
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 312

The Food Information (Scotland) Regulations 2014

Interpretation

2.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990;

[^{F1}“Directive 1999/2/EC” means Directive 1999/2/EC of the European Parliament and of the Council on the approximation of laws of the Member States concerning foods and food ingredients treated with ionising radiation.]

“final consumer” has the meaning given in point 18 of Article 3 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;

“FIC” means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004;

“food authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ^{M1};

“food business operator” has the meaning given in point 3 of Article 3 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;

“mass caterer” has the meaning given in Article 2(2)(d) and “mass caterers” must be construed accordingly;

“means of distance communication” has the meaning given in Article 2(2)(u);

“prepacked for direct sale” has the same meaning as in Article 2(2)(e);

“prepacked food” has the meaning given in Article 2(2)(e) [^{F2}and “prepacked” is to be construed accordingly]

[^{F3}“Regulation 828/2014” means Commission Implementing Regulation (EU) No 828/2014 on the requirements for the provision of information to consumers on the absence or reduced presence of gluten in food;]^{F4}...

[^{F5}“Regulation 2018/775” means Commission Implementing Regulation (EU) 2018/775 laying down rules for the application of Article 26(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food;]

[^{F6}“relevant food” means for the purposes of regulations 5 and 5A(1)(b), a food in which an ingredient or processing aid listed in Annex II, or derived from a substance or product listed in Annex II, has been used in its manufacture or preparation and that is still present in the finished product (even if in an altered form);]

“specified FIC provision” means a provision specified in column 1, as read with column 2, [^{F7}the tables in Parts 1 and 2 of] of Schedule 3 to these Regulations.

[^{F8}“specified Regulation 828/2014 provision” means a provision specified in column 1, as read with column 2, of the table in Part 1A of schedule 3][^{F9}and]

[^{F10}“specified Regulation 2018/775 provision” means a provision specified in column 1 as read with the provisions in column 2, of the table in Part 3 of schedule 3]

(2) Except as otherwise provided for—

- (a) any reference in these Regulations to an Article is a reference to an Article of FIC; and
- (b) any reference in these Regulations to an Annex is a reference to an Annex to FIC.

(3) Any reference to FIC, or a provision of FIC (including a reference to an Article of, or Annex to, FIC to which paragraph (2) applies[^{F11}],] in [^{F12}a provision of the Regulations] listed in paragraph (4) is a reference to FIC or that provision as amended from time to time.

[^{F13}(3A) Any reference to Regulation 828/2014 or a provision of Regulation 828/2014 in a provision of these Regulations listed in paragraph (4), is a reference to Regulation 828/2014 or that provision of Regulation 828/2014 as amended from time to time.]

[^{F14}(3B) Any reference to Regulation 2018/775 or a provision of Regulation 2018/775 in a provision of these Regulations, is a reference to Regulation 2018/775 or that provision of Regulation 2018/775 as amended from time to time.]

(4) The provisions referred to in paragraph (3) are—

- (a) regulation 2(1) (interpretation), except for the definition of “FIC” [^{F15}and “Regulation 828/2014”];
- (b) regulation 3 (derogation relating to milk and milk products);
- [^{F16}(c) regulation 4(1) and (3) (derogation relating to minced meat);
- (ca) regulation 5(1), (3) [^{F17}and (5)] (foods [^{F18}other than prepacked or prepacked for direct sale], containing an allergenic substance or product etc.))
- (d) regulation 6(1) (foods [^{F19}other than prepacked or prepacked for direct sale] – general requirement to name them);
- (e) regulation 7(1), (4) and (6) (insofar as this relates to “offered for sale”) (Products that are not prepacked etc. containing meat and other ingredients);
- (f) regulation 8(4)(b) (irradiated foods);
- (g) regulation 10 (offences);
- (h) paragraph 3 of Part 2 of Schedule 1(font size for national mark to be used in case of prepacked food); and
- (i) Schedule 3 [^{F20}(specified provisions of FIC and Regulation 828/2014)].

Textual Amendments

- F1** Words in reg. 2(1) inserted (19.1.2016) by [The Food Information \(Miscellaneous Amendments\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/410\)](#), regs. 1(2), **3(2)(a)(i)**

- F2** Words in reg. 2(1) inserted (19.1.2016) by The Food Information (Miscellaneous Amendments) (Scotland) Regulations 2015 (S.S.I. 2015/410), regs. 1(2), **3(2)(a)(ii)**
- F3** Words in reg. 2(1) inserted (20.7.2016) by The Food Information (Scotland) Amendment Regulations 2016 (S.S.I. 2016/191), regs. 1(2), **2(2)(a)**
- F4** Word in reg. 2(1) omitted (19.6.2020) by virtue of The Food Information and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/156), regs. 1(2), **2(2)(a)(i)**
- F5** Words in reg. 2(1) inserted (19.6.2020) by The Food Information and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/156), regs. 1(2), **2(2)(a)(ii)**
- F6** Words in reg. 2(1) inserted (1.10.2021) by The Food Information (Scotland) Amendment Regulations 2021 (S.S.I. 2021/70), regs. 1(2), **2(2)(a)**
- F7** Words in reg. 2(1) inserted (20.7.2016) by The Food Information (Scotland) Amendment Regulations 2016 (S.S.I. 2016/191), regs. 1(2), **2(2)(b)**
- F8** Words in reg. 2(1) added (20.7.2016) by The Food Information (Scotland) Amendment Regulations 2016 (S.S.I. 2016/191), regs. 1(2), **2(2)(c)**
- F9** Word in reg. 2(1) inserted (19.6.2020) by The Food Information and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/156), regs. 1(2), **2(2)(a)(iii)**
- F10** Words in reg. 2(1) inserted (19.6.2020) by The Food Information and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/156), regs. 1(2), **2(2)(a)(iv)**
- F11** Reg. 2(3): punctuation inserted (19.1.2016) by The Food Information (Miscellaneous Amendments) (Scotland) Regulations 2015 (S.S.I. 2015/410), regs. 1(2), **3(2)(b)**
- F12** Words in reg. 2(3) substituted (19.1.2016) by The Food Information (Miscellaneous Amendments) (Scotland) Regulations 2015 (S.S.I. 2015/410), regs. 1(2), **3(2)(b)**
- F13** Reg. 2(3A) inserted (20.7.2016) by The Food Information (Scotland) Amendment Regulations 2016 (S.S.I. 2016/191), regs. 1(2), **2(2)(d)**
- F14** Reg. 2(3B) inserted (19.6.2020) by The Food Information and Addition of Vitamins, Minerals and Other Substances (Scotland) Amendment Regulations 2020 (S.S.I. 2020/156), regs. 1(2), **2(2)(b)**
- F15** Words in reg. 2(4)(a) inserted (20.7.2016) by The Food Information (Scotland) Amendment Regulations 2016 (S.S.I. 2016/191), regs. 1(2), **2(2)(e)(i)**
- F16** Reg. 2(4)(c)(ca) substituted for reg. 2(4)(c) (19.1.2016) by The Food Information (Miscellaneous Amendments) (Scotland) Regulations 2015 (S.S.I. 2015/410), regs. 1(2), **3(2)(c)**
- F17** Words in reg. 2(4)(ca) substituted (1.10.2021) by The Food Information (Scotland) Amendment Regulations 2021 (S.S.I. 2021/70), regs. 1(2), **2(2)(b)(i)(aa)**
- F18** Words in reg. 2(4)(ca) substituted (1.10.2021) by The Food Information (Scotland) Amendment Regulations 2021 (S.S.I. 2021/70), regs. 1(2), **2(2)(b)(i)(bb)**
- F19** Words in reg. 2(4)(d) substituted (1.10.2021) by The Food Information (Scotland) Amendment Regulations 2021 (S.S.I. 2021/70), regs. 1(2), **2(2)(b)(ii)**
- F20** Words in reg. 2(4)(i) substituted (20.7.2016) by The Food Information (Scotland) Amendment Regulations 2016 (S.S.I. 2016/191), regs. 1(2), **2(2)(e)(ii)**

Marginal Citations

- M1** 1994 c.39. Section 2 was amended by the Environment Act 1995 (c. 25), **Schedule 22**, paragraph 232(1).

Changes to legislation:

There are currently no known outstanding effects for the The Food Information (Scotland) Regulations 2014, Section 2.