
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 395

The Eggs and Chicks (Scotland) (No. 2) Regulations 2008

PART 4

Enforcement, miscellaneous and supplemental provisions

[^{F1}Powers of authorised officers – salmonella control related requirements

13A.—(1) An authorised officer may direct any person to leave undisturbed for so long as is reasonably necessary for the purpose of any examination or investigation any—

- (a) eggs;
- (b) packs or other containers for eggs;
- (c) labels or documents relating to eggs; and
- (d) any premises on or in which any eggs, any packs or other containers for eggs and any labels or documents relating to such eggs are found.

(2) If an examination or investigation will not be carried out immediately after a direction has been given under paragraph (1), an authorised officer may apply tape to the packs or other containers for eggs that are subject to that direction, or otherwise secure them pending the examination or investigation.

(3) An authorised officer may direct any person to ensure that any—

- (a) eggs;
- (b) packs or other containers for eggs; or
- (c) labels or documents relating to eggs,

which do not comply in any respect with the requirements of any provision mentioned in Schedule 2A (as regards eggs in shell for consumption and salmonella control related requirements), comply with those requirements before being removed from any land, vehicle or trailer, except as may be otherwise directed in writing by an authorised officer.

(4) Except as stated in paragraph (3), any direction given by an authorised officer under paragraph (1) or (3) can be given orally or in writing but any direction given orally must be confirmed in writing as soon as practicable and, in any event, within 24 hours.

(5) An authorised officer must not exercise the powers under paragraphs (1) to (3)—

- (a) except on the production, if so required, of a duly authenticated document showing the officer's authority; and
- (b) except for the purpose of enforcing these Regulations.

(6) A person is guilty of an offence if that person—

- (a) without reasonable excuse, fails to comply with any requirement imposed on that person by a direction given by an authorised officer under paragraph (1);
- (b) unless authorised to do so in writing by an authorised officer, tampers with any packs or containers that have been secured by an authorised officer under paragraph (2); or

Changes to legislation: There are currently no known outstanding effects for the *The Eggs and Chicks (Scotland) (No. 2) Regulations 2008, Section 13A.* (See end of Document for details)

- (c) without reasonable excuse, fails to comply with any requirement imposed on that person by a direction given by an authorised officer under paragraph (3).]

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Textual Amendments

- F1** Reg. 13A inserted (29.1.2011) by [The Eggs and Chicks \(Scotland\) Amendment Regulations 2010 \(S.S.I. 2010/450\)](#), regs. 1, **8**

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