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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 318**

**The Poultrymeat (Scotland) Regulations 2011**

**Application of various provisions of the Food Safety Act 1990**

**21.**—(1) The following provisions of the Food Safety Act 1990<sup>M1</sup> apply for the purposes of these Regulations with the modifications specified in paragraph (2)—

- (a) section 3 (presumptions that food intended for human consumption);
- (b) section 20 (offences due to fault of another person);
- (c) section 21(1), (5) and (6) (defence of due diligence);
- (d) section 29 (procurement of samples);
- (e) section 30(8) (documentary evidence);
- (f) section 44 (protection of officers acting in good faith); and
- (g) section 46(1) (expenses of authorised officers).

(2) The modifications are—

- (a) construe any reference in the provisions specified in paragraph (1) to the Food Safety Act 1990 (or a Part or section of that Act) as a reference to these Regulations;
- (b) construe any reference in the provisions specified in paragraph (1) to an authorised officer, or an officer of an enforcement authority or food authority, as a reference to an authorised officer as defined in regulation 2(1) of these Regulations;
- (c) in relation to section 29—
  - (i) in paragraph (b)(ii), construe the reference to section 32 as a reference to these Regulations; and
  - (ii) in paragraph (d), omit “or of regulations or orders made under it”;
- (d) in relation to section 30(8)(a), omit “under subsection (6) above”; and
- (e) in relation to section 44(2), (3) and (4), construe any reference to a food authority as a reference to an enforcement authority.

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**Marginal Citations**

**M1** 1990 c.16.

**Changes to legislation:**

There are currently no known outstanding effects for the The Poultrymeat (Scotland) Regulations 2011, Section 21.