

POLICY NOTE

THE FOOD (SCOTLAND) ACT 2015 (COMPLIANCE NOTICES) AMENDMENT REGULATIONS 2023

SSI 2023/337

The above instrument was made in exercise of the powers conferred by sections 49(1) and (2)(c) and 52 of the Food (Scotland) Act 2015. This instrument is subject to negative procedure.

Summary Box

<p>The purpose of the instrument is made to correct an error in the Food (Scotland) Act 2015 (Compliance Notices) Regulations 2023 (SSI 2023 No. 161), specifically to substitute an incorrect reference to regulation 6(2) of the Novel Foods (Scotland) Regulations 2017 with a reference to regulation 4 of those Regulations.</p>

Policy Objectives

The purpose of the Food (Scotland) Act 2015 (Compliance Notices) Amendment Regulations 2023 is to substitute an incorrect reference to regulation 6(2) of the Novel Foods (Scotland) Regulations 2017 with a reference to regulation 4 of those Regulations. This will allow Authorised Officers (AOs) to use compliance notices to deal with breaches of the requirements in the Novel Foods (Scotland) Regulations 2017.

EU Alignment Consideration

This instrument concerns enforcement measures and is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

There was no consultation carried out for this instrument. However, FSS had previously consulted from 21 October to 16 December 2021 on our proposal to introduce compliance notices for breaches of the Novel Foods (Scotland) Regulations 2017 along with other food offences as part of the consultation on the Food (Scotland) Act 2015 (Compliance Notices) Regulations 2023.

Impact Assessments

No impact assessment was carried out for this instrument, however a BRIA was previously carried out for the general introduction of Compliance Notices.

Financial Effects

No additional financial effects are foreseen as a result of this instrument.

Food Standards Scotland
November 2023