
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 243

The Materials and Articles in Contact
with Food (Scotland) Regulations 2005

PART 1

Preliminaries

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Materials and Articles in Contact with Food (Scotland) Regulations 2005 and shall come into force on 21st May 2005.

(2) These Regulations extend to Scotland only.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990;

“the Agency” means the Food Standards Agency;

“import” means import in the course of a business from a place other than a member State;

“plastics” means those materials and articles to which Commission Directive [2002/72/EC](#) relating to plastic materials intended to come into contact with foodstuffs⁽¹⁾, as corrected by a corrigendum published on 13th February 2002⁽²⁾ and as amended by Commission Directive [2004/1/EC](#)⁽³⁾ and Commission Directive [2004/19/EC](#)⁽⁴⁾ applies;

“preparation” in relation to food includes manufacture and any form of treatment or process;

“regenerated cellulose film” means a thin sheet material obtained from refined cellulose derived from unrecycled wood or cotton, with or without the addition of suitable substances, either in the mass or on one or both surfaces, but does not include synthetic casings of regenerated cellulose;

“the 1998 Regulations” means the Plastic Materials and Articles in Contact with Food Regulations 1998⁽⁵⁾;

“the Community Regulation” means Regulation (EC) No. 1935/2004 of the European Parliament and of the Council on materials and articles intended to come into contact with food and repealing Directives [80/590/EEC](#) and [89/109/EEC](#)⁽⁶⁾; and

“sell” includes offer or expose for sale or have in possession for sale, and “sale” and “sold” shall be construed accordingly.

(1) O.J. No. L 39, 13.2.03, p.1.

(2) O.J. No. L 220, 15.8.02, p.18.

(3) O.J. No. L 7, 13.1.04, p.45.

(4) O.J. No. L 71, 10.3.04, p.8.

(5) S.I.1998/1376, as amended by S.S.I. 2000/431, 2002/498, 2003/9, 2004/524 and 2005/92.

(6) O.J. No. L 338, 13.11.04, p.4.

(2) Any reference in these Regulations to a numbered Article is a reference to the Article bearing that number in the Community Regulation.

(3) Expressions used both in these Regulations and the Community Regulation have the same meaning in these Regulations as they have in the Community Regulation.

Scope

3. These Regulations do not apply to those materials and articles specified in Article 1.3.