
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by Articles 7(3), 9(2), 11, 19(3), 21(2), 23, and 35 of Regulation (EC) 1829/2003 of the European Parliament and of the Council on genetically modified food and feed (“Regulation 1829/2003”). These Regulations authorise the placing on the market of nine food and feed products containing, consisting of, or produced from genetically modified organisms.

Regulation 3 and schedules 1-9 provide for the authorisation of the nine products—

- (a) schedule 1 renews authorisation for the placing on the market of genetically modified maize MIR604 and sets out the terms for that authorisation,
- (b) schedule 2 authorises the placing on the market of genetically modified maize MZIR098 and its sub-combinations and sets out the terms for that authorisation,
- (c) schedule 3 authorises the placing on the market of genetically modified maize MON 87427 × MON 89034 × MIR162 × NK603 and sub-combinations and sets out the terms for that authorisation,
- (d) schedule 4 authorises the placing on the market of genetically modified maize MON 87427 × MON 89034 × MIR162 × MON 87411 and the sub-combinations that are not covered by Schedule 3,
- (e) schedule 5 authorises the placing on the market of genetically modified soybean MON 87751 × MON 87701 × MON 87708 × MON 89788,
- (f) schedule 6 renews the authorisation for the placing on the market of genetically modified maize Bt11 and sets out the terms for that authorisation therein,
- (g) schedule 7 authorises the placing on the market of genetically modified maize MON 87427 × MON 87460 × MON 89034 × MIR162 × NK603 and the sub-combinations that are not covered by schedule 3,
- (h) schedule 8 renews the authorisation for the placing on the market of genetically modified maize MON 88017 and sets out the terms for that authorisation therein,
- (i) schedule 9 renews the authorisation for the placing on the market of genetically modified maize MON 89034 and sets out the terms for that authorisation therein.

Authorisations granted by these Regulations are valid for a period of ten years in accordance with Articles 7(4) and 19(4) of Regulation (EC) 1829/2003 (subject to Articles 11(4) and 23(4) of that Regulation, which provide for an extension of the authorisation period in certain circumstances where an application for renewal has been submitted).

Paragraphs (a) to (d) of regulation 4 revoke, in relation to Scotland, Decisions which form part of retained EU law that contain the previous authorisations (which have expired) for the products now authorised by Schedules 1, 6, 8 and 9.

Paragraph (e) of regulation 4 revokes retained Commission Implementing Decision (EU) 2018/2011, which contains the existing authorisation for four of the sub-combinations of the product now authorised by schedule 3. Those existing authorisations are consolidated within schedule 3.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the public, private or voluntary sector is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Genetically Modified Food and Feed (Authorisations) (Scotland) Regulations 2022.