
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations enforce, in Scotland, the consumer information requirements of Chapter 2 of Title 1 of Council Regulation (EC) No 104/2000 on the common organisation of the markets in fishery and aquaculture products and Commission Regulation (EC) No 2065/2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards informing consumers about fishery and aquaculture products.

They also enforce the traceability requirements of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy and Commission Implementing Regulation (EU) No 404/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy.

References in these Regulations to certain EU instruments, which are defined in regulation 2(2), are references to those instruments as amended from time to time (regulation 2(1)(a)).

The Regulations set out the consumer information requirements and the traceability requirements (regulation 3) and obligations to keep and produce certain records of information (regulation 4).

They provide that it is an offence to: fail to comply with consumer information requirements and traceability requirements (regulation 5(1) and (2)); fail to keep or produce certain records (regulation 5(3)); and fail to comply with certain marketing requirements (regulation 5(4)). They provide for fines on summary conviction on the standard scale of up to level 5 for an offence under regulation 5(1) and up to level 3 for an offence under regulation 5(2), (3) or (4).

The Regulations provide for food authorities to execute and enforce these Regulations, and to be the competent authority for specified purposes (regulation 6). They provide for certain provisions of the Food Safety Act 1990 to be applied, and in some cases modified, for the purposes of these Regulations (regulation 7).

Regulation 8 revokes the Fish Labelling (Scotland) Regulations 2010.

A partial business regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector has been prepared and placed in the Scottish Parliament Information Centre. Copies may be obtained from the Food Standards Agency (Scotland), 6th Floor, St Magnus House, 25 Guild Street, Aberdeen AB11 6NJ and online at www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Fish Labelling (Scotland) Regulations 2013.