

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2020 No. 455**

**The Animals, Food and Feed (EU Exit)  
(Scotland) (Amendment) Regulations 2020**

**PART 2**

Amendment of secondary legislation in exercise of powers  
under section 2(2) of the European Communities Act 1972

**Amendment of the Official Feed and Food Controls (Scotland) Regulations 2009**

**2.—(1)** The Official Feed and Food Controls (Scotland) Regulations 2009(1) are amended as follows.

(2) After regulation 42A (savings for declarations) in Part 4 (recovery of expenses) insert—

**“Fees or charges arising from unplanned official controls**

**42B.** Fees or charges imposed by a competent authority on an operator pursuant to Article 79(2)(c) of Regulation 2017/625(2) must be paid by the operator on the written demand of the competent authority.”.

---

**Commencement Information**

**I1** Reg. 2 in force at 29.12.2020, see [reg. 1\(2\)](#)

**Amendment of the Trade in Animals and Related Products (Scotland) Regulations 2012**

**3.—(1)** The Trade in Animals and Related Products (Scotland) Regulations 2012(3) are amended as follows.

(2) After regulation 24 insert—

**“Additional requirements in specific cases**

**24A.** Schedule 2 (additional requirements in specific cases) has effect.”.

---

**Commencement Information**

**I2** Reg. 3 in force at 29.12.2020, see [reg. 1\(2\)](#)

---

(1) [S.S.I. 2009/446](#).  
(2) [OJ L 95, 7.4.2017, p.1](#).  
(3) [S.S.I. 2012/177](#).

## **Amendment of the Official Feed and Food Controls (Miscellaneous Amendments) (Scotland) Regulations 2020**

4.—(1) The Official Feed and Food Controls (Miscellaneous Amendments) (Scotland) Regulations 2020(4) are amended as follows.

(2) In regulation 4 (amendment of the Official Feed and Food Controls (Scotland) Regulations 2009)—

- (a) in paragraph (2)(a), after “Decision 2007/275(5)”. insert ““Directive 2004/41(6)”,”,
- (b) in paragraph (11), for “EU” substitute “Community”,
- (c) in paragraph (13), after “to” insert “relevant”.

(3) In schedule 1, in the new schedule 1 (definitions of Community Legislation) inserted by that schedule—

- (a) in the definition of “Decision 2007/275” for “97/781” substitute “97/78(7)”,
- (b) after the definition of “Decision 2007/275” insert ““Directive 2004/41” means [Directive 2004/41/EC](#) of the European Parliament and of the Council repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives [89/662/EEC](#) and [92/118/EEC](#) and Council [Decision 95/408/EC\(8\)](#)”,
- (c) in the definition of “Regulation 2017/625” omit “, 2015/1375(9)”,
- (d) in the definition of “Regulation 2019/1793” before “(EC) No. 178/2002” omit “20”,
- (e) in the definition of “Regulation 2020/466” after “during” insert “certain”.

(4) In schedule 4, in the new schedule 6 (specified import provisions) inserted by that schedule, in the table omit the entries for—

- (a) Article 2(1)(d) of Regulation 2019/2123(10),
- (b) Article 3(1) of Regulation 2019/2124(11),
- (c) Article 3(2) of Regulation 2019/2124,
- (d) Article 5(d) of Regulation 2019/2126(12).

### **Commencement Information**

**I3** Reg. 4 in force at 29.12.2020, see [reg. 1\(2\)](#)

---

(4) [S.S.I. 2020/398](#).

(5) OJ L 116, 4.5.2007, p.9.

(6) OJ L 157, 30.4.2004, p.33.

(7) OJ L 15, 19.1.1978, p.25.

(8) OJ L 243, 11.10.1995, p.17.

(9) OJ L 212, 11.8.2015, p.7.

(10) OJ L 321, 12.12.2019, p.64.

(11) OJ L 321, 12.12.2019, p.73.

(12) OJ L 321, 12.12.2019, p.104.

**Changes to legislation:**

There are currently no known outstanding effects for the The Animals, Food and Feed (EU Exit) (Scotland) (Amendment) Regulations 2020, PART 2.