

SCHEDULE 1

Regulation 2(1)

Specified EU law requirements

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Delegated Regulation</i>	<i>Provision of the Delegated Regulation to be read with the provision of the Delegated Regulation specified in column 1</i>
Article 1(2) (placing on the market)	Article 1(1)
Article 2(1) (compositional requirements for infant formula)	Articles 1(1) and 2(3), Annex I and Annex III
Article 2(2) (compositional requirements for follow-on formula)	Articles 1(1) and 2(3), Annex II and Annex III
Article 2(3) (preparation of infant and follow-on formula)	Articles 1(1) and 2(1) and (2)
Article 3(1) (suitability of ingredients for infant formula)	Articles 1(1) and 3(3) and point 2 of Annex I
Article 3(2) (suitability of ingredients for follow-on formula)	Articles 1(1) and 3(3) and point 2 of Annex II
Article 4(2) (active substance residue threshold)	Articles 1(1) and 4(1), (3) and (5)
Article 4(3) (derogation from active substance residue threshold)	Articles 1(1) and 4(1), (2) and (5)
Article 4(4) (requirements on pesticides)	Articles 1(1) and 4(1) and (5)
Article 5(1) (name of food not manufactured entirely from cows' or goats' milk proteins)	Article 1(1) and Part A of Annex VI
Article 5(2) (name of food manufactured entirely from cows' or goats' milk proteins)	Article 1(1) and Part B of Annex VI
Article 6(1) (requirement for infant formula and follow-on formula to comply with Regulation (EU) No. 1169/2011(1) unless otherwise provided for)	Articles 1(1), 6(2), (3), and (4) and 7(1), (2), (3), (5), (6), (7) and (8)
Article 6(2) (additional mandatory particulars for infant formula)	Articles 1(1) and 6(1) and (4)
Article 6(3) (additional mandatory particulars for follow-on formula)	Articles 1(1) and 6(1) and (4)
Article 6(4) (application of articles 13(2) and (3) of Regulation (EU) No. 1169/2011 to additional mandatory particulars)	Articles 1(1) and 6(2) and (3)

(1) 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 (OJ L 304, 22.11.2011, p.18).

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<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Delegated Regulation</i>	<i>Provision of the Delegated Regulation to be read with the provision of the Delegated Regulation specified in column 1</i>
Article 6(5) (requirement for mandatory particulars to be in a language easily understood by consumers)	Article 1(1)
Article 6(6) (requirements on labelling, presentation and advertising of infant formula and follow-on formula)	Article 1(1)
Article 7(1) (specific requirements on the nutrition declaration)	Articles 1(1) and 7(4), Annex I and Annex II
Article 7(3) (repetition of information included in mandatory nutrition declaration)	Articles 1(1) and 7(1)
Article 7(5) (application of articles 31 to 35 of Regulation (EU) No 1169/2011)	Articles 1(1) and 7(6), (7) and (8)
Article 7(6) (expression of energy value and amounts of nutrients)	Articles 1(1) and 7(5)
The first subparagraph of Article 7(7) (prohibition on expressing energy value and amount of nutrients as a percentage of reference intake)	Articles 1(1) and 7(5)
Article 7(8) (presentation of particulars included in the nutrition declaration)	Article 1(1)
Article 8 (prohibition on making health claims on infant formula)	Article 1(1)
Article 9(1) (“lactose only” statement)	Article 1(1)
The first subparagraph of Article 9(2) (“lactose free” statement)	Article 1(1)
The second subparagraph of Article 9(2), (statement that lactose free infant formula and follow-on formula is not suitable for infants with galactosaemia)	Article 1(1)
Article 9(3) (prohibition on references to decosahexaenoic acid where infant formula placed on the market on or after 22 February 2025)	Article 1(1)
The first subparagraph of article 10(1) (restriction on advertising for infant formula)	Article 1(1)
Article 10(2) (prohibition of promotional devices to induce sales of infant formula)	Article 1(1)
Article 10(3) (prohibition of provision of free or low-priced products, samples or other promotional gifts to the general public, pregnant women, mothers or members of their families)	Article 1(1)

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Delegated Regulation</i>	<i>Provision of the Delegated Regulation to be read with the provision of the Delegated Regulation specified in column 1</i>
Article 10(4) (requirements for donations or low-priced sales of supplies of infant formula to institutions or organisations)	Article 1(1)
Article 11(2) (requirements on information relating to infant and young child feeding)	
Article 11(3) (requirements on donations of informational or educational equipment or materials)	
Article 12 (notification requirements)	Article 1(1)

SCHEDULE 2

Regulation 5

Modification of provisions of the Act

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Act</i>	<i>Modifications</i>
Section 3 (presumptions that food intended for human consumption)	In sub-section (1), for “this Act” substitute “the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 20 (offences due to fault of another person)	For “any of the preceding provisions of this Part” substitute “the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 21 (defence of due diligence)	In sub-section (1), for “any of the preceding provisions of this Part” substitute “the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 22 (defence of publication in the course of business)	In sub-section (1), for “any of the preceding provisions of this Part” substitute “the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 29 (procurement of samples)	In paragraph (b)(ii), after “under section 32 below”, insert “including under section 32 as applied and modified by regulation 5 and schedule 2 of the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 30 (analysis etc. of samples)	In sub-section (1), after “under section 29 above”, insert “including under section 29 as applied and modified by regulation 5 and schedule 2 of the Foods for Specific Groups

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<i>Provision of the Act</i>	<i>Modifications</i>
	(Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
	In sub-section (8), for “this Act” substitute “the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 32 (powers of entry)	In sub-section (1), for paragraphs (a) to (c) substitute “(a) to enter any premises within the authority’s area for the purpose of ascertaining whether there has been any contravention of a specified EU law requirement (as defined in regulation 2 of the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020), (b) to enter any business premises, whether within or outside the authority’s area, for the purpose of ascertaining whether there is on the premises any evidence of any contravention of such a requirement, and (c) when exercising a power of entry under this section, to exercise the associated powers in sub-sections (5) and (6) relating to records”.
Section 33 (obstruction etc. of officers)	In sub-section (1), for “this Act” (in each place where it occurs) substitute “the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 35 (punishment of offences)	In sub-section (1), after “section 33(1) above” insert “including as applied and modified by regulation 5 and schedule 2 of the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
	In sub-section (2), for “any other offence under this Act” substitute “an offence under section 33(2) above, as applied and modified by regulation 5 and schedule 2 of the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 36 (offences by bodies corporate)	In sub-section (1), for “this Act” substitute “the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 36A (offences by Scottish partnerships)	For “this Act” substitute “the Foods for Specific Groups (Infant Formula and Follow-on Formula) (Scotland) Regulations 2020”.
Section 44 (protection of officers acting in good faith)	Where it first appears, for “this Act” substitute “the Foods for Specific Groups (Infant Formula

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<i>Provision of the Act</i>	<i>Modifications</i>
	and Follow-on Formula) (Scotland) Regulations 2020 (“the 2020 Regulations”).
	On each other occasion where it appears, for “this Act” substitute “the 2020 Regulations”.

SCHEDULE 3

Regulation 6(1)

Revocations

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Instrument</i>	<i>Reference</i>	<i>Extent of revocation</i>
The Infant Formula and Follow-on Formula (Scotland) Regulations 2007	S.S.I. 2007/549	The whole Regulations, except regulation 30
The Infant Formula and Follow-on Formula (Scotland) Amendment Regulations 2008	S.S.I. 2008/322	Regulation 2
The Infant Formula and Follow-on Formula (Scotland) Amendment Regulations 2014	S.S.I. 2014/12	The whole Regulations
The Food (Scotland) Act 2015 (Consequential and Transitional Provisions) Order 2015	S.S.I. 2015/100	Paragraph 19 of the schedule