

Reference: OFFC 2020/S/002

**THE OFFICIAL FEED AND FOOD CONTROLS (SCOTLAND) REGULATIONS 2009 (SSI 2009/446) (the “Regulations”)**

**DECLARATION UNDER REGULATION 35**

Whereas Food Standards Scotland has reasonable grounds to suspect that food and feed originating in or consigned from Albania, Belarus, Bosnia and Herzegovina, Kosovo, North Macedonia, Moldova, Montenegro, Russia, Serbia, Switzerland, Turkey or Ukraine (the “affected countries”) may contain radioactivity which is above the legal maximum permitted levels and is likely to constitute a serious risk to animal or public health;

Whereas the European Council adopted Council Regulation (EC) No 733/2008 (OJ L.201, 30.07.2008, p.1) imposing conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station, which expired in March 2020;


Whereas the Commission adopted Commission Regulation (EC) No 1609/2000 (OJ L.185, 25.07.2000, p.27) which established a list of products to which Regulation (EC) No 733/2008 applied;

Whereas the Commission adopted Commission Regulation (EC) No 1635/2006 (OJ L.306, 07.11.2006, p.3) which laid down detailed rules for the application of Regulation (EC) No 733/2008;

Whereas on 5 August 2020 the European Commission adopted Commission Implementing Regulation (EU) 2020/1158 (OJ L 257, 6.8.2020, p. 1) on the conditions governing imports of food and feed originating in third countries following the accident at the Chernobyl nuclear power station;

And, whereas Commission Implementing Regulation (EU) 2020/1158 repealed Commission Regulation (EC) 1609/2000 and Commission Regulation (EC) 1635/2006.

**Food Standards Scotland** declares in accordance with regulation 35 of the Regulations that with effect from the date and time of this declaration, importation into Scotland of food and feed within the scope of Article 1 of Commission Implementing Regulation (EU) 2020/1158, originating in or consigned from the affected countries, is subject to the conditions specified in Articles 3, 4, 5 and 6 of Commission Implementing Regulation (EU) 2020/1158, as read with the transitional provision contained in Article 9 of that Regulation.

Signed by: ...  Date: 11/08/2020 Time: 13:50

Print name: .....Geoff Ogle.....

Give details of post held: .....CEO.....

For and on behalf of Food Standards Scotland

#### NOTES

1. Any expression used in both this declaration and Commission Implementing Regulation (EU) 2020/1158, has the same meaning as it bears in that Implementing Regulation.
2. The importation into Scotland of feed and food originating in or consigned from the affected countries in contravention of this declaration is an offence, punishable by a fine or with imprisonment or both.