

2004 No. 279

AGRICULTURE

**The Pig Carcase (Grading) Amendment (Scotland)
Regulations 2004**

Made - - - - - *9th June 2004*

Laid before the Scottish Parliament *10th June 2004*

Coming into force - - - *5th July 2004*

The Scottish Ministers in exercise of the powers conferred on them by section 2(2) of the European Communities Act 1972(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Pig Carcase (Grading) Amendment (Scotland) Regulations 2004 and shall come into force on 5th July 2004.

(2) These Regulations extend to Scotland only.

Amendment of the Pig Carcase (Grading) Regulations 1994

2. In regulation 2(1) of the Pig Carcase (Grading) Regulations 1994(b) substitute for the definition of “the Commission Decision” the following—

““the Commission Decision” means Commission Decision 2004/370/EC(c) authorising methods for grading pig carcasses in the United Kingdom pursuant to Regulation (EEC) 3220/84 determining the Community scale for grading pig carcasses(d);”.

(a) 1972 c.68; section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3). The function conferred upon the Ministers of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(b) S.I. 1994/2155, amended by S.S.I. 2003/565.

(c) Commission Decision 2004/370 (O.J. No. L 116, 22.4.04, p.32).

(d) Council Regulation (EEC) 3220/84 (O.J. No. L 301, 20.11.84, p.1), last amended by Regulation (EC) 3513/93 (O.J. No. L 320, 22.12.93, p.5).

Revocation

3. The Pig Carcase (Grading) Amendment (Scotland) Regulations 2003^(a) are hereby revoked.

Pentland House,
Edinburgh
9th June 2004

ROSS FINNIE
A member of the Scottish Executive

^(a) S.S.I. 2003/565.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the provisions of the Pig Carcase (Grading) Regulations 1994. The 1994 Regulations provide for the administration and enforcement of the Community system of grading pig carcases established by Council Regulation (EEC) No. 3220/84 (O.J. No. L 301, 20.11.84, p.1) as amended, the detailed rules for which are set out in Commission Regulation (EEC) No. 2967/85 (O.J. No. L 285, 25.10.85, p.39) as amended, and Commission Decision 2004/370/EC (O.J. No. L 116, 22.4.04, p.32) which these Regulations implement.

The previous Commission Decisions have been consolidated in Commission Decision 2004/370/EC which repeals Commission Decision 88/234/EEC (O.J. No. L 105, 26.4.88, p.15). Commission Decision 2004/370/EC specifies the authorised methods for grading pig carcases. These Regulations, by replacing the reference to Commission Decision 88/234/EEC with the reference to Commission Decision 2004/370/EC, authorise the use of new formulae for equipment used for grading the composition of pig carcases.

No Regulatory Impact Assessment has been produced for these Regulations.

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