

2008 No. 97

FOOD

COMPOSITION AND LABELLING

The Meat Products (Scotland) Amendment Regulations 2008

<i>Made</i> - - - -	<i>6th March 2008</i>
<i>Laid before the Scottish Parliament</i>	<i>7th March 2008</i>
<i>Coming into force</i> - -	<i>6th April 2008</i>

The Scottish Ministers make the following regulations in exercise of the powers conferred by sections 16(1)(e) and 48(1) of the Food Safety Act 1990(a) and all other powers enabling them to do so.

They have had regard to relevant advice given by the Food Standards Agency in accordance with section 48(4A) of that Act(b).

There has been consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(c).

Citation and commencement

1. These Regulations may be cited as the Meat Products (Scotland) Amendment Regulations 2008 and come into force on 6th April 2008.

Amendments to the Meat Products (Scotland) Regulations 2004

2. The Meat Products (Scotland) Regulations 2004(d) are amended in accordance with regulations 3 and 4.

(a) 1990 c.16; sections 16(1) and 48(1) were amended by the Food Standards Act 1999 (c.28) (“the 1999 Act”), Schedule 5, paragraph 8; section 48(4) is disapplied in respect of these regulations by virtue of section 48(4C), inserted by S.I. 2004/2990; amendments made by Schedule 5 to the 1999 Act shall be taken as pre-commencement enactments for the purposes of the Scotland Act 1998 (c.46) by virtue of section 40(2) of the 1999 Act. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998. Insofar as not so transferred and insofar as relating to food (including drink) including the primary production of food, those functions were transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849).

(b) Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the 1999 Act.

(c) O.J. No. L 31, 1.2.02, p.1, as amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (O.J. No. L 245, 29.9.03, p.4) and Commission Regulation (EC) No. 575/2006 (O.J. No. L 100, 7.4.06, p.3).

(d) S.S.I. 2004/6 as amended by S.S.I. 2005/616 and 2006/530.

3. For regulation 5(2)(b) (name of the food for certain meat products) substitute–

“(b) any added ingredient to which sub-paragraph (a) does not apply, other than starch, protein or an ingredient specified in Schedule 3.”.

4. In Schedule 3 (added ingredients which are not required to be indicated in the name of the meat product in the case of a meat product to which regulation 5 applies), items 6 and 7 and the note relating to those items are omitted.

St Andrew's House,
Edinburgh
6th March 2008

S ROBISON
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Meat Products (Scotland) Regulations 2004. In implementation of Council Directive 77/99/EEC on health problems affecting the production and marketing of meat products and certain other products of animal origin (the text of which was replaced by the text annexed to Council Directive 92/5/EEC, O.J. No. L 57, 2.3.92, p.1), a provision was included in the Meat Products (Scotland) Regulations 2004 to the effect that where meat products of a specified appearance are sold, for the purposes of the Food Labelling Regulations 1996 (S.I. 1996/1449, as amended) the name used as the name of the food in the labelling of the products must include an indication of any added starch or protein, unless it has been added only for a technological purpose.

Following the repeal of Council Directive 77/99/EEC, these Regulations remove from the list of ingredients which are not required to be indicated in the name of a meat product any starch or protein added only for a technological purpose (*regulations 3 and 4*).

A full regulatory impact assessment on the effect that these Regulations would have on business costs has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from The Food Standards Agency, 6th Floor, 88 St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ.

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