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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations which applying to Scotland only provide for the transfer of functions for execution and enforcement of feed law in Scotland from Local Authorities in their areas to Food Standards Scotland, and make provision for Food Standards Scotland to delegate all or part of its functions.

Regulation 2 repeals section 67 of the Agriculture Act 1970 ([1970 c.40](#)) in so far as it applies to Scotland, and inserts a new section 67A (applying to Scotland only). Section 67A makes Food Standards Scotland responsible for enforcing Part IV of the Agriculture Act 1970 in so far as it applies to feed and Local Authorities in so far as it applies to fertiliser.

Regulation 3 amends the Genetically Modified Animal Feed (Scotland) Regulations 2004 ([S.S.I. 2004/433](#)) to provide for the transfer of responsibility to enforce these Regulations from Local Authorities in their areas to Food Standards Scotland, and make provision for Food Standards Scotland to delegate all or part of its functions.

Regulation 4 amends the Genetically Modified Organisms (Traceability and Labelling) (Scotland) Regulations 2004 ([S.S.I. 2004/438](#)) to transfer the responsibility for enforcing these Regulations in so far as they apply to feed from Local Authorities in their areas to Food Standards Scotland, and make provision for Food Standards Scotland to delegate all or part of its functions. The responsibility for enforcing these Regulations in so far as they apply to food remains with Local Authorities.

Regulation 5 amends the Feed (Hygiene and Enforcement) (Scotland) Regulations 2005 ([S.S.I. 2005/608](#)) to provide for the transfer of responsibility to enforce these Regulations from Local Authorities in their areas to Food Standards Scotland, and make provision for Food Standards Scotland to delegate all or part of its functions.

Regulation 6 amends the Official Feed and Food Controls (Scotland) Regulations 2009 ([S.S.I. 2009/446](#)) to transfer the responsibility for enforcing these Regulations in so far as they apply to feed from Local Authorities in their areas to Food Standards Scotland, and make provision for Food Standards Scotland to delegate all or part of its functions. The responsibility for enforcing these Regulations in so far as they apply to food remains with Local Authorities.

Regulation 7 amends the Animal Feed (Scotland) Regulations 2010 ([S.S.I. 2010/373](#)) ) to provide for the execution and enforcement of Commission Regulation (EU) 2020/354 establishing a list of intended uses of feed intended for particular nutritional purposes and repealing [Directive 2008/38/EC](#) (OJ No. L 67, 5.3.2020, p.1.). It also provides for the transfer of responsibility to enforce these Regulations from Local Authorities in their areas to Food Standards Scotland, and make provision for Food Standards Scotland to delegate all or part of its functions.

Regulation 8 amends the Feed (Sampling and Analysis and Specified Undesirable Substances) (Scotland) Regulations 2010 ([S.S.I. 2010/354](#)) by updating the schedule to reflect the changes made to at Regulations 2 to 7.

Regulation 9 amends The Animal Feed (Basic Safety Standards) (Scotland) Regulations 2018 ([S.S.I. 2018/15](#)) by making Food Standards Scotland responsible for enforcing these Regulations.