

SCHEDULE 3

Regulation 5

Specified provisions of Regulation 2065/2003

<i>Provision of Regulation 2065/2003</i>	<i>Subject matter</i>
Article 4.2	Prohibition on marketing a smoke flavouring not on the list of authorised smoke flavourings, or any food in or on which such a smoke flavouring is present.
Article 4.2	Prohibition on marketing an authorised smoke flavouring, or any food in or on which such a smoke flavouring is present, otherwise than in accordance with any conditions of use laid down in the authorisation.
Article 5.1, first subparagraph	Prohibition on using treated wood, unless it can be demonstrated by appropriate certification or documentation that the substance used in treatment does not give rise to potentially toxic substances during combustion.
Article 5.1, second subparagraph	Requirement to be able to demonstrate by documentation or certification that the prohibition in the first paragraph of Article 5.1 has been observed.
Article 5.2, first sentence	Requirement to observe conditions in Annex I during production of primary products (primary smoke condensates or primary tar fractions).
Article 5.2, second sentence	Prohibition on the use of water-insoluble oily phase during the production of smoke flavourings.
Article 9.4	Requirement that an authorisation holder or any other food business operator using an authorised product, or a derived smoke flavouring produced from an authorised product, must comply with any conditions or restrictions attached to the authorisation.
Article 9.5	Requirement that an authorisation holder inform the [F1Authority] immediately of any new scientific or technical information relating to an authorised product which might influence the assessment of its safety.
Article 13.1	Requirement that food business operators ensure the specified information is transmitted to the receiving food business operator when the product is first placed on the market.
Article 13.2	Requirement that following the first placing on the market, on each subsequent occasion that the product is placed on the market, food business operators placing products on

Changes to legislation: There are currently no known outstanding effects for the The Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013, SCHEDULE 3. (See end of Document for details)

the market transmit the information specified in Article 13.1 to the receiving food business operators.

Textual Amendments

- F1** Word in sch. 3 substituted (31.12.2020) by The Food Composition, Labelling and Standards (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/53), regs. 1(1), 6(7); 2020 c. 1, Sch. 5 para. 1(1)

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