

Scottish Statutory Instrument 2003 No. 419

The Food (Peanuts from China) (Emergency Control) (Scotland) Amendment Regulations 2003

© Crown Copyright 2003

Scottish Statutory Instruments printed from this website are printed under the superintendence and authority of the Controller of HMSO being the Queen's Printer of Acts of Parliament.

The legislation contained on this web site is subject to Crown Copyright protection. It may be reproduced free of charge provided that it is reproduced accurately and that the source and copyright status of the material is made evident to users.

It should be noted that the right to reproduce the text of Scottish Statutory Instruments does not extend to the Queen's Printer for Scotland imprints which should be removed from any copies of the Scottish Statutory Instrument which are issued or made available to the public. This includes reproduction of the Scottish Statutory Instrument on the Internet and on intranet sites. The Royal Arms may be reproduced only where they are an integral part of the original document.

The text of this Internet version of the Scottish Statutory Instrument has been prepared to reflect the text as it was Made. A print version is also available and is published by The Stationery Office Limited as the **The Food (Peanuts from China) (Emergency Control) (Scotland) Amendment Regulations 2003**, ISBN 011062467X. The print version may be purchased by clicking [here](#). Braille copies of this Scottish Statutory Instrument can also be purchased at the same price as the print edition by contacting TSO Customer Services on 0870 600 5522 or e-mail: customer.services@tso.co.uk.

Further information about the publication of legislation on this website can be found by referring to the [Frequently Asked Questions](#).

To ensure fast access over slow connections, large documents have been segmented into "chunks". Where you see a "continue" button at the bottom of the page of text, this indicates that there is another chunk of text available.

SCOTTISH STATUTORY INSTRUMENTS

2003 No. 419

FOOD

**The Food (Peanuts from China) (Emergency Control) (Scotland)
Amendment Regulations 2003**

Made

8th September 2003

*Laid before the Scottish
Parliament*

9th September 2003

Coming into force

30th September 2003

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972^[1] and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and application

1. - (1) These Regulations may be cited as the Food (Peanuts from China) (Emergency Control) (Scotland) Amendment Regulations 2003 and shall come into force on 30th September 2003.

(2) These Regulations extend to Scotland only.

Amendment to the Food (Peanuts from China) (Emergency Control) (Scotland) (No. 2) Regulations 2002

2. - (1) The Food (Peanuts from China) (Emergency Control) (Scotland) (No. 2) Regulations 2002^[2] are amended in accordance with paragraph (2).

(2) In Regulation 2 (Interpretation)-

(a) for the definition of "the Commission Decision" substitute-

" "the Commission Decision" means Commission Decision 2002/79/EC^[3] imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from China as amended by Commission Decision 2002/233/EC^[4], Commission Decision 2002/678/EC^[5] and Commission Decision 2003/550/EC^[6]"; and

(b) after Regulation 4(3) (Enforcement) insert-

" ; and

(c) Article 1.7 of the Commission Decision (which provision is concerned with the case where consignments are split)".

TOM McCABE

Authorised to sign by the Scottish Ministers

St Andrew's House, Edinburgh
8th September 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Scotland only, amend the Food (Peanuts from China) (Emergency Control) (Scotland) (No. 2) Regulations 2002 (S.S.I. 2002/425) ("the principal Regulations").

The principal Regulations implement Commission Decision 2002/79/EC imposing special conditions on the import of peanuts and certain products derived from peanuts originating in, or consigned from China (O.J. No. L 34, 5.2.2002, p.21) as amended by Commission Decision 2002/233/EC (O.J. No. L 78, 21.3.2002, p.14) and Commission Decision 2002/678/EC (O.J. No. L 229, 27.8.2002, p.33).

These Regulations implement Commission Decision 2003/550/EC (O.J. No. L 187, 26.7.2003, p.39) which further amends Commission Decision 2002/79/EC.

The principal changes effected by these Regulations are that-

- (a) the period for which consignments subject to sampling and analysis may be detained is increased from 10 to 15 working days; and
- (b) where a consignment is split, copies of the health certificate and analysis certificate must accompany each part of the consignment. (Regulation 2).

No regulatory impact assessment has been prepared in relation to these Regulations.

Notes:

[1] 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) ("the 1998 Act"), Schedule 8, paragraph 15(3). The functions conferred on a Minister of the Crown under section 2(2) of the 1972 Act, in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.[back](#)

[2] S.S.I. 2002/425.[back](#)

[3] O.J. No. L 34, 5.2.02, p.21.[back](#)

[4] O.J. No. L 78, 21.3.02, p.14.[back](#)

[5] O.J. No. L 229, 27.8.02, p.33.[back](#)

[6] O.J. No. L 187, 26.7.03, p.39.[back](#)

ISBN 0 11062467 X