

To: Lead Food Officers

Cc: SFELC

2 April 2019

Ref: FSS/ENF/19/004

Dear Colleague

The Food Standards and Hygiene (Miscellaneous Amendments) (Scotland) Regulations 2019

I wish to inform you that following Ministerial clearance and Parliamentary scrutiny **The Food Standards and Hygiene (Miscellaneous Amendments) (Scotland) Regulations 2019** came into force on 28 March 2019.

The main purpose of the Instrument is to remove out of date references, update EU law references and implement EU law. The amendments can be broadly categorised as follows:

Removal of out-of-date transitional provisions:

Amendment of the Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001
Amendment of the Specified Sugar Products (Scotland) Regulations 2003
Amendment of the Cocoa and Chocolate Products (Scotland) Regulations 2003
Amendment of the Fruit Juices and Fruit Nectars (Scotland) Regulations 2013

Removing unnecessary provisions:

Amendment of the Country of Origin of Certain Meats (Scotland) Regulations 2016 following a Government undertaking to the Delegated Powers and Law Reform Committee of the Scottish Parliament to remove unnecessary definitions.

Updating references to EU & domestic legislation:

Amendment of the Bread and Flour Regulations 1998
Amendment of the Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001
Amendment of the Condensed Milk and Dried Milk (Scotland) Regulations 2003
Amendment of the Jam and Similar Products (Scotland) Regulations 2004
Amendment of the Food Hygiene (Scotland) Regulations 2006

Amendment of the Fishery Products (Official Controls Charges) (Scotland) Regulations 2007

Amendment of the Spreadable Fats, Milk and Milk Products (Scotland) Regulations 2008

Amendment of the Fruit Juices and Fruit Nectars (Scotland) Regulations 2013

Amendment of the Products Containing Meat etc. (Scotland) Regulations 2014

Implementation of EU obligations:

Amendment of the Fishery Products (Official Controls Charges) (Scotland) Regulations 2007

The 2007 Regulations are amended in relation to the following changes to EU law: Commission Regulation (EU) No 2017/1973 amends Regulation (EC) No 2074/2005 with regard to official controls on fishery products caught by vessels flying the flag of a Member State and introduced into Union after being transferred in third countries. It establishes a model health certificate for those products.

Amendment of the Fruit Juices and Fruit Nectars (Scotland) Regulations 2013

The 2013 Regulations are amended in implementation of Commission Delegated Regulation (EU) No 1040/2014 amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption. The amendment allows plant proteins from wheat, peas and potatoes to be used for the clarification of products to which the Fruit Juices and Fruit Nectars (Scotland) Regulations 2013 apply.

Amendment of the Food Hygiene (Scotland) Regulations 2006

The amendment to the 2006 Regulations relates to the implementation of Regulation (EU) No 2017/2158 establishing mitigation measures and benchmark levels for the reduction of the presence of acrylamide in certain food. Food Standards Scotland has prepared guidelines for Local Authorities on the implementation of Commission Regulation (EU) 2017/2158. This guidance will be published shortly with engagement with Local Authorities via the Scottish Food Enforcement Liaison Committee.

The new Regulation can be found at:

http://www.legislation.gov.uk/ssi/2019/33/pdfs/ssi_20190033_en.pdf

If you have any queries on this letter, please do not hesitate to contact me.

Yours sincerely

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