

[<sup>F1</sup>SCHEDULE 1

Regulation 2(1)

## DEFINITIONS OF EU LEGISLATION

**Textual Amendments**

**F1** Sch. 1 substituted (1.4.2012) by [The Food Hygiene \(Scotland\) Amendment Regulations 2012 \(S.S.I. 2012/75\)](#), regs. 1, 2(7), **sch. 1**

“Decision 2006/766” means Commission Decision [2006/766/EC](#) establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted as last amended by Decision 2011/131;

“Decision 2011/131” means Commission Decision 2011/131/EU amending Annex II to Decision [2006/766/EC](#) as regards the inclusion of Fiji in the list of third countries and territories from which imports of fishery products for human consumption are permitted;

“Directive 2004/41” means Directive [2004/41/EC](#) of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives [89/662/EEC](#) and [92/118/EEC](#) and Council Decision [95/408/EC](#);

“Regulation 178/2002” means Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety as last amended by Regulation 596/2009;

“Regulation 852/2004” means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs as last amended by Regulation 219/2009 and as read with Regulation 2073/2005 [<sup>F2</sup>and with Commission Regulation (EU) No. 210/2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No. 852/2004 of the European Parliament and of the Council];

“Regulation 853/2004” means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin as last amended by Regulation 16/2012 and as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005, Regulation 2076/2005, Regulation 1020/2008 and [<sup>F3</sup>Regulation 1079/2013];

“Regulation 854/2004” means Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption as last amended by Regulation 739/2011 and as read with Directive 2004/41, Regulation 2074/2005, Regulation 2075/2005, Regulation 2076/2005, Decision 2006/766, Regulation 1021/2008 and [<sup>F4</sup>Regulation 1079/2013];

“Regulation 882/2004” means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules as last amended by Regulation 880/2011 and as read with Regulation 2074/2005, Regulation 669/2009 and [<sup>F5</sup>Regulation 702/2013];

“Regulation 1688/2005” means [Commission Regulation \(EC\) No. 1688/2005](#) implementing Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs as last amended by Regulation 1223/2011;

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**Changes to legislation:** There are currently no known outstanding effects for the The Food Hygiene (Scotland) Regulations 2006. (See end of Document for details)

<p>“Regulation 2073/2005” means <a href="#">Commission Regulation (EC) No. 2073/2005</a> on microbiological criteria for foodstuffs as last amended by Regulation 1086/2011;</p>
<p>“Regulation 2074/2005” means <a href="#">Commission Regulation (EC) No. 2074/2005</a> laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004 as last amended by Regulation 15/2011;</p>
<p>[<sup>F6</sup>“Regulation 2075/2005” means <a href="#">Commission Regulation (EC) No. 2075/2005</a> laying down specific rules on official controls for <i>Trichinella</i> in meat as last amended in respect of its articles by Commission Regulation (EU) No. 216/2014;]</p>
<p>“Regulation 1020/2008” means <a href="#">Commission Regulation (EC) No. 1020/2008</a> amending Annexes II and III to Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin and Regulation (EC) No. 2076/2005 as regards identification marking, raw milk and dairy products, eggs and egg products and certain fishery products;</p>
<p>“Regulation 1021/2008” means <a href="#">Commission Regulation (EC) No. 1021/2008</a> amending Annexes I, II and III to Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption and Regulation (EC) No. 2076/2005 as regards live bivalve molluscs, certain fishery products and staff assisting with official controls in slaughterhouses;</p>
<p>“Regulation 219/2009” means Regulation (EC) No. 219/2009 of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny – Part Two;</p>
<p>“Regulation 596/2009” means Regulation (EC) No. 596/2009 of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny – Part Four as last amended by Regulation 1169/2011;</p>
<p>“Regulation 669/2009” means <a href="#">Commission Regulation (EC) No. 669/2009</a> implementing Regulation (EC) No. 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin and amending Decision 2006/504/EC as last amended by Regulation 1277/2011;</p>
<p>F7 ...</p>
<p>“Regulation 15/2011” means <a href="#">Commission Regulation (EU) No. 15/2011</a> amending Regulation (EC) No. 2074/2005 as regards recognised testing methods for detecting marine biotoxins in live bivalve molluscs;</p>
<p>“Regulation 739/2011” means <a href="#">Commission Implementing Regulation (EU) No. 739/2011</a> amending Annex I to Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption;</p>
<p>“Regulation 880/2011” means <a href="#">Commission Regulation (EU) No 880/2011</a> correcting Regulation (EU) No 208/2011 amending Annex VII to Regulation (EC) No 882/2004 of the European</p>

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**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Scotland) Regulations 2006*. (See end of Document for details)

Parliament and of the Council and Commission Regulations (EC) No 180/2008 and (EC) No 737/2008 as regards lists and names of EU reference laboratories;
“Regulation 1086/2011” means Commission Regulation (EU) No. 1086/2011 amending Annex II to Regulation (EC) No. 2160/2003 of the European Parliament and of the Council and Annex I to Commission Regulation (EC) No. 2073/2005 as regards <i>salmonella</i> in fresh poultry meat;
“Regulation 1109/2011” means Commission Implementing Regulation (EU) No. 1109/2011 amending Annex I to Regulation (EC) No. 2075/2005 as regards the equivalent methods for <i>Trichinella</i> testing;
“Regulation 1169/2011” means Regulation (EU) No. 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No. 1924/2006 and (EC) No. 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No. 608/2004;
“Regulation 1223/2011” means Commission Implementing Regulation (EU) No 1223/2011 amending Regulation (EC) No 1688/2005 as regards sampling of flocks of origin of eggs and the microbiological examination of such samples and samples of certain meat intended for Finland and Sweden;
“Regulation 1277/2011” means Commission Implementing Regulation (EU) No 1277/2011 amending Annex I to Regulation (EC) No 669/2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin;
“Regulation 16/2012” means Commission Regulation (EU) No. 16/2012 amending Annex II to Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards the requirements concerning frozen food of animal origin intended for human consumption;
“Regulation 28/2012” means Commission Regulation (EU) No 28/2012 laying down requirements for the certification for imports into and transit through the Union of certain composite products and amending Decision 2007/275/EC and Regulation (EC) No 1162/2009].
[ <sup>F8</sup> “Regulation 702/2013” means Commission Implementing Regulation (EU) No 702/2013 on transitional measures for the application of Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the accreditation of official laboratories carrying out official testing for <i>Trichinella</i> ];
[ <sup>F8</sup> “Regulation 1079/2013” means Commission Regulation (EU) No 1079/2013 laying down transitional measures for the application of Regulations (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council];
[ <sup>F9</sup> “Regulation 579/2014” means Commission Regulation (EU) No. 579/2014 granting derogation from certain provisions of Annex II to Regulation (EC) No. 852/2004 of the European Parliament and the Council as regards the transport of liquid oils and fats by sea.]

#### Textual Amendments

- F2** Words in sch. 1 inserted (31.12.2013) by [The Food Safety, Food Hygiene and Official Controls \(Sprouting Seeds\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/333\)](#), regs. 1, 3
- F3** Words in sch. 1 substituted (1.1.2014) by [The Food \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/336\)](#), regs. 1, 2(3)(b)

**Status:** Point in time view as at 13/12/2014.

**Changes to legislation:** There are currently no known outstanding effects for the The Food Hygiene (Scotland) Regulations 2006. (See end of Document for details)

- F4** Words in sch. 1 substituted (1.1.2014) by The Food (Miscellaneous Amendments) (Scotland) Regulations 2013 (S.S.I. 2013/336), regs. 1, 2(3)(c)
- F5** Words in sch. 1 substituted (1.1.2014) by The Food (Miscellaneous Amendments) (Scotland) Regulations 2013 (S.S.I. 2013/336), regs. 1, 2(3)(d)
- F6** Words in sch. 1 substituted (1.6.2014) by The Food Hygiene (Scotland) Amendment Regulations 2014 (S.S.I. 2014/118), regs. 1, 2(3)
- F7** Words in sch. 1 omitted (1.1.2014) by virtue of The Food (Miscellaneous Amendments) (Scotland) Regulations 2013 (S.S.I. 2013/336), regs. 1, 2(3)(a)
- F8** Words in sch. 1 inserted (1.1.2014) by The Food (Miscellaneous Amendments) (Scotland) Regulations 2013 (S.S.I. 2013/336), regs. 1, 2(3)(e)
- F9** Words in sch. 1 inserted (1.10.2014) by The Food Hygiene and Official Feed and Food Controls (Scotland) Amendment Regulations 2014 (S.S.I. 2014/213), regs. 1, 2(3)

## SCHEDULE 2

Regulations 2(1) and 17(1)

### Specified Community provisions

<i>Column 1</i> <i>Provision of Community Regulations</i>	<i>Column 2</i> <i>Subject-matter</i>
Article 3 of Regulation 852/2004	Requirement that food business operators ensure that all stages of production, processing and distribution of food under their control satisfy the relevant hygiene requirements laid down in Regulation 852/2004.
Article 4(1) of Regulation 852/2004	Requirement that food business operators carrying out primary production and specified associated operations comply with the general hygiene provisions laid down in Part A of Annex I to Regulation 852/2004 and any specific requirements provided for in Regulation 853/2004.
Article 4(2) of Regulation 852/2004	Requirement that food business operators carrying out any stage of production, processing and distribution of food after those stages to which Article 4(1) applies comply with the general hygiene requirements laid down in Annex II to Regulation 852/2004 and any specific requirements provided for in Regulation 853/2004 [F10 and Regulation 579/2014.]
Article 4(3) of Regulation 852/2004	Requirement that food business operators, as appropriate, adopt certain specific hygiene measures.
Article 5(1) of Regulation 852/2004	Requirement that food business operators (other than those excepted in Article 5(3)) put in place, implement and maintain a permanent

	procedure or procedures based on the HACCP (hazard analysis and critical control point) principles.
Article 5(2) of Regulation 852/2004	Requirement that when any modification is made in the product, process, or any step, food business operators review the procedure referred to in Article 5(1) and make the necessary changes to it.
Article 5(4)(a) of Regulation 852/2004	Requirement that food business operators provide the competent authority with evidence of their compliance with Article 5(1).
Article 5(4)(b) of Regulation 852/2004	Requirement that food business operators ensure that any documents describing the procedures developed in accordance with Article 5 are up to date.
Article 5(4)(c) of Regulation 852/2004	Requirement that food business operators retain documents and records for an appropriate period.
Article 6(1) of Regulation 852/2004	Requirement that food business operators co operate with the competent authorities in accordance with other applicable Community legislation or national law.
Article 6(2), first paragraph of Regulation 852/2004	Requirement that a food business operator notify the competent authority of each establishment under its control that carries out any of the stages of production, processing and distribution of food.
Article 6(2), second paragraph of Regulation 852/2004	Requirement that food business operators ensure that the competent authority has up to date information on establishments.
Article 6(3) of Regulation 852/2004	Requirement that food business operators ensure that establishments are approved by the competent authority when approval is required.
Article 3(1) of Regulation 853/2004	Requirement that food business operators comply with the relevant provisions of Annexes II and III to Regulation 853/2004.
Article 3(2) of Regulation 853/2004	Requirement that food business operators do not use any substance other than potable water or, when Regulation 852/2004 or Regulation 853/2004 permits its use, clean water, to remove surface contamination from products of animal origin unless use of the substance has been approved and any conditions for its use complied with.
Article 4(1) of Regulation 853/2004	Requirement that food business operators place products of animal origin manufactured in the Community on the market only if they

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	<p>have been prepared and handled exclusively in establishments–</p> <ul style="list-style-type: none"><li>(a) that meet the relevant requirements of Regulation 852/2004, those of Annexes II and III to Regulation 853/2004 and other relevant requirements of food law; and</li><li>(b) that the competent authority has registered or, where required in accordance with Article 4(2), approved.</li></ul>
Article 4(2) of Regulation 853/2004	Requirement that establishments handling those products of animal origin for which Annex III to Regulation 853/2004 lays down requirements do not operate unless the competent authority has approved them in accordance with Article 4(3).
Article 4(3) of Regulation 853/2004	Requirement that establishments subject to approval in accordance with Article 4(2) do not operate unless the competent authority has, in accordance with Regulation 854/2004– <ul style="list-style-type: none"><li>(a) granted the establishment approval to operate following an on-site visit; or</li><li>(b) provided the establishment with conditional approval.</li></ul>
Article 4(4) of Regulation 853/2004	Requirement that food business operators co operate with the competent authorities in accordance with Regulation 854/2004 including ensuring that an establishment ceases to operate if it is no longer approved.
Article 5(1) of Regulation 853/2004	Requirement that food business operators do not place on the market a product of animal origin handled in an establishment subject to approval in accordance with Article 4(2) unless it has– <ul style="list-style-type: none"><li>(a) a health mark applied in accordance with Regulation 854/2004; or</li><li>(b) when Regulation 854/2004 does not provide for the application of a health mark, an identification mark applied in accordance with Section I of Annex II to Regulation 853/2004.</li></ul>
Article 5(2) of Regulation 853/2004	Requirement that food business operators apply an identification mark to a product of animal origin only if the product has been manufactured in accordance with Regulation 853/2004 in establishments meeting the requirements of Article 4.
Article 5(3) of Regulation 853/2004	Requirement that food business operators do not remove a health mark applied in accordance with Regulation 854/2004 from meat unless

	they cut or process it or work upon it in another manner.
Article 6(1) and (2) of Regulation 853/2004	Requirement that food business operators ensure that importation of products of animal origin only takes place where certain conditions are met.
Article 6(3) of Regulation 853/2004	Requirement that food business operators importing products of animal origin shall ensure that— <ol style="list-style-type: none"><li>products are made available for control upon importation in accordance with Council Directive <a href="#">97/78/EC</a><sup>M1</sup>;</li><li>importation complies with the requirements of Council Directive <a href="#">2002/99/EC</a><sup>M2</sup>; and</li><li>operations under their control that take place after importation are carried out in accordance with the requirements of Annex III to Regulation 853/2004.</li></ol>
Article 6(4) of Regulation 853/2004	Requirement that food business operators importing food containing both products of plant origin and processed products of animal origin ensure that the processed products of animal origin satisfy the requirements of paragraphs (1) to (3) of Article 6.
Article 7 of Regulation 853/2004	Requirement that food business operators ensure that certificates or other documents accompany consignments of products of animal origin when required in accordance with Annex II or III to Regulation 853/2004.
Article 8 of Regulation 853/2004	Requirement that food business operators intending to place specified foods of animal origin on the market in Sweden or Finland comply with the rules set out in Article 8(2).
Article 7(1) of Regulation 2073/2005	Requirement that food business operators shall take the measures laid down in paragraphs (2) to (4) of Article 7 when the results of testing against the criteria set out in Annex 1 to Regulation 2073/2005 (microbiological criteria for foodstuffs) are unsatisfactory.
Article 9 of Regulation 2075/2005	Requirement that food business operators of holdings recognised as free from <i>Trichinella</i> shall inform the competent authority of any requirement as laid down in Chapter I and II(B) of Annex IV to Regulation 2075/2005 (detailed conditions for <i>Trichinella</i> free-holdings and regions with a negligible <i>Trichinella</i> risk) that is no longer fulfilled or of any other change that might affect holdings' <i>Trichinella</i> -free status.

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The Food Hygiene (Scotland) Regulations 2006. (See end of Document for details)

**Textual Amendments**

**F10** Full stop in sch. 2 omitted and words inserted (1.10.2014) by [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(4)**

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**Marginal Citations**

**M1** O.J. No. L 24, 30.1.98, p.9.  
**M2** O.J. No. L 18, 23.1.03, p.11.

SCHEDULE 3

Regulation 29

Bulk transport in sea-going vessels of liquid oils or fats or of raw sugar

**Offence**

1. Any person who contravenes or fails to comply with any of the requirements of this Schedule is guilty of an offence.

**Liquid oils or fats**

<sup>F11</sup>2. ....

**Textual Amendments**

**F11** Sch. 3 paras. 2-6 omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(a)**

<sup>F11</sup>3. ....

**Textual Amendments**

**F11** Sch. 3 paras. 2-6 omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(a)**

<sup>F11</sup>4. ....

**Textual Amendments**

**F11** Sch. 3 paras. 2-6 omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(a)**

<sup>F11</sup>5. ....

**Textual Amendments**

**F11** Sch. 3 paras. 2-6 omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(a)**



<sup>F11</sup>6. ....

#### Textual Amendments

**F11** Sch. 3 paras. 2-6 omitted (1.10.2014) by virtue of [The Food Hygiene and Official Feed and Food Controls \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/213\)](#), regs. 1, **2(5)(a)**

#### Raw sugar

7. The bulk transport by sea of raw sugar which is not intended for use as food or as a food ingredient without a full and effective refining process is permitted in receptacles, containers or tankers that are not exclusively used for the transport of foodstuffs.

8. The receptacles, containers or tankers referred to in paragraph 7 shall be subject to the following conditions—

- (a) prior to loading the raw sugar, the receptacle, container or tanker shall be effectively cleaned to remove residues of the previous cargo and other soiling and inspected to establish that such residues have been removed effectively; and
- (b) the immediate previous cargo prior to the raw sugar shall not have been a bulk liquid.

9. A food business operator who is responsible for the transport of raw sugar by sea under paragraph 7 shall keep documentary evidence accurately describing in detail the immediate previous cargo carried in the receptacle, container or tanker concerned, and the type and effectiveness of the cleaning process applied prior to the transport of the raw sugar.

10. The documentary evidence shall accompany the consignment of raw sugar during all stages of transport to the refinery and a copy shall be retained by the refinery. The documentary evidence shall be marked as follows in a clearly visible and indelible fashion, in one or more Community languages: “This product must be refined before being used for human consumption”.

11. On request, a food business operator responsible for the transport of the raw sugar or the refining process shall provide the enforcement authority with the documentary evidence referred to in paragraphs 9 and 10.

12. Raw sugar which has been transported by sea in receptacles, containers or tankers which are not exclusively reserved for the transport of foodstuffs shall be subjected to a full and effective refining process before being considered suitable for use as food or as a food ingredient.

13. In fulfilling the obligations under Article 5(1) of Regulation 852/2004 (hazard analysis and critical control points) in relation to the bulk transport of raw sugar by sea under paragraph 7, a food business operator who is responsible for the transport or refining of raw sugar shall—

- (a) consider the cleaning process undertaken prior to the loading of the sugar for transport by sea to be a critical control point as referred to in Article 5(2)(b) of Regulation 852/2004; and
- (b) take into account the nature of the previous cargo which has been transported in any receptacle, container or tanker used for the transport of the sugar.

#### Interpretation

14.—(1) For the purposes of this Schedule, any words or expressions used both in this Schedule and in <sup>F12</sup>...Commission Directive [98/28/EC](#) granting a derogation from certain provisions of Directive [93/43/EEC](#) on the hygiene of foodstuffs as regards the transport by sea of bulk raw sugar <sup>M3</sup> shall bear the same meanings as they respectively have in those Directives.

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 The Food Hygiene (Scotland) Regulations 2006. (See end of Document for details)

<sup>F13</sup>(2) .....

<b>Textual Amendments</b>	
<b>F12</b>	Words in sch. 3 para. 14(1) omitted (1.10.2014) by virtue of <a href="#">The Food Hygiene and Official Feed and Food Controls (Scotland) Amendment Regulations 2014 (S.S.I. 2014/213)</a> , regs. 1, <b>2(5)(b)</b>
<b>F13</b>	Sch. 3 para. 14(2) omitted (1.10.2014) by virtue of <a href="#">The Food Hygiene and Official Feed and Food Controls (Scotland) Amendment Regulations 2014 (S.S.I. 2014/213)</a> , regs. 1, <b>2(5)(c)</b>
<b>Marginal Citations</b>	
<b>M3</b>	O.J. No. L 140, 12.5.98, p.10.

<sup>F14</sup>SCHEDULE 3A

Regulation 17(5)

REQUIREMENTS REFERRED TO IN REGULATION 17(5)

<b>Textual Amendments</b>	
<b>F14</b>	Schs. 3A-3D inserted (13.4.2010) by <a href="#">The Food Hygiene (Scotland) Amendment Regulations 2010 (S.S.I. 2010/69)</a> , regs. 1, 2(5), <b>sch. 2</b>

The requirements are that—

- (a) on 31st December 2005 the slaughterhouse was licensed as a low throughput slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995;
- (b) the condition of meat derived from domestic ungulates slaughtered at the slaughterhouse is only rarely such that it is necessary to detain such meat after post-mortem inspection for further inspection by the official veterinarian;
- (c) where such further inspection is considered necessary by the official veterinarian, the meat concerned is destroyed or is detained at an alternative detention facility in the locality of the slaughterhouse;
- (d) when meat is transported from the slaughterhouse to the alternative detention facility referred to in paragraph (c), it shall be marked ‘detained meat’ and accompanied by a document that has been signed by the official veterinarian, declares that the meat is detained meat and contains the following information—
  - (i) name and address of slaughterhouse of origin;
  - (ii) name and address of alternative detention facility;
  - (iii) number of carcasses or cuts; and
  - (iv) species of animal; and
- (e) no processing for human consumption of bovine animals that, in accordance with point 2 of Part I of Chapter A of Annex III to the Community TSE Regulation, require BSE testing at slaughter or of swine (domestic and farmed game), solipeds and other species susceptible to Trichinosis that, under Article 5 of Regulation 854/2004 as read with point 1 of Part C of Chapter IX of Section IV of Annex I to that Regulation, require examination for Trichinosis takes place at the slaughterhouse.

For the purposes of this Schedule the “Community TSE Regulation” means Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down

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rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies as last amended by Regulation (EC) No. 220/2009 of the European Parliament and of the Council amending Regulation (EC) No. 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission and as read with—

- (i) Commission Decision 2007/411/EC prohibiting the placing on the market of products derived from bovine animals born or reared within the United Kingdom before 1st August 1996 for any purpose and exempting such animals from certain control and eradication measures laid down in Regulation (EC) No. 999/2001 and repealing Decision 2005/598/EC;
- (ii) Commission Decision 2007/453/EC establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk; and
- (iii) Commission Decision 2009/719/EC authorising certain Member States to revise their annual BSE monitoring programmes as amended by Commission Decision 2010/66/EU amending Decision 2009/719/EC authorising certain Member States to revise their annual BSE monitoring programmes.]

#### [<sup>F14</sup>SCHEDULE 3B

Regulation 17(6)

#### REQUIREMENTS REFERRED TO IN REGULATION 17(6)

The requirements are that—

- (a) on 31st December 2005 the slaughterhouse was licensed as a low throughput slaughterhouse under the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995;
- (b) the condition of meat derived from poultry or lagomorphs slaughtered at the slaughterhouse is only rarely such that it is necessary to detain such meat after post-mortem inspection for further inspection by the official veterinarian;
- (c) where such further inspection is considered necessary by the official veterinarian, the meat concerned is destroyed or is detained at an alternative detention facility in the locality of the slaughterhouse; and
- (d) when meat is transported from the slaughterhouse to the alternative detention facility referred to in paragraph (c), it shall be marked 'detained meat' and accompanied by a document that has been signed by the official veterinarian, declares that the meat is detained meat and contains the following information—
  - (i) name and address of slaughterhouse of origin;
  - (ii) name and address of alternative detention facility;
  - (iii) number of carcasses or cuts; and
  - (iv) species of animal.]

#### [<sup>F14</sup>SCHEDULE 3C

Regulation 17(7)

#### REQUIREMENTS REFERRED TO IN REGULATION 17(7)

The requirements are that—

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*Changes to legislation: There are currently no known outstanding effects for the The Food Hygiene (Scotland) Regulations 2006. (See end of Document for details)*

- (a) on 31st December 2005 the slaughterhouse was licensed as a low throughput slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995;
- (b) the food business operator at the slaughterhouse only accepts domestic ungulates that have been transported direct from the holding of origin or from a market;
- (c) the food business operator responsible for transporting the domestic ungulates undertakes in writing to the food business operator at the slaughterhouse that he will ensure that the means of transport are cleaned and, if necessary, disinfected after emptying;
- (d) the food business operator at the slaughterhouse retains the undertaking referred to in paragraph (c) for one year; and
- (e) the food business operator at the slaughterhouse acknowledges to the official veterinarian that he may be required under animal health rules to cease operating at the slaughterhouse in the event of an animal disease outbreak.]

#### [<sup>F14</sup>SCHEDULE 3D

Regulation 17(8)

#### REQUIREMENTS REFERRED TO IN REGULATION 17(8)

The requirements are that—

- (a) on 31st December 2005 the slaughterhouse was licensed as a low throughput slaughterhouse under the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995;
- (b) the food business operator at the holding of origin of the poultry or lagomorphs transports them from that holding direct to the slaughterhouse and undertakes in writing to the food business operator at the slaughterhouse that he will ensure that the means of transport are cleaned and, if necessary, disinfected after emptying;
- (c) the food business operator at the slaughterhouse retains the undertaking referred to in paragraph (b) for one year; and
- (d) the food business operator at the slaughterhouse acknowledges to the official veterinarian that he may be required under animal health rules to cease operating at the slaughterhouse in the event of an animal disease outbreak.]

#### SCHEDULE 4

Regulation 30

#### Temperature control requirements

##### Scope

1.—(1) Subject to sub-paragraph (2), this Schedule applies in relation to any person to whose food business operations Regulation 852/2004 applies but Regulation 853/2004 does not apply.

(2) This Schedule does not apply to food business operations on any ship or aircraft.

##### Chill and hot holding requirements

2.—(1) Subject to sub paragraph (2), any person who keeps food with respect to which any commercial operation is being carried out at or in food premises otherwise than—

- (a) in a refrigerator or refrigerating chamber or in a cool ventilated place; or

(b) at a temperature above 63°C,  
is guilty of an offence.

(2) Sub paragraph (1) shall not apply to any food—

- (a) which is undergoing preparation for sale;
- (b) which is exposed for sale or has been sold to a consumer whether for immediate consumption or otherwise;
- (c) which, immediately following any process of cooking to which it is subjected or the final processing stage if no cooking process is applied, is being cooled under hygienic conditions as quickly as possible to a temperature which would not result in a risk to health;
- (d) which, in order that it may be conveniently available for sale on the premises to consumers, it is reasonable to keep otherwise than as referred to in sub-paragraph (1);
- (e) which, for the duration of its shelf life, may be kept at ambient temperatures with no risk to health;
- (f) to which Council Regulation (EEC) No. 1906/90 on certain marketing standards for poultry<sup>M4</sup>, as last amended by Council Regulation (EC) No. 1101/98<sup>M5</sup>, applies; or
- [<sup>F15</sup>(g) to which [<sup>F16</sup>the Regulation of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007] and Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs applies.]

#### Textual Amendments

**F15** Sch. 4 para. 2(2)(g) substituted (19.12.2008) by [The Eggs and Chicks \(Scotland\) \(No. 2\) Regulations 2008 \(S.S.I. 2008/395\)](#), regs. 1(2), 23, **sch. 3 para. 3**

**F16** Words in sch. 4 para. 2(2)(g) substituted (1.1.2014) by [The Single Common Market Organisation \(Consequential Amendments\) Regulations 2013 \(S.I. 2013/3235\)](#), regs. 1, **16(2)**

#### Marginal Citations

**M4** O.J. No. L 173, 6.7.90, p.1.

**M5** O.J. No. L 157, 30.5.98, p.12.

### Reheating of food

**3.—**(1) Food which in the course of a commercial operation has been heated and which is thereafter reheated before being served for immediate consumption or exposed for sale shall, on being reheated, be raised to a temperature of not less than 82°C.

(2) Any person who contravenes the provisions of sub paragraph (1) is guilty of an offence.

(3) In any proceedings for an offence under sub paragraph (2), it shall be a defence for the accused to prove that the food could not have been raised to a temperature of not less than 82°C without a deterioration of its qualities.

### Interpretation

**4.** In this Schedule, “shelf life” means—

- (a) in relation to food with respect to which an indication of minimum durability is required in accordance with [<sup>F17</sup>Article 9(1)(f) of Regulation (EU) No 1169/2011 of the European

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Parliament and of the Council on the provision of food information to consumers, as read with Article 24(1) and (2) of, and point 1 of Annex X to, that Regulation], the period up to and including the date required to be included in that indication;

- (b) in relation to food with respect to which a “use by” date is assigned in the form required in accordance with [<sup>F18</sup>Article 9(1)(f) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as read with Article 24(1) and (2) of, and point 2 of Annex X to, that Regulation], the period up to and including that date; and
- (c) in relation to food which is not required to bear an indication of minimum durability or a “use by” date, the period for which the food can be expected to remain fit for sale if it is kept in a manner which is consistent with food safety.

#### Textual Amendments

- F17** Words in sch. 4 para. 4 substituted (13.12.2014) by [The Food Information \(Scotland\) Regulations 2014 \(S.S.I. 2014/312\)](#), reg. 1(2), [sch. 5 para. 12\(a\)](#)
- F18** Words in sch. 4 para. 4 substituted (13.12.2014) by [The Food Information \(Scotland\) Regulations 2014 \(S.S.I. 2014/312\)](#), reg. 1(2), [sch. 5 para. 12\(b\)](#)

## SCHEDULE 5

Regulation 31

Direct supply by the producer of small quantities of meat  
from poultry and lagomorphs slaughtered on the farm

### Scope

1. This Schedule applies to the direct supply by the producer of small quantities of meat from poultry or lagomorphs that have been slaughtered on the farm to the final consumer or to local retail establishments directly supplying such meat to the final consumer.

### Offence

2. Any person who contravenes or fails to comply with any of the provisions of this Schedule is guilty of an offence.

### Requirements

3. No person shall sell meat from poultry or lagomorphs unless it bears a label or other marking clearly indicating the name and address of the farm where it was slaughtered.

4. The producer shall—

- (a) keep a record in adequate form to show the number of birds and the number of lagomorphs received into, and the amounts of fresh meat despatched from, the producer's premises during each week;
- (b) retain the record for a period of 1 year; and
- (c) make the record available to an authorised officer on request.

**Status:** Point in time view as at 13/12/2014.

**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Scotland) Regulations 2006*. (See end of Document for details)

SCHEDULE 6

Regulation 32

Restrictions on the placing on the market of raw milk and raw cream intended for direct human consumption

1. No person shall place on the market raw milk, or raw cream, intended for direct human consumption.
2. Any person who contravenes paragraph 1 is guilty of an offence.
3. In any proceedings for an offence in respect of a contravention of paragraph 1, it shall be a defence for the accused to prove that the raw milk or raw cream in respect of which the offence is alleged to have been committed was intended for export—
  - (a) to England, Wales or Northern Ireland or to a member state other than the United Kingdom and that the milk or cream complies with Regulation 853/2004 and with any national rules applicable to that part of the United Kingdom or to that member state, made pursuant to Article 10.8(a) of Regulation 853/2004;
  - (b) to a third country in accordance with Article 12 of Regulation 178/2002 as read with Article 11 of Regulation 852/2004.

<sup>F19</sup>SCHEDULE 6A

Regulation 32A

THE SPECIAL HEALTH MARK

**Textual Amendments**

**F19** Sch. 6A revoked (1.6.2014) by [The Food Hygiene \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/118\)](#), regs. 1, **2(4)**

....

SCHEDULE 7

Regulation 33

Consequential amendments

**The Colours in Food Regulations 1995**

1. In the Colours in Food Regulations 1995 <sup>M6</sup> in regulation 4 (health marking etc. of certain meat and meat products), for “health marking as provided for in the Fresh Meat (Hygiene and Inspection) Regulations 1995” substitute “ health mark referred to in Article 5 of Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin as amended by Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules <sup>M7</sup> ”.

**Marginal Citations**

**M6** [S.I. 1995/3124](#), to which there are amendments not relevant to these Regulations.

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The Food Hygiene (Scotland) Regulations 2006. (See end of Document for details)

**M7** O.J. No. L 139, 30.4.04, p.55. The revised text of Regulation 853/2004 is now set out in a Corrigendum (O.J. No. L 226, 25.6.04, p.22).

**The Animal By-Products (Identification) Regulations 1995**

**F20****2.** .....

**Textual Amendments**  
**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20****3.** .....

**Textual Amendments**  
**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20****4.** .....

**Textual Amendments**  
**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20****5.** .....

**Textual Amendments**  
**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20****6.** .....

**Textual Amendments**  
**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20****7.** .....

**Textual Amendments**  
**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20****8.** .....



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**Textual Amendments**

**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20**9. ....

**Textual Amendments**

**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20**10. ....

**Textual Amendments**

**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**F20**11. ....

**Textual Amendments**

**F20** Sch. 7 paras. 2-11 revoked (1.12.2013) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2013 \(S.S.I. 2013/307\)](#), reg. 1(1), **sch. 3**

**The Food Labelling Regulations 1996**

**F21**12. ....

**Textual Amendments**

**F21** Sch. 7 paras. 12-18 revoked (13.12.2014) by [The Food Information \(Scotland\) Regulations 2014 \(S.S.I. 2014/312\)](#), reg. 1(2), **sch. 4 Pt. 1**

**F21**13. ....

**Textual Amendments**

**F21** Sch. 7 paras. 12-18 revoked (13.12.2014) by [The Food Information \(Scotland\) Regulations 2014 \(S.S.I. 2014/312\)](#), reg. 1(2), **sch. 4 Pt. 1**

**F21**14. ....

**Textual Amendments**

**F21** Sch. 7 paras. 12-18 revoked (13.12.2014) by [The Food Information \(Scotland\) Regulations 2014 \(S.S.I. 2014/312\)](#), reg. 1(2), **sch. 4 Pt. 1**

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F21 15. ....

**Textual Amendments**  
F21 Sch. 7 paras. 12-18 revoked (13.12.2014) by The Food Information (Scotland) Regulations 2014 (S.S.I. 2014/312), reg. 1(2), sch. 4 Pt. 1

F21 16. ....

**Textual Amendments**  
F21 Sch. 7 paras. 12-18 revoked (13.12.2014) by The Food Information (Scotland) Regulations 2014 (S.S.I. 2014/312), reg. 1(2), sch. 4 Pt. 1

F21 17. ....

**Textual Amendments**  
F21 Sch. 7 paras. 12-18 revoked (13.12.2014) by The Food Information (Scotland) Regulations 2014 (S.S.I. 2014/312), reg. 1(2), sch. 4 Pt. 1

F21 18. ....

**Textual Amendments**  
F21 Sch. 7 paras. 12-18 revoked (13.12.2014) by The Food Information (Scotland) Regulations 2014 (S.S.I. 2014/312), reg. 1(2), sch. 4 Pt. 1

**The Products of Animal Origin (Import and Export) Regulations 1996**

19. In the Products of Animal Origin (Import and Export) Regulations 1996<sup>M8</sup>, in regulation 1(1) (title, commencement, interpretation and extent) for the definition of “the Hygiene Regulations” substitute–

““the Hygiene Regulations” means the Food Hygiene (Scotland) Regulations 2006<sup>M9</sup>”.

**Marginal Citations**  
M8 S.I. 1996/3124.  
M9 S.S.I. 2006/3 .

**The Specified Risk Material Order 1997**

20. The Specified Risk Material Order 1997<sup>M10</sup> is amended as provided in paragraphs 21 and 22.

**Marginal Citations**  
M10 S.I. 1997/2964.

21. In article 2(1) (interpretation) after the definition of “specified solid waste” insert–

““Regulation 853/2004” has the same meaning as in Schedule 1 to the Food Hygiene (Scotland) Regulations 2006;”.

**22.** In Schedule 1 (foods and feeding stuffs requiring import certificates)–

(a) for paragraph 1 substitute–

“**1.** Fresh meat, as defined in paragraph 1.10 of Annex I to Regulation 853/2004.”;

(b) for paragraph 2 substitute–

“**2.** Minced meat and meat preparations as defined in paragraphs 1.13 and 1.15 respectively of Annex I to Regulation 853/2004.”;

(c) for paragraph 3 substitute–

“**3.** Meat products and greaves as defined in paragraphs 7.1 and 7.6 respectively of Annex I to Regulation 853/2004.”;

(d) for paragraph 8 substitute–

“**8.** Rendered animal fat as defined in paragraph 7.5 of Annex I to Regulation 853/2004.”.

**The Beef Bones (Scotland) Regulations 1999**

**23.** The Beef Bones (Scotland) Regulations 1999<sup>M11</sup> are amended as provided in paragraphs 24 and 25.

**Marginal Citations**

**M11** S.S.I. 1999/186.

**24.** In regulation 2(1) (interpretation)–

(a) after the definition of “carcase”, insert–

““cutting plant” has the meaning given in regulation 5(7) of the Hygiene Regulations;”;

(b) after the definition of “fresh meat”, insert–

““game-handling establishment” has the meaning given in regulation 5(7) of the Hygiene Regulations;

“the Hygiene Regulations” means the Food Hygiene (Scotland) Regulations 2006”; and

(c) after the definition of “occupier”, insert–

““official veterinarian” means a veterinarian who is qualified in accordance with Regulation 854/2004 to act in such a capacity and is appointed by the Agency;

“Regulation 854/2004” has the same meaning as in Schedule 1 to the Hygiene Regulations;

“slaughterhouse” has the meaning given in regulation 5(7) of the Hygiene Regulations; and”.

**25.** In regulation 10 (enforcement)–

(a) for paragraph (1) substitute–

“(1) These Regulations shall be enforced–

(a) by the Agency in relation to any cutting plant, game-handling establishment or slaughterhouse; and

(b) in relation to any other premises, by the Agency or the food authority within whose area the premises are situated”; and

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- (b) in paragraph (2), for “an official veterinary surgeon (designated as such under regulation 8(1) of the Fresh Meat (Hygiene and Inspection) Regulations 1995” substitute “an official veterinarian”.

**Amendments to the Cattle Identification Regulations 1998**

**26.** The Cattle Identification Regulations 1998 <sup>M12</sup> are amended as provided in paragraphs 27 to 29.

**Marginal Citations**  
**M12** [S.I. 1998/871](#).

**27.** In regulation 2(1), for the definition of “official veterinary surgeon” substitute “ “official veterinarian” means a person who is registered in the register of veterinary surgeons or the supplementary veterinary register provided for under sections 2 and 8 of the Veterinary Surgeons Act 1966 <sup>M13</sup>, who is appointed by the Agency in accordance with regulation 5(6) of the Food Hygiene (Scotland) Regulations 2006 and is qualified in accordance with Regulation No. 853/2004; ”.

**Marginal Citations**  
**M13** [1966 c. 36](#).

**28.** In regulation 2(1) after the definition of “official veterinary surgeon” insert– “ Regulation 853/2004 has the same meaning as in Schedule 1 to the Food Hygiene (Scotland) Regulations 2006 <sup>M14</sup>. ”.

**Marginal Citations**  
**M14** [S.S.I. 2006/ 3](#) .

**29.** In regulation 2(1), in the definition of “licensed slaughterhouse”, for “licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995” substitute “ as defined in regulation 5(7) of the Food Hygiene (Scotland) Regulations 2006 ”.

**The Bovine and Bovine Products (Trade) Regulations 1999**

<sup>F22</sup>**30.** . . . . .

**Textual Amendments**  
**F22** Sch. 7 paras. 30-34 revoked (3.5.2006) by [The TSE \(Scotland\) Amendment \(No. 2\) Regulations 2006 \(S.S.I. 2006/231\)](#), regs. 1, 21, [sch.](#)

<sup>F22</sup>**31.** . . . . .

**Textual Amendments**  
**F22** Sch. 7 paras. 30-34 revoked (3.5.2006) by [The TSE \(Scotland\) Amendment \(No. 2\) Regulations 2006 \(S.S.I. 2006/231\)](#), regs. 1, 21, [sch.](#)

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F22 **32.** .....

**Textual Amendments**

**F22** Sch. 7 paras. 30-34 revoked (3.5.2006) by [The TSE \(Scotland\) Amendment \(No. 2\) Regulations 2006 \(S.S.I. 2006/231\)](#), regs. 1, 21, **sch.**

F22 **33.** .....

**Textual Amendments**

**F22** Sch. 7 paras. 30-34 revoked (3.5.2006) by [The TSE \(Scotland\) Amendment \(No. 2\) Regulations 2006 \(S.S.I. 2006/231\)](#), regs. 1, 21, **sch.**

F22 **34.** .....

**Textual Amendments**

**F22** Sch. 7 paras. 30-34 revoked (3.5.2006) by [The TSE \(Scotland\) Amendment \(No. 2\) Regulations 2006 \(S.S.I. 2006/231\)](#), regs. 1, 21, **sch.**

**The TSE (Scotland) Regulations 2002**

F23 **35.** .....

**Textual Amendments**

**F23** Sch. 7 paras. 35-42 revoked (24.11.2006) by [The Transmissible Spongiform Encephalopathies \(Scotland\) Regulations 2006 \(S.S.I. 2006/530\)](#), reg. 1(1), **sch. 10**

F23 **36.** .....

**Textual Amendments**

**F23** Sch. 7 paras. 35-42 revoked (24.11.2006) by [The Transmissible Spongiform Encephalopathies \(Scotland\) Regulations 2006 \(S.S.I. 2006/530\)](#), reg. 1(1), **sch. 10**

F23 **37.** .....

**Textual Amendments**

**F23** Sch. 7 paras. 35-42 revoked (24.11.2006) by [The Transmissible Spongiform Encephalopathies \(Scotland\) Regulations 2006 \(S.S.I. 2006/530\)](#), reg. 1(1), **sch. 10**

F23 **38.** .....

**Status:** Point in time view as at 13/12/2014.  
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**Textual Amendments**  
**F23** Sch. 7 paras. 35-42 revoked (24.11.2006) by [The Transmissible Spongiform Encephalopathies \(Scotland\) Regulations 2006 \(S.S.I. 2006/530\)](#), reg. 1(1), **sch. 10**

<sup>F23</sup>**39.** . . . . .

**Textual Amendments**  
**F23** Sch. 7 paras. 35-42 revoked (24.11.2006) by [The Transmissible Spongiform Encephalopathies \(Scotland\) Regulations 2006 \(S.S.I. 2006/530\)](#), reg. 1(1), **sch. 10**

<sup>F23</sup>**40.** . . . . .

**Textual Amendments**  
**F23** Sch. 7 paras. 35-42 revoked (24.11.2006) by [The Transmissible Spongiform Encephalopathies \(Scotland\) Regulations 2006 \(S.S.I. 2006/530\)](#), reg. 1(1), **sch. 10**

<sup>F23</sup>**41.** . . . . .

**Textual Amendments**  
**F23** Sch. 7 paras. 35-42 revoked (24.11.2006) by [The Transmissible Spongiform Encephalopathies \(Scotland\) Regulations 2006 \(S.S.I. 2006/530\)](#), reg. 1(1), **sch. 10**

<sup>F23</sup>**42.** . . . . .

**Textual Amendments**  
**F23** Sch. 7 paras. 35-42 revoked (24.11.2006) by [The Transmissible Spongiform Encephalopathies \(Scotland\) Regulations 2006 \(S.S.I. 2006/530\)](#), reg. 1(1), **sch. 10**

**The Condensed Milk and Dried Milk (Scotland) Regulations 2003 (2003/311)**

**43.** In the Condensed Milk and Dried Milk (Scotland) Regulations 2003 <sup>M15</sup>, in note 4 of Schedule 1, omit “Without prejudice to the generality of Part V of the Dairy Products (Hygiene) (Scotland) Regulations 1995”.

**Marginal Citations**  
**M15** [S.S.I. 2003/311](#).

**The Animal By-Products (Scotland) Regulations 2003**

<sup>F24</sup>**44.** . . . . .

**Textual Amendments**

**F24** Sch. 7 para. 44 revoked (4.3.2011) by [The Animal By-Products \(Enforcement\) \(Scotland\) Regulations 2011](#) (S.S.I. 2011/171), reg. 1(1), **sch. 3**

**The Eggs (Marketing Standards) (Enforcement) Scotland Regulations 2005**

<sup>F25</sup> 45. ....

**Textual Amendments**

**F25** Sch. 7 para. 45 revoked (27.4.2008) by [The Eggs and Chicks \(Scotland\) Regulations 2008](#) (S.S.I. 2008/129), regs. 1(2), **21(2)**

**The Official Feed and Food Control (Scotland) Regulations 2005**

46. The Official Feed and Food Control (Scotland) Regulations 2005<sup>M16</sup> are amended as provided in paragraphs 47 to 51.

**Marginal Citations**

**M16** [S.S.I. 2005/616](#).

47. In regulation 2(1), for “and “Regulation 1688/2005”” substitute “, ““Regulation 1688/2004”, “Regulation 2073/2005”, “Regulation 2074/2005” and “Regulation 2076/2005””.

48. In regulation 15, for “the staff” substitute “ a member of staff ”.

49. In regulation 43(2)(a), for “a 7 days” substitute “ a date 7 days ”.

50. In regulations 4(5) and (6) and 13(7), Schedule 2, paragraph (e) and Schedule 3, paragraph (c), for “the Food Hygiene (Scotland) Regulations 2005<sup>M17</sup>” in each place where it occurs substitute “ the Food Hygiene (Scotland) Regulations 2006 ”.

**Marginal Citations**

**M17** [S.S.I. 2005/505](#).

51. For the definitions contained in Schedule 1, substitute—

““Directive 2004/41” means Directive [2004/41/EC](#) of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives [89/662/EEC](#) and [92/118/EEC](#) and Council Decision [95/408/EC](#)<sup>M18</sup>;

“Regulation 178/2002” means Regulation (EC) No. [178/2002](#) of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety as last amended by Regulation [1642/2003](#);

“Regulation 1642/2003” means Regulation (EC) No. [1642/2003](#) of the European Parliament and of the Council amending Regulation (EC) No. [178/2002](#) laying down the general

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principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety;

“Regulation 852/2004” means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs <sup>M19</sup> as read with Regulation 2073/2005;

“Regulation 853/2004” means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin <sup>M20</sup> as amended by Regulation 2074/2005 and Regulation 2076/2005 and as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and Regulation 2076/2005;

“Regulation 882/2004” means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules <sup>M21</sup> as read with Regulation 2074/2005 and Regulation 2076/2005;

“Regulation 1688/2005” means Commission Regulation (EC) No. 1688/2005 implementing Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs <sup>M22</sup>;

“Regulation 2073/2005” means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs <sup>M23</sup>;

“Regulation 2074/2005” means Commission Regulation (EC) No. 2074/2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004 <sup>M24</sup>; and

“Regulation 2076/2005” means Commission Regulation (EC) No. 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004 <sup>M25</sup>.”.

#### Marginal Citations

- M18** O.J. No. L 157, 30.4.04, p.33. The revised text of Directive 2004/41/EC is now set out in a Corrigendum (O.J. No. L 195, 2.6.04, p.12).
- M19** O.J. No. L 139, 30.4.04, p.1. The revised text of Regulation (EC) No. 852/2004 is now set out in a Corrigendum (O.J. No. L 226, 25.6.04, p.3).
- M20** O.J. No. L 139, 30.4.04, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (O.J. No. L 226, 25.6.04, p.22).
- M21** O.J. No. L 165, 30.4.04, p.1. The revised text of Regulation (EC) No. 882/2004 is now set out in a Corrigendum (O.J. No. L 191, 28.5.04, p.1).
- M22** O.J. No. L 271, 15.10.05, p.17.
- M23** O.J. No. L 338, 22.12.05, p.1.
- M24** O.J. No. L 338, 22.12.05, p.27.
- M25** O.J. No. L 338, 22.12.05, p.83.



SCHEDULE 8

Regulation 34

Revocations

<i>Column 1 Instruments</i>	<i>Column 2 Reference</i>	<i>Column 3 Extent of revocation</i>
F26	F26	F26
...	...	...
The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000	S.S.I. 2000/62	Regulations 3(1), (2) and (3), 4(2) and (3), 5(1) to (3) and 6(1), (2) to (4), (6) and (7) and Schedule 1, Parts I and II, Schedule 2, Parts II and III, Schedule 3, Parts I to III and Schedule 4, Parts I to IV, VI and VIII
The Food Hygiene (Scotland) Regulations 2005	S.S.I. 2005/505	The whole Regulations

**Textual Amendments**

**F26** Words in sch. 8 revoked (1.4.2011) by [The Drinking Milk \(Scotland\) Regulations 2011 \(S.S.I. 2011/84\)](#), regs. 1(b), **10**

**Status:**

Point in time view as at 13/12/2014.

**Changes to legislation:**

There are currently no known outstanding effects for the The Food Hygiene (Scotland) Regulations 2006.