
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Infant Formula and Follow-on Formula Regulations 1995, as amended (“the 1995 Regulations”), in relation to Scotland. These Regulations implement Commission Directive [2003/14/EC](#) amending Directive [91/321/EEC](#) on infant formulae and Follow-on Formulae.

With effect from 6th March 2005 these Regulations—

- (a) prohibit the sale, or export to third countries, of infant formulae or Follow-on Formulae containing pesticide residues above certain levels, different levels being set depending on the pesticide in question (regulations 4, 5, 7 and 10 and Schedule);
- (b) make some consequential amendments (regulations 3, 6 and 8); and
- (c) make some technical changes to the provision applying various provisions of the Food Safety Act 1990 (regulation 9).

In implementation of the final sentence of Article 6(2) of Directive [91/321/EEC](#) as substituted by Commission Directive [1999/50/EC](#) provision is made as to the analytical methods for determining levels of pesticide residues (regulation 7).

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