



Food (Scotland) Act 2015

2015 asp 1

PART 3

ADMINISTRATIVE SANCTIONS

Compliance notices

48 Appeal against a compliance notice

- (1) A person to whom a compliance notice has been issued may, before the expiry of the relevant period, appeal to a sheriff against the decision to issue the notice.
- (2) An appeal is to be made by way of summary application.
- (3) In subsection (1), the “relevant period” means—
 - (a) the period of one month beginning with the date of issue of the compliance notice, or
 - (b) the compliance period,whichever expires earlier.
- (4) In an appeal under this section, the sheriff may—
 - (a) cancel the compliance notice, or
 - (b) affirm the notice, either with or without modifications.
- (5) Where an appeal is made under this section, the compliance period is suspended for the period during which the appeal is pending.
- (6) For the purposes of subsection (5), the appeal is pending until it is finally determined or is withdrawn.