

SCOTTISH STATUTORY INSTRUMENTS

2009 No. 446

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

PART 2

MAIN PROVISIONS

Obtaining information

5.—(1) For the purpose of enabling competent authorities and [^{F1}appropriate authorities] to fulfil the obligations placed on them by [^{F2}Regulation 2017/625] and for the purpose of executing and enforcing relevant feed law or relevant food law, a competent authority may require a [^{F3}delegated body]—

- (a) to provide the competent authority with any information which it has reasonable cause to believe the [^{F3}delegated body] is able to give; and
- (b) to make available to the competent authority for inspection by it any records which it has reasonable cause to believe are held by the [^{F3}delegated body] or are otherwise within its control (and, if they are kept in computerised form, to make them available in a legible form).

(2) The competent authority may copy any records made available to it under paragraph (1)(b).

(3) A person who—

- (a) fails without reasonable excuse to comply with any requirement imposed under paragraph (1); or
- (b) in purported compliance with such a requirement furnishes information which that person knows to be false or misleading in any material particular or recklessly furnishes information which is false or misleading in any material particular,

is guilty of an offence.

(4) For the purposes of paragraph (1), the term “[^{F4}delegated body]” includes any member, officer or employee of a [^{F4}delegated body].

Textual Amendments

F1 Words in [reg. 5\(1\)](#) substituted (31.12.2020) by [The Food and Feed Safety and Hygiene \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019](#) (S.S.I. 2019/52), regs. 1(1), [7\(3\)](#); 2020 c. 1, Sch. 5 para. 1(1)

F2 Words in [reg. 5\(1\)](#) substituted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) \(Scotland\) Regulations 2019](#) (S.S.I. 2019/407), regs. 1, [7\(5\)\(a\)](#)

F3 Words in [reg. 5\(1\)](#) substituted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) \(Scotland\) Regulations 2019](#) (S.S.I. 2019/407), regs. 1, [7\(5\)\(b\)](#)

Changes to legislation: *There are currently no known outstanding effects for the The Official Feed and Food Controls (Scotland) Regulations 2009, Section 5. (See end of Document for details)*

F4 Words in reg. 5(4) substituted (14.12.2019) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/407\)](#), regs. 1, **7(5)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Official Feed and Food Controls (Scotland) Regulations 2009, Section 5.