
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 446

**AGRICULTURE
FOOD**

**The Official Feed and Food Controls
(Scotland) Regulations 2009**

Made - - - - 17th December 2009
Laid before the Scottish
Parliament - - - - 18th December 2009
Coming into force - - 25th January 2010

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972 ^{M1} and all other powers enabling them to do so.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Scottish Ministers that it is expedient for any reference to an EU instrument defined in Schedule 1 to be construed as a reference to that instrument as amended from time to time.

There has been consultation as required by Article 9 of 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 ^{M2}.

Marginal Citations

- M1** 1972 c.68 (the “1972 Act”). Section 2(2) was amended by the [Scotland Act 1998 \(c.46\)](#) (the “1998 Act”), Schedule 8, paragraph 15(3) and the [Legislative and Regulatory Reform Act 2006 \(c.51\)](#) (the “2006 Act”), s27(1). The functions conferred on the Minister of the Crown under section 2(2) of the 1972 Act, in so far as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. In so far as not transferred, those functions were transferred to the Scottish Ministers by the [Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2005 \(S.I. 2005/849\)](#) and by the [Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2006 \(S.I. 2006/304\)](#). Paragraph 1A of Schedule 2 to the 1972 Act was inserted by section 28 of the 2006 Act.
- M2** O.J. No. L 31, 1.2.02, p.1 as amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (O.J. No. L 245, 29.9.2002, p.4), Commission Regulation (EC) No. 575/2006 (O.J. No. L 100, 8.4.2006, p.3), Commission Regulation (EC) No. 202/2008 (O.J. No. L 60,

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5.3.2008, p.17) and Regulation (EC) No. 596/2009 of the European Parliament and of the Council (O.J. No. L 188, 18.7.2009, p.14).

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