary Medicines Directorate (VMD), Woodham Lane, New Haw, Addlestone, Surrey, KT15 3LS. (Tel: 01932 3238307)***

## 7-D: THIRD COUNTRY IMPORTS

### 7-D(i) PRODUCTS OF ANIMAL ORIGIN: IMPORT AND EXPORT

#### SI/SSI Number

SI 1996 No 3124 **The Products of Animal Origin (Import and Export) Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19963124\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19963124_en_1.htm)

These Regulations have been amended by:

SI 1997 No 3023 **The Products of Animal Origin (Import and Export) (Amendment) Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/19973023.htm>

SI 1999 No 157 **The Miscellaneous Products of Animal Origin (Import Conditions) Regulations 1999**  
<http://www.legislation.hmso.gov.uk/si/si1999/19990157.htm>

These Regulations have been amended by SSI 2002 No 445

SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm>

SSI 2001 No 169 **The Gelatine (Intra-Community Trade) (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010169.htm>

SI 1996 No 3124 **The Products of Animal Origin (Import and Export) Regulations 1996** has also been partially revoked and replaced to the extent that they apply to third country imports by:

SSI 2002 No 445 **The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020445.htm>

SSI 2002 No 565 **The Products of Animal Origin (Third Country Imports) (Scotland) Amendment Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020565.htm>

SSI 2003 No 165 **The Products of Animal Origin (Third Country Imports) (Scotland) Amendment Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030165.htm>

- SSI 2003 No 225 **The Products of Animal Origin (Third Country Imports) (Scotland) Amendment (No. 2) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030225.htm>
- SSI 2003 No 333 **The Products of Animal Origin (Third Country Imports) (Scotland) Amendment (No. 3) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030333.htm>
- SSI 2003 No 411 **The Animal By-Products (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030411.htm>
- SSI 2003 No 568 **The Collagen and Gelatine (Intra-Community Trade) (Scotland) (No. 2) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030568.htm>

## 7-D(ii) IMPORTED FOOD

### SI/SSI Number

- SI 1996 No 3125 **The Fresh Meat (Import Conditions) Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19963125\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19963125_en_1.htm)
- SI 1997 No 2537 **The Imported Food Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/97253701.htm>

***Note: Enquiries regarding the above legislation should be addressed to: Scottish Executive Environment and Rural Affairs Department, Animal Health Division, Pentland House, 47 Robb's Loan, EDINBURGH, EH14 1TY. (Telephone 0131 244 3377)***

## 7-E: KAVA-KAVA

### SI/SSI Number

- SSI 2002 No 523 **The Kava-kava in Food (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020523.htm>
- SSI 2004 No 244 **The Kava-kava in Food (Scotland) Amendment Regulations 2004**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2004/20040244.htm>

***Note: Enquiries regarding the above legislation should be addressed to: Food Standards Agency Scotland, Food Standards, Diet and Nutrition Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285162).***

## **PART 8: OTHER PRIMARY LEGISLATION CONFERRING POWER TO MAKE REGULATIONS AFFECTING FOOD**

### **8-A: EUROPEAN COMMUNITIES ACT, 1972**

The functions of a Minister of the Crown under section 2(2) of the European Communities Act (which provides a power to make regulations for the purpose of implementing a UK European Community obligation) have been transferred to the Scottish Ministers in so far as exercisable within devolved competence by section 53 of the Scotland Act 1998. In so far as not so transferred, and in so far as exercisable in relation to food (including drink) including the primary production of food, that function was transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (SI 2005/849) with effect from 23 March 2005.

The following Regulations have been made under this Act:

#### SI/SSI Number

SI 1997 No 1729 **The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/97172901.htm>

***Note: Enquiries regarding the legislation in this part should be addressed to Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ. (Telephone 01224 285161)***

SI 1997 No 2893 **The Charges for Inspections and Controls Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/19972893.htm>

SI 1998 No 2880 **The Charges for Inspections and Controls (Amendment) Regulations 1998**  
<http://www.legislation.hmso.gov.uk/si/si1998/19982880.htm>

***Note: Enquiries on the legislation listed in Part 8A should be addressed to: Veterinary Medicine Directorate, Woodham Lane, New Haw, Addlestone, Surrey, England, KT15 3LS (Telephone 01932 338302)***

### **8-B: AGRICULTURE AND HORTICULTURE ACT 1964 (CHAPTER 28 PART III)**

Provides for the application and enforcement in Great Britain of European Community Regulations specifying the grading, marketing and labelling requirements for certain fresh fruit and vegetables and makes certain acts or omissions that contravene those rules punishable offences. Similar legislation applies in Northern Ireland.

#### SI/SSI Number

- SI 1973 No 22      **The Grading of Horticultural Produce (Amendment) Regulations 1973;**
- SI 1983 No 1053   **The Grading of Horticultural Produce (Amendment) Regulations 1983**
- 1986 (c 20)        **Horticultural Produce Act 1986** extends the powers of the Horticultural Marketing Inspectorate (Marketing Officers in Scotland), who enforce the Regulations, to the control of the movement of produce.

***Note: Enquiries on the legislation listed in Part 7B should be addressed to, Scottish Executive Environment and Rural Affairs Department, Horticulture and Marketing Unit, Pentland House, 47 Robb's Loan, EDINBURGH, EH14 1TY. (Telephone 0131-244 6303).***

## **PART 9: FOOD CONTROL**

### **9-A: OFFICIAL CONTROL OF FOODSTUFFS**

The Official Control of Foodstuffs Directive (89/397/EEC) was a key framework directive for the harmonisation of aspects of food law between EC member states. Adopted in 1989, it aimed to help establish the Single Market in Europe by achieving a consistent approach in the level of food law enforcement between EC member states in the run up to establishing the intended Single Market in 1992. The Directive did this by laying down the general principles to be followed by the national enforcement authorities of each EC member state. It established the main principles that:

- food should be inspected regularly at the point of production to avoid the need for border controls between member states;
- inspection procedures should be harmonised between member states;
- there should be mutual recognition of standards within the European Community; and
- details of member states' food law enforcement programmes should be submitted annually to the European Commission.

This Directive was implemented in the UK through the Food Safety Act 1990 and through statutory Codes of Practice that guide UK enforcement authorities and which are made under that Act.

Readers should note that this section of the guidance will be superseded by further Community legislation and should not be relied upon after 1 January 2006.

### **9-B: ADDITIONAL FOOD CONTROL MEASURES**

The Official Control of Foodstuffs Directive was supplemented in October 1993 by the adoption of the Additional Food Control Measures Directive (93/99/EEC). This Directive continued the theme of harmonising food law enforcement between member states by:

- requiring that all member states have, or have access to, a sufficient number of qualified and experienced food control officials;
- setting standards for food control laboratories, and criteria for validating methods of analysis;
- establishing a small Commission Food Inspectorate;
- improving the exchange of information between member states and between the European Commission and member states.

Readers should note that this section of the guidance will be superseded by further Community legislation and should not be relied upon after 1 January 2006.

**Note: Enquiries relating to the legislation listed in parts 9A & B should be addressed to: Food Standards Agency Scotland, Local Authority Enforcement Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285113).**

## **9-C: FOOD CONTROL OF IRRADIATION**

### SI/SSI Number

SI 1990 No 2490    **The Food (Control of Irradiation) Regulations 1990**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030502.htm>

These Regulations are amended by: -

SSI 2000 No 309    **The Food Irradiation Provisions (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000309.htm>

SSI 2002 No 284    **The Food (Control of Irradiation) Amendment (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020284.htm>

**Note: Enquiries relating to the legislation controlling Food Irradiation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285161).**

## **PART 10: FOOD PROTECTION IN AN EMERGENCY**

### **10-A: THE FOOD AND ENVIRONMENT PROTECTION ACT 1985**

Part I of the Act empowers the Scottish Ministers to make emergency orders where they consider that circumstances exist, or may exist which are likely to cause a hazard to human health through consumption of contaminated food. Such orders prohibit the distribution of affected produce from an area where foodstuffs have or may have been contaminated. In practice these powers are used only where there are no other statutory means of dealing with contaminated food (e.g. sector-specific legislation under the Food Safety Act 1990).

### **10-B: RADIOACTIVE CONTAMINATION OF FOODSTUFFS AND FEEDING STUFFS**

#### Council Regulation (Euratom) No. 3954/87

Fixes the maximum permitted levels for radioactive contamination of foodstuffs and feeding stuffs following a nuclear accident or radiological emergency made under Article 31 of the EC Treaty

Subsequent Regulations relating to this Regulation are:-

#### Council Regulation (Euratom) No. 944/89

#### Council Regulation (Euratom) No. 2218/89

#### Council Regulation (Euratom) No. 2219/89

#### Council Regulation No. 770/90

Relevant EC Directives: Directive 80/836 (Euratom) as amended by Directive 84/467 (Euratom) and Council Directive 96/29/Euratom.

***Note: Enquiries on the legislation listed in Parts 9A and B should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285161).***

### **10-C: RADIOACTIVITY IN FOODSTUFFS AND FEEDINGSTUFFS ORIGINATING FROM THIRD COUNTRIES**

Council Regulation (EEC) 737/90 - Fixes the maximum permitted levels for radioactivity in foodstuffs and feeding stuffs originating from third countries (following the accident at the Chernobyl Nuclear Power Station) made under Article 113 of the EC Treaty.

Subsequent Regulations to this Regulation are:-

Council Regulation 616/2000 (extends validity of 737/90 from 31/3/2000 to 31/3/2010) (NB – Commission Regulation 727/97 was repealed by Commission

Regulation 2000/1609 which introduces a revised list of products not covered by Council Regulation 737/90)

Commission Regulation (EC) 1661/1999 requires member states to carry out checks for radiocaesium in agriculture products in general, and detailed rules for specific products and is amended by regulation [EC] 1621/2001 as regards the export certificate required for agricultural products and the list of customs offices permitting the declaration of products for free circulation in the Community. (NB – is also amended by Regulations 1627/00 and 1608/02).

***Note: Enquiries on the legislation listed in Part 9C should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285161).***

## PART 11: NOVEL FOODS/GENETICALLY MODIFIED ORGANISMS

### 11-A: NOVEL FOODS

#### SI/SSI Number

- SI 1997 No 1335 **The Novel Foods and Novel Food Ingredients Regulations 1997**  
<http://www.legislation.hmsso.gov.uk/si/si1997/97133501.htm>
- SI 1997 No 1336 **The Novel Foods and Novel Food Ingredients (Fees) Regulations 1997**  
<http://www.legislation.hmsso.gov.uk/si/si1997/97133601.htm>
- SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000062.htm>
- SSI 2000 No 83 **The Genetically Modified and Novel Foods (Labelling) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000083.htm>
- SSI 2004 No 432 **The Genetically Modified Food (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040432.htm>
- SSI 2004 No 433 **The Genetically Modified Animal Feed (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040433.htm>
- SSI 2004 No 438 **The Genetically Modified Organisms (Traceability and Labelling) (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040438.htm>
- SSI 2004 No 439 **The Genetically Modified Organisms (Deliberate Release) (Scotland) Amendment Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040439.htm>

***Note: Enquiries on novel foods legislation should be addressed to: Food Standards Agency Scotland, Animal Food Chain and Novel Foods Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285145).***

## 11-B: GENETICALLY MODIFIED ORGANISMS (GMOs)

### SI/SSI Number

SI 1997 No 1900 **The Genetically Modified Organisms (Deliberate Release and Risk Assessment-Amendment) Regulations 1997**  
<http://www.legislation.hmsso.gov.uk/si/si1997/97190001.htm>

SSI 2002 No 541 **The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2002/20020541.htm>

SSI 2004 No 439 **The Genetically Modified Organisms (Deliberate Release) (Scotland) Amendment Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040439.htm>

***Note: Enquiries relating to the deliberate release of genetically modified organisms legislation should be addressed to the Scottish Executive, Environment Group, GM Co-ordination Team, Victoria Quay, Edinburgh, EH6 6QQ (Telephone – 0131 244 7576).***

SI 2000 No 2831 **The Genetically Modified Organisms (Contained Use) Regulations 2000**  
<http://www.legislation.hmsso.gov.uk/si/si2000/20002831.htm>

***Note: Enquiries relating to the contained use of genetically modified organisms legislation should be addressed to the Health and Safety Executive, Biotechnology Policy, Room 6.19, Rose Court, Southwark Bridge, London, SE1 9HS (Telephone – 020 7717 6234; Fax – 020 7717 6199).***

## PART 12: HYGIENE LEGISLATION

### 12-A: FOOD HYGIENE (GENERAL)

Readers should note that the advice contained in this part of the guidance applies only until 1 January 2006, from which date Regulations (EC) No. 852, 853 and 854 of 2004 will apply.

Directive 93/43 EEC (OJ No. L175, 19.7.93, p.1) on the hygiene of foodstuffs lays down general rules of hygiene and procedures for verification of compliance with these rules. The Directive covers the preparation, processing, manufacturing, packaging, storing, transportation, distribution, handling and offering for sale or supply of foodstuffs not covered elsewhere by product-specific hygiene Directives. It also covers gaps in the product-specific hygiene Directives. For example, few of these Directives cover the sale or supply of their foodstuffs, and where they do not then Directive 93/43 does. Directive 96/3/EC grants a derogation from certain dedicated transport provisions of Directive 93/43, as regards the transport of bulk liquid oils and fats by sea. Commission Directive 98/28/EC grants a derogation from certain dedicated transport provisions of Directive 93/43, as regards the bulk transport of raw sugar by sea.

#### SI/SSI Number

- SI 1995 No 1763 **The Food Safety (General Food Hygiene) Regulations 1995**  
[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19951763\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19951763_en_1.htm)  
Amended by SSI 2000 No 62
- SI 1995 No 2200 **The Food Safety (Temperature Control) Regulations 1995**  
[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19952200\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19952200_en_1.htm)
- SI 1997 No 2537 **The Imported Food Regulations 1997**  
<http://www.legislation.hmsso.gov.uk/si/si1997/97253701.htm>
- SI 1999 No 1360 **The Food Safety (General Food Hygiene) (Amendment) Regulations 1999**  
<http://www.legislation.hmsso.gov.uk/si/si1999/19991360.htm>
- SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and (Savings) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000062.htm>
- SSI 2004 No 394 **The Food Safety (General Food Hygiene) Amendment (Scotland) Regulations 2004**  
<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040394.htm>
- SSI 2004 No 395 **The Food Safety (Act of Accession concerning the Czech Republic and other States) Consequential Amendments) (Scotland) Regulations 2004**

**Note: Enquiries on food hygiene legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285154).**

## **12-B: FISHERY PRODUCTS AND LIVE BIVALVE MOLLUSCS**

### SI/SSI Number

SI 1998 No 994     **The Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998**

<http://www.legislation.hmsso.gov.uk/si/si1998/19980994.htm>

The Regulations are amended by:

SI 1999 No 399     **The Food Safety (Fishery Products and Live Shellfish) (Hygiene) Amendment Regulations 1999**

<http://www.legislation.hmsso.gov.uk/si/si1999/19990399.htm>

SI 1999 No 1585     **The Food Safety (Fishery Products and Live Shellfish) (Hygiene) Amendment (No.2) Regulations 1999**

<http://www.legislation.hmsso.gov.uk/si/si1999/19991585.htm>

SSI 2000 No 62     **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000062.htm>

SSI 2004 No 395     **The Food Safety (Act of Accession concerning the Czech Republic and other States) (Consequential Amendments) (Scotland) Regulations 2004**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2004/20040395.htm>

**Note: Enquiries on fishery products legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285151).**

## **12-C: ICE CREAM**

### SI/SSI Number

SI 1948 No 960     **The Ice-Cream (Scotland) Regulations 1948** - require that certain hygienic measures be observed in the manufacture and sale of ice cream. The main provisions are concerned with the

registration of ice cream dealers; the cleanliness of the persons, premises and the vehicles concerned with the manufacture and sale of ice cream and the heat treatment of ice cream mixtures.

SI 1948 No 2271 **The Ice-Cream (Scotland) Amendment Regulations 1948**

SI 1959 No 734 **The Ice Cream (Heat Treatment) Regulations 1959**

SI 1960 No 2108 **The Ice-Cream (Scotland) Amendment Regulations 1960**

SI 1963 No 1101 **The Ice-Cream (Scotland) Amendment Regulations 1963;**

Amended by:-

SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings)**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000062.htm>

SI 1983\* No 270 **The Food and Drugs (Scotland) Act 1956 (Transfer of Enforcement Functions) Regulations 1983;**

SI 1985\* No 1068 **The Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985.**

SI 1995 No 1372 **The Dairy Products (Hygiene) (Scotland) Regulations 1995**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19951372\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19951372_en_1.htm)

SI 1995 No 1763 **The Food Safety (General Food Hygiene) Regulations 1995**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19951763\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19951763_en_1.htm)

***Note: Enquiries about these Regulations should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285154).***

## **12-D (i) : MEAT HYGIENE – FRESH RED MEAT**

### SI/SSI Number

SI 1995 No 539 **The Fresh Meat (Hygiene and Inspection) Regulations 1995**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19950539\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19950539_en_1.htm)

These Regulations are amended by:

SI 1995 No 731 **The Welfare of Animals (Slaughter or Killing) Regulations 1995 (as amended)**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19950731\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19950731_en_1.htm)

SI 1995 No 1763 **The Food Safety (General Food Hygiene) Regulations 1995**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19951763\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19951763_en_1.htm)

- SI 1995 No 2148 **The Wild Game Meat (Hygiene and Inspection) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19952148\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19952148_en_1.htm)
- SI 1995 No 3124 **The Colours in Food Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953124\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953124_en_1.htm)
- SI 1995 No 3189 **The Fresh Meat (Hygiene and Inspection) (Amendment) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953189\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953189_en_1.htm)
- SI 1996 No 1148 **The Fresh Meat Hygiene and Inspection (Amendment) Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19961148\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19961148_en_1.htm)
- SI 1996 No 2235 **The Deregulation (Slaughterhouses Act 1974 and Slaughter of Animals (Scotland) Act 1980) Order 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19962235\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19962235_en_1.htm)
- SI 1997 No 2074 **The Fresh Meat (Hygiene and Inspection) (Amendment) Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/97207401.htm>
- SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm](http://www.scotland-<br/>legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm)
- SSI 2000 No 171 **The Meat (Enhanced Enforcement Powers) (Scotland) Regulations 2000**  
<http://www.legislation.hmso.gov.uk/si/si1997/97207401.htm>
- SSI 2000 No 288 **The Meat (Disease Control) (Scotland) Regulations 2000**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000288.htm](http://www.scotland-<br/>legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000288.htm)
- SSI 2001 No 160 **The Foot-and-Mouth Disease (Marking of Meat and Meat Products) (Scotland) Regulations 2001**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010160.htm](http://www.scotland-<br/>legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010160.htm)
- SSI 2001 No 358 **The Foot-and-Mouth Disease (Marking of Meat, Meat Products, Minced Meat and Meat Preparations) (Scotland) Regulations 2001**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010358.htm](http://www.scotland-<br/>legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010358.htm)
- SSI 2002 No 234 **The Meat (Hazard Analysis and Critical Control Point) (Scotland) Regulations 2002**  
[http://www.scotland-  
legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020234.htm](http://www.scotland-<br/>legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020234.htm)

SSI 2005 No 81     **The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Amendment (Scotland) Regulations 2005**

## **12-D(ii) : POULTRY MEAT, FARMED GAME BIRD MEAT & RABBIT MEAT**

### SI/SSI Number

SI 1995 No 540     **The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19950540\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19950540_en_1.htm)

These Regulations are amended by:

SI 1995 No 1763     **The Food Safety (General Food Hygiene) Regulations 1995**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19951763\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19951763_en_1.htm)

SI 1995 No 2148     **The Wild Game Meat (Hygiene and Inspection) Regulations 1995**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19952148\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19952148_en_1.htm)

SI 1995 No 3205     **The Minced Meat and Meat Preparations (Hygiene) Regulations 1995**

[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19953205\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19953205_en_1.htm)

SSI 2000 No 62     **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000062.htm>

SSI 2000 No 171     **The Meat (Enhanced Enforcement Powers) (Scotland) Regulations 2000**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000171.htm>

SSI 2000 No 288     **The Meat (Disease Control) (Scotland) Regulations 2000.**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000288.htm>

SSI 2002 No 87     **The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Amendment (Scotland) Regulations 2002.**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2002/20020087.htm>

SSI 2002 No 234     **The Meat (Hazard Analysis and Critical Control Point) (Scotland) Regulations 2002**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2002/20020087.htm>

SSI 2005 No 81     **The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Amendment (Scotland) Regulations 2005**  
<http://www.scotland-legislation.hms0.gov.uk/legislation/scotland/ssi2005/20050081.htm>

## **12-D(iii) : WILD GAME MEAT**

### SI/ SSI Number

SI 1995 No 2148     **The Wild Game Meat (Hygiene and Inspection) Regulations 1995**  
[http://www.legislation.hms0.gov.uk/si/si1995/Uksi\\_19952148\\_en\\_1.htm](http://www.legislation.hms0.gov.uk/si/si1995/Uksi_19952148_en_1.htm)

These Regulations are amended by:

SI 1995 No 3205     **The Minced Meat and Meat Preparations (Hygiene) Regulations 1995**  
[http://www.legislation.hms0.gov.uk/si/si1995/Uksi\\_19953205\\_en\\_1.htm](http://www.legislation.hms0.gov.uk/si/si1995/Uksi_19953205_en_1.htm)

SI 2000 No 62       **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000, (part v)**  
<http://www.scotland.legislation.hms0.gov.uk/legislation/scotland/ssi2000/2000062.htm>

## **12-D(iv) : MEAT PRODUCTS**

### SI/SSI Number

SI 1994 No 3082     **The Meat Products (Hygiene) Regulations 1994**  
[http://www.legislation.hms0.gov.uk/si/si1994/Uksi\\_19943082\\_en\\_1.htm](http://www.legislation.hms0.gov.uk/si/si1994/Uksi_19943082_en_1.htm)

These Regulations are amended by:

SI 1995 No 1763     **The Food Safety (General Food Hygiene) Regulations 1995**  
[http://www.legislation.hms0.gov.uk/si/si1995/Uksi\\_19951763\\_en\\_1.htm](http://www.legislation.hms0.gov.uk/si/si1995/Uksi_19951763_en_1.htm)

SI 1999 No 683       **The Meat Products (Hygiene) (Amendment) Regulations 1999**  
<http://www.legislation.hms0.gov.uk/si/si1999/19990683.htm>

SSI 2000 No 171     **The Meat (Enhanced Enforcement Powers) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hms0.gov.uk/legislation/scotland/ssi2000/20000171.htm>

SSI 2000 No 288     **The Meat (Disease Control) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hms0.gov.uk/legislation/scotland/ssi2000/20000288.htm>

SSI 2001 No 160     **The Foot-and-Mouth Disease (Marking of Meat and Meat Products) (Scotland) Regulations 2001**

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010160.htm>

- SSI 2001 No 358 **The Foot-and-Mouth Disease (Marking of Meat, Meat Products, Minced Meat and Meat Preparations) (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010358.htm>
- SSI 2001 No 394 **The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 2) Amendment (No. 4) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010394.htm>
- SSI 2001 No 429 **The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010429.htm>
- SSI 2002 No 35 **The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Amendment (No. 2) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020035.htm>

## **12-D(v) : MINCED MEAT AND MEAT PREPARATIONS**

### SI/SSI Number

- SI 1995 No 3205 **The Minced Meat and Meat Preparations (Hygiene) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19953205\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19953205_en_1.htm)
- SI 2000 No 171 **The Meat (Enhanced Enforcement Powers) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20000171.htm>
- SSI 2000 No 288 **The Meat (Disease Control) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20000288.htm>

## **12-D(vi) : INSPECTION CHARGES**

### SI/SSI Number

- SI 1998 No 2095 **The Meat (Hygiene and Inspection) (Charges) Regulations 1998**  
<http://www.legislation.hmso.gov.uk/si/si1998/19982095.htm>

These Regulations are amended by:

- SSI 2000 No 61 **The Meat (Hygiene and Inspection) (Charges) Amendment (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000061.htm>
- SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm>
- SSI 2001 No 89 **The Meat (Hygiene and Inspection) (Charges) Amendment (Scotland) Regulations 2001**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2001/20010089.htm>

## 12-D(vii) : ANIMAL BY-PRODUCTS

### SI/SSI Number

- SI 1999 No 646 **The Animal By-Products Order 1999**  
<http://www.legislation.hmso.gov.uk/si/si1999/19990646.htm>  
 This Order has been REVOKED by The Animal By-Products (Scotland) Regulations 2003
- SI 1995 No 614 **The Animal By-Products (Identification) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19950614\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19950614_en_1.htm)  
 These Regulations are amended by:
- SI 1997 No 2073 **The Animal By-products (Identification) (Amendment) Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/97207301.htm>
- SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm>
- SSI 2002 No 283 **The Animal By-Products (Identification) Amendment (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020283.htm>
- SSI 2003 No 53 **The Animal By-Products (Identification) Amendment (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030053.htm>
- SSI 2003 No 411 **The Animal By-Products (Scotland) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030411.htm>

**Note: Enquiries on meat hygiene legislation should be addressed to: Food Standards Agency Scotland, Animal Food Chain and Novel Foods Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285191).**

## **12 D (viii) : GENERAL/OTHER**

### SI/SSI Number

SI 1996 No 3124 **The Products of Animal Origin (Import and Export) Regulations 1996**

[http://www.legislation.hmsso.gov.uk/si/si1996/Uksi\\_19963124\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1996/Uksi_19963124_en_1.htm)

**Agriculture Departments have lead policy responsibility in this area.**

These regulations are amended by:

SI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/2000062.htm>

SSI 2000 No 171 **The Meat (Enhanced Enforcement Powers) (Scotland) Regulations 2000**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000171.htm>

SSI 2000 No 288 **The Meat (Disease Control) (Scotland) Regulations 2000**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2000/20000288.htm>

SSI 2001 No 169 **The Gelatine (Intra-Community Trade) (Scotland) Regulations 2001**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2001/20010169.htm>

SSI 2001 No 257 **The Products of Animal Origin (Import and Export) Amendment (Scotland) Regulations 2001**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2001/20010257.htm>

SSI 2002 No 234 **The Meat (Hazard Analysis and Critical Control Point) (Scotland) Regulations 2002**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2002/20020234.htm>

SSI 2002 No 87 **The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Amendment (Scotland) Regulations 2002**

<http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/ssi2002/20020087.htm>

SSI 2003 No 405 **The Collagen and Gelatine (Intra-Community Trade) (Scotland) Amendment (No 2) Regulations 2003**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2003/20030405.htm>

**Note: Enquiries about these Regulations should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285161).**

## 12-E: MILK AND MILK PRODUCTS

### SI/SSI Number

SI 1995 No 1372 **The Dairy Products (Hygiene) (Scotland) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19951372\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19951372_en_1.htm)

These Regulations are amended by:

SI 1995 No 1763 **The Food Safety (General Food Hygiene) Regulations 1995**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19951763\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19951763_en_1.htm)

SI 1996 No 1499 **The Food Labelling Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19961499\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19961499_en_1.htm)

SI 1996 No 2465 **The Dairy Products (Hygiene) (Scotland) (Amendment) Regulations 1996**  
[http://www.legislation.hmso.gov.uk/si/si1996/Uksi\\_19962465\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1996/Uksi_19962465_en_1.htm)

SI 1997 No 1729 **The Animals and Animal Products (Examination for Residues and Maximum Residues Limits) Regulations 1997**  
<http://www.legislation.hmso.gov.uk/si/si1997/97172901.htm>

SI 1998 No 2424 **The Drinking Milk Regulations 1998**  
<http://www.legislation.hmso.gov.uk/si/si1998/19982424.htm>

SSI 2000 No 62 **The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2000/20000062.htm>

SSI 2002 No 445 **The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2002**  
<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020445.htm>

For compositional standards of certain dairy products see Section 3.

**Note: Enquiries on milk and milk products hygiene legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285154).**

## PART 13: MARKETING STANDARDS

### 13-A: EGGS - MARKETING STANDARDS - SEE SECTION 6-C

### 13-B: OLIVE OIL

#### SI/SSI Number

SI 1987 No 1783 **The Olive Oil (Marketing Standards) Regulations 2003**

[http://www.legislation.hmso.gov.uk/si/si1987/Uksi\\_19871783\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1987/Uksi_19871783_en_1.htm)

[These Regulations are amended by:

SI 1990 No 2487 **The Food Safety Act 1990 (Consequential Modifications) (No 2) (Great Britain) Order 1990**

[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19902487\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19902487_en_1.htm)

SI 1992 No 2590 **The Olive Oil (Marketing Standards) (Amendment) Regulations 1992**

[http://www.legislation.hmso.gov.uk/si/si1992/Uksi\\_19922590\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1992/Uksi_19922590_en_1.htm)

SI 1998 No 2410 **The Olive Oil (Marketing Standards) (Amendment) Regulations 1998**

<http://www.legislation.hmso.gov.uk/si/si1998/19982410.htm>

SI 1999 No 1513 **The Olive Oil (Designations of Origin) Regulations 1999**

<http://www.legislation.hmso.gov.uk/si/si1999/19991513.htm>]

***Note: Enquiries on olive oil legislation should be addressed to: Food Standards Agency Scotland, Food Standards, Diet and Nutrition Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285162).***

### 13-C: ORGANIC FOOD

#### SI/SSI Number

SI 2004 No 430 **The Organic Products Regulations 2004**

<http://www.legislation.hmso.gov.uk/si2004/20040430.htm>

***Note: Enquiries on organics legislation should be addressed to: Food Standards Agency Scotland, Strategy and Co-ordination Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285137).***

## 13-D: PRESERVED FISH PRODUCTS

### SI/SSI Number

SI 1990 No 1139 **Preserved Sardines (Marketing Standards) (Scotland) Regulations 1990**

[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19901139\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19901139_en_1.htm)

SI 1994 No 2127 **Preserved Tuna and Bonito (Marketing Standards) Regulations 1994**

[http://www.legislation.hmso.gov.uk/si/si1994/Uksi\\_19942127\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1994/Uksi_19942127_en_1.htm)

***Note: Enquiries on preserved fish products legislation should be addressed to: Food Standards Agency Scotland, Contaminants, Hygiene, Additives and Shellfish Branch, 6<sup>th</sup> Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ (Telephone - 01224 285151).***

## 13-E: PROTECTION OF FOOD NAMES

A package of European legislation came into force in 1993, which provides for a system of the protection of food names on a geographical or traditional recipe basis. Under these Regulations a named food or drink registered at a European level will be given protection throughout the European Union.

**Council Regulation (EEC) No 2081/92 (OJ L 208 of 1992) on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.**

Protected Designation of Origin (PDO) is open to products produced, processed and prepared within a particular geographical area, and with features and characteristics which must be due to the geographical area. The methods used to produce the product must be unique in that area.

Protected Geographical Indication (PGI) is open to products which must be produced or processed or prepared within a geographical area and have a reputation, features or certain qualities attributable to that area.

Subsequent regulation laying down detailed implementation rules:

Commission Regulation (EEC) No 2037/93 (OJ L 185 of 1993).

**Council Regulation (EEC) No 2082/92 (OJ L 208 of 1992) on certificates of specific character for agriculture products and foodstuffs.**

Open to products, which are traditional or have customary names and have a set of features, which distinguish them from other similar products. These features must not be due to the geographical area in which the product is produced nor be based entirely on technical advances in the method of production.

Subsequent regulation laying down detailed implementation rules:

Commission Regulation (EEC) No 1848/93 (OJ L 168 of 1993).

***Note: Enquiries on protection of food names regulations should be addressed to Pat Porteous, Scottish Executive Environment and Rural Affairs Department, Room 243, Pentland House, 47 Robb's Loan, EDINBURGH, EH14 1TY. (Telephone 0131-244-6387).***

### **13-F: SPIRIT DRINKS**

The Scotch Whisky Act 1988 - makes provision as to the definition of Scotch Whisky and production and sale of whisky.

#### SI/SSI Number

SI 1990 No 997     **The Scotch Whisky Act 1988 (Commencement and Transitional Provisions) Order 1990**

[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19900997\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19900997_en_1.htm)

SI 1990 No 998     **The Scotch Whisky Order 1990**

[http://www.legislation.hmso.gov.uk/si/si1990/Uksi\\_19900998\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1990/Uksi_19900998_en_1.htm)

The EC Spirit Drinks Regulation 1576/89 (Official Journal L160 of 1989). This Council Regulation lays down the general rules on the definition, description and presentation of spirit drinks produced in, imported into or exported from the Community.

Subsequent regulations relating to this regulation are as follows

Commission Regulation 3773/89 (OJ L365 of 1989)

Commission Regulation 1014/90 (OJ L105 of 1990)

Commission Regulation 1759/90 (OJ L162 of 1990)

Commission Regulation 3207/90 (OJ L307 of 1990)

Commission Regulation 3750/90 (OJ L360 of 1990)

Commission Regulation 1180/91 (OJ L115 of 1991)

Commission Regulation 1781/91 (OJ L160 of 1991)

Council Regulation 3280/92 (OJ L327 of 1992)

Commission Regulation 3458/92 (OJ L350 of 1992)

Commission Regulation 2675/94 (OJ L285 of 1994)

Commission Regulation 3378/94 (OJ L366 of 1994)

Commission Regulation 2626/95 (OJ L269 of 1995)

Commission Regulation 2482/95 (OJ L256 of 1995)

Commission Regulation 1712/95 (OJ L163 of 1995)

Commission Regulation 2523/97 (OJ L346 of 1997)

Commission Regulation 2140/98 (OJ L270 of 1998).

#### SI/SSI Number

SI 1990 No 1196 **The Spirit Drinks (Scotland) Regulations 1990**  
[http://www.legislation.hmsso.gov.uk/si/si1990/Uksi\\_19901196\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1990/Uksi_19901196_en_1.htm)

These Regulations were amended by:

SI 1995 No 484 **The Spirit Drinks (Scotland) Amendment Regulations 1995**  
[http://www.legislation.hmsso.gov.uk/si/si1995/Uksi\\_19950484\\_en\\_1.htm](http://www.legislation.hmsso.gov.uk/si/si1995/Uksi_19950484_en_1.htm)

***Note: Enquiries on spirit drinks legislation should be addressed to Phil Brady, Scottish Executive Enterprise and Industry Division, 4<sup>th</sup> Floor, Meridian Court, 5 Cadogan Street, Glasgow, G2 7AB. (Telephone 0141-242-5545).***

### **13-G: OTHER LEGISLATION**

**The Trade Descriptions Act 1968** makes it an offence for a person acting in the course of a trade or business to make false or misleading statements about goods, or knowingly or recklessly to make false or misleading statements about services, accommodation or facilities. It contains Order making powers to require that goods bear or be accompanied by specific information in the course of their supply, and to define terms for the purposes of the Act. The Act prohibits the unauthorised use of devices or emblems signifying Royal approval or award.

**The Consumer Protection Act 1987 (Part III)** makes it an offence for a consumer to be given a misleading indication, by any means, of the price at which goods, services, accommodation or facilities are available. Guidance on how the requirements of Part III might be met is contained in The Code of Practice for Traders for Price Indications, available from the address below. The Act also contains powers to regulate specific price indications practices.

**The General Products Safety Regulations 1994** (SI No 2328) - they implement into UK law the safety provisions of the General Product Safety Directive (92/59/EEC), the purpose of which is to fill gaps in existing Community safety legislation. The Regulations apply to a wide range of products including food.

***Note: All enquiries concerning trade descriptions legislation should be addressed to Mr Kevin Davis, the Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, Room 464, 1 Victoria Street, London SW1H 0ET. (Telephone (0)20-7215-0329).***

## THE PRICES ACT 1974

**The Price Indications (Food and Drink on Premises) Order 1979**, made under the Prices Act 1974, requires prices to be displayed on any premises where food and drink is or may be for sale for consumption by the public. The Order contains provisions on the number of prices to be shown, the inclusion of VAT and the circumstances under which the requirements differ, for example, whether the food or drink is supplied by self-service or not.

### SI/SSI Number

SI 1991 No 1382 **The Price Marking Order 1991**  
[http://www.legislation.hmso.gov.uk/si/si1991/Uksi\\_19911382\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1991/Uksi_19911382_en_1.htm)

SI 1991 No 1690 **The Price Marking (Amendment) Order 1991**  
[http://www.legislation.hmso.gov.uk/si/si1991/Uksi\\_19911690\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1991/Uksi_19911690_en_1.htm)

SI 1994 No 1853 **The Price Marking (Amendment) Order 1994**  
[http://www.legislation.hmso.gov.uk/si/si1994/Uksi\\_19941853\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1994/Uksi_19941853_en_1.htm)

SI 1995 No 1441 **The Price Marking (Amendment) Order 1995;**  
[http://www.legislation.hmso.gov.uk/si/si1995/Uksi\\_19951441\\_en\\_1.htm](http://www.legislation.hmso.gov.uk/si/si1995/Uksi_19951441_en_1.htm)

***Note: All enquiries concerning price indications legislation should be addressed to Mr David Evans, the Consumer Affairs Directorate, Department of Trade and Industry, Bay 458, 1 Victoria Street, London SW1H 0ET. (Telephone (0)20-7215-0333).***

## PART 14: WEIGHTS AND MEASURES LEGISLATION

### THE WEIGHTS AND MEASURES ACT 1985

Section 28 of the 1985 Act makes short weight an offence. Orders made under Section 22 require most pre-packed food to carry on the container an indication of the net quantity of the contents. When sold other than pre-packed, most food is required to be sold either by quantity or by number. The seller has to make the quantity known to the purchaser. Orders made under the Act limit the quantities in which certain goods may be pre-packed when offered for retail sale (prescribed quantities).

Part V of the 1985 Act provides for the "average" system of quantity control for prepacked goods.

The average system is designed primarily for application at the point of production or importation and requires the packer or importer to ensure that packages will pass an Inspector's reference test.

#### SI/SSI Number

SI 1986 No 2049 **The Weights and Measures (Packaged Goods) Regulations 1986** - provide for the detailed application of the average system.

These Regulations are amended by:

SI 1992 No 1580 **The Weights and Measures (Packaged Goods) (Amendment) Regulations 1992**;  
[http://www.hmso.gov.uk/si/si1992/Uksi\\_19921580\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1992/Uksi_19921580_en_1.htm)

SI 1994 No 1258 **The Weights & Measures (Packaged Goods) (Amendment) Regulations 1994**;  
[http://www.hmso.gov.uk/si/si1994/Uksi\\_19941258\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1994/Uksi_19941258_en_1.htm)

SI 1994 No 1852 **The Weights and Measures (Packaged Goods and Quantity Marking and Abbreviation of Units) (Amendment) Regulations 1994**.  
[http://www.hmso.gov.uk/si/si1994/Uksi\\_19941852\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1994/Uksi_19941852_en_1.htm)

The above Regulation (1994) is amended by:

SI 1994 No 1852 **The Weights and Measures (Packaged Goods and Quantity Marking and Abbreviation of Units) (Amendment) Regulations 1994**.  
[http://www.hmso.gov.uk/si/si1994/Uksi\\_19941852\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1994/Uksi_19941852_en_1.htm)

SI 1987 No 1538 **The Weights and Measures (Quantity Marking and Abbreviations of Units) Regulations 1987**  
[http://www.hmso.gov.uk/si/si1987/Uksi\\_19871538\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1987/Uksi_19871538_en_1.htm)

The above Regulation (1987) is amended by:

SI 1988 No 627 **The Weights and Measures (Quantity Marking and Abbreviations of Units) (Amendment) Regulations 1988;**  
[http://www.hmso.gov.uk/si/si1988/Uksi\\_19880627\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1988/Uksi_19880627_en_1.htm)

SI 1986 No 1082 **The Units of Measurement Regulations 1986** - define and authorise the use of SI units of measurements for economic, health, safety and administrative purposes and provide that certain imperial and other units are no longer authorised for the same purposes.

The Units of Measurement Regulations 1986 are amended by:

SI 1994 No 2867 **The Units of Measurement Regulations 1994.**  
[http://www.hmso.gov.uk/si/si1994/Uksi\\_19942867\\_en\\_1.htm](http://www.hmso.gov.uk/si/si1994/Uksi_19942867_en_1.htm)

***Note: Enquiries concerning weights and measures legislation (i.e. prescribed quantity legislation, packaged goods regulations, drained weight, unit pricing legislation, marking of goods and sales of loose goods (including draught beer and wine by the glass) and Metrication should be addressed to the Consumer Affairs Directorate, Department of Trade and Industry, Room 459, 1 Victoria Street, London SW1H 0ET. (Telephone (0)20-7215-0334).***

***Enquiries concerning the units of measurement legislation should be addressed to the National Weights and Measures Laboratory, Stanton Avenue, Teddington, Middlesex, TW11 OJZ. (Telephone (0)20-8943-7272 or 7277).***