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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 477**

**The Food (Withdrawal of Recognition) (Miscellaneous Amendments) (Scotland) Regulations 2021**

**Amendment of the Bread and Flour Regulations 1998**

2.—(1) The Bread and Flour Regulations 1998<sup>(1)</sup> are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) omit the definition of “EEA Agreement”,
- (b) omit the definition of “EEA State”,
- (c) omit the definition of “member State”,
- (d) after the definition of “sell” insert—

““third country” means any country, other than the United Kingdom, and includes—

- (a) the Bailiwick of Guernsey,
- (b) the Bailiwick of Jersey,
- (c) the Isle of Man.”.

(3) In regulation 3 (exemptions)—

(a) for paragraph (2), substitute—

“(2) These Regulations do not apply in respect of—

- (a) any bread produced in Scotland which is to be exported to a third country,
- (b) any flour produced in Scotland which is—
  - (i) to be exported to a third country or
  - (ii) for use in the production of food that is to be exported to a third country,
- (c) any flour imported into Scotland from a third country (directly or indirectly) which—
  - (i) was lawfully produced and sold in that third country, and
  - (ii) is for use in Scotland, for the production of food that is to be exported to a third country,

and is suitably labelled to describe the nature of the bread or flour.”,

(b) omit paragraph (3).

(4) In regulation 4 (composition of flour)—

- (a) in the opening words of paragraph (4)(b), for “importer of flour” substitute “person”,
- (b) in paragraph (4)(b)(i), for “import into Great Britain” substitute “import or move into Scotland”,
- (c) in paragraph 4(b)(ii), after “imported” insert “or moved”,

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<sup>(1)</sup> S.I. 1998/141, relevantly amended by S.I. 2011/1043 and S.S.I. 2012/1809.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (d) in paragraph (5), for “or importation into Great Britain” substitute “importation or movement into Scotland”.
- (5) After regulation 7(2) (offences and penalties) insert—
  - “(3) Bread or flour which was, or would have been, exempted from these Regulations by virtue of regulation 3(2), as it had effect immediately before 22 February 2022, is not subject to these Regulations until 1 October 2022.”.