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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 132**

**FOOD**

**The Miscellaneous Food Additives  
(Amendment) (Scotland) Regulations 2003**

<i>Made</i>	- - - -	<i>4th March 2003</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>5th March 2003</i>
<i>Coming into force</i>	- -	<i>2nd May 2003</i>

The Scottish Ministers, in exercise of the powers conferred by sections 16(1)(a) and (3), 17(1), 26(1) and (3) and 48(1) of, and paragraph 1 of Schedule 1 to, the Food Safety Act 1990(1) and of all other powers enabling them in that behalf, having had regard in accordance with section 48(4A)(2) of that Act to relevant advice given by the Food Standards Agency, and after consultation in accordance with section 48(4) and (4B)(3) of that Act, hereby make the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Miscellaneous Food Additives (Amendment) (Scotland) Regulations 2003 and shall come into force on 2nd May 2003.

(2) These Regulations shall extend to Scotland only.

**Amendment of the Miscellaneous Food Additives Regulations 1995**

2. In regulation 2(1) (interpretation) of the Miscellaneous Food Additives Regulations 1995(4), in the definition of “Directive 96/77/EC”, for “and Commission Directive 2001/30/EC” there shall be substituted “, Commission Directive 2001/30/EC(5) and Commission Directive 2002/82/EC(6)”.

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(1) 1990 c. 16; sections 16(1) and 48(1) were amended by the Food Standards Act 1999 (“the 1999 Act”), Schedule 5, paragraph 8; section 17(1) was amended by the 1999 Act, Schedule 5, paragraphs 8 and 12; section 26(3) was amended by the 1999 Act, Schedule 6; amendments made by Schedule 5 to the 1999 Act shall be taken as pre-commencement enactments for the purposes of the Scotland Act 1998 (c. 46) by virtue of section 40(2) of the 1999 Act. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) Section 48(4A) was inserted by the Food Standards Act 1999, Schedule 5, paragraph 21.

(3) Section 48(4B) was inserted by the Food Standards Act 1999, Schedule 5, paragraph 21.

(4) S.I. 1995/3187, amended by S.I. 1997/1413 and 1999/1136 and S.S.I. 2001/38, 103 and 450.

(5) O.J. No. L 146, 31.5.01, p.1.

(6) O.J. No. L 292, 28.10.02, p.1.

St Andrew's House, Edinburgh  
4th March 2003

*MARY MULLIGAN*  
Authorised to sign by the Scottish Ministers

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations, which extend to Scotland only, amend the Miscellaneous Food Additives Regulations 1995, as already amended.

The Regulations implement Commission Directive [2002/82/EC](#) amending Directive [96/77/EC](#) laying down specific purity criteria on food additives other than colours and sweeteners (O.J. No. L 292, 28.10.02, p.1).

The Regulations specify new purity criteria in relation to the additives specified in the Annex to Commission Directive [2002/82/EC](#) (regulation 2).

No regulatory impact assessment has been prepared in respect of these Regulations.