

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 285

The Food Information, Labelling and Standards (EU Exit) (Scotland) (Amendment) Regulations 2019

Amendment of the Food Hygiene (Scotland) Regulations 2006

3.—(1) The Food Hygiene (Scotland) Regulations 2006 ^{M1} are amended as follows.

(2) In regulation 17 (offences and penalties)—

(a) in paragraph (1), for “(8)” substitute “ (9) ”,

[^{F1}(b) after paragraph (8), insert—

“(9) Provided the requirements of subparagraph (a) or (b), as the case may be, are met, a person is to be considered not to have contravened or failed to comply with Article 5(1) of (EU) Regulation 853/2004, where—

(a) in the case of a health mark—

(i) the health mark was applied to a product of animal origin subject to Article 5(1) before IP completion day, and

(ii) the health mark complied with Article 5(1) as it applied immediately before IP completion day,

(b) in the case of an identification mark—

(i) the identification mark—

(aa) was applied to a product of animal origin subject to Article 5(1) before IP completion day, or

(bb) is applied to a product of animal origin subject to Article 5(1) no later than 21 months after the day after IP completion day using a label, wrapping or packaging (bearing the identification mark) owned by the food business operator before IP completion day, and

(ii) the identification mark complied or would have complied with Article 5(1) as it applied immediately before IP completion day.”.]

Textual Amendments

F1 Reg. 3(2)(b) substituted (31.12.2020 immediately before IP completion day) by [The Food and Feed \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/372\)](#), regs. 1(2)(a), **9(3)**

Commencement Information

II Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M1 [S.S.I. 2006/3](#); relevantly amended by [S.I. 2011/1043](#).

Changes to legislation:

There are currently no known outstanding effects for the The Food Information, Labelling and Standards (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 3.