

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prohibit the sale, possession for sale, offer, exposure or advertisement for sale, and the importation into Scotland, of any food consisting of, or containing, Kava-kava (being a plant or part of a plant, or an extract from such a plant, belonging to the species *Piper methysticum*) (regulation 3). Any such food may be treated as being unfit for human consumption and be liable to be seized and destroyed (regulation 5(3)).

These Regulations were notified in draft to the European Commission in accordance with Article 8 of the European Parliament and Council Directive [98/34/EC](#) laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services (O.J. No. L 204, 21.7.1998, p.37), as amended by the European Parliament and Council Directive [98/48/EC](#) (O.J. No. L 217, 5.8.1998, p.18).

A Regulatory Impact Assessment, which includes a compliance cost assessment of the effect which these Regulations would have on business costs, has been prepared. A copy has been placed in the Scottish Parliament Information Centre. Copies can be obtained on request from the Food Standards Agency, 6th floor, St Magnus House, 25 Guild Street, Aberdeen AB11 6NJ.

Changes to legislation:

There are currently no known outstanding effects for the The Kava-kava in Food (Scotland) Regulations 2002.