

## Annex 1

### Sample Forms and Notices

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Notice Ref No:

## Regulation 32 Official Feed and Food Controls (Scotland) Regulations 2009 (as amended) - Example Notice

NOTICE FROM [NAME] PORT HEALTH / LOCAL AUTHORITY  
The Official Feed and Food Controls (Scotland) Regulations 2009 (as amended)

NOTICE OF  
DETENTION  
<DESTRUCTION>  
<SPECIAL TREATMENT>  
<RE-DISPATCH>  
<OTHER APPROPRIATE MEASURES>

(Note: delete non-applicable option/s)

To: ***Insert importers / person in control of feed/food name/address***

I being an authorised officer of [name] Local Authority after consultation with you being the Importer or Feed/Food business operator, hereby give notice to you in accordance with *regulation 32 of The Official Feed and Food Controls (Scotland) Regulations 2009* (as amended) that:-

*I suspect that\** The consignment described in the schedule below fails to comply with feed or food law *<and is injurious to human or animal health or unsafe>\** in that:

***Insert analyst's / food examiner's findings including the regulations breached***

AND The consignment is hereby placed under official detention until further notice\*

I hereby require you to: - either

< Destroy the feed or food within 60 days of the date stated on this notice > OR

< Subject the feed or food to the following special treatment within 60 days of the date stated on this notice >

*<insert special treatment>* OR

< Re-dispatch the feed or food outside the Community within 60 days of the date stated on this notice

> **Note that failure to re-dispatch the consignment within the specified time period may result in its destruction under the provisions of Article 21(2) of Regulation 882/2004 unless a delay is justified.**

OR

< Take the following other appropriate measures within 60 days of the date stated on this notice >

*<insert appropriate measures>*

(Note:\* delete non applicable option/s)

The consignment is officially detained pending compliance with the terms of this notice at: ***Insert address of where the consignment is being officially detained.***

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## SCHEDULE

Product Description  
(to include airway  
bill/bill of lading if  
applicable):

Container (only if  
this is applicable):

Vessel (only if this is  
applicable):

Quantity/Number of Total «quantity» Gross/Net «weight»Kg  
pieces: Weight

Importer/Food  
Business Operator

Lot Number/s (only  
if this is applicable)

**SIGNED** ..... **[AUTHORISED OFFICER]**

**Name in capitals:** *Insert officer name/ title*

**Date:** <date>

**Address:** [Name] Local Authority  
[Address]

**Tel No:** [Tel]

Please read the following notes carefully. If you are not sure of your rights or the implications of this notice, you should seek legal advice.

### NOTES

#### **The Official Feed and Food Controls (Scotland) Regulations 2009 (as amended)**

1. Any person who is aggrieved by the decision of an authorised officer to serve a notice may appeal to the Sheriff, which shall determine whether or not the notice was lawfully served or technically correct.
2. If you intend to appeal an application by way of Complaint for an order must be made to the Sheriff addressed to the **Clerks Office, [Address]**, within **one month** from the date on which the Notice was served.

Any person who breaches the terms of the notice shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum or on conviction on indictment to imprisonment for a term not exceeding two years, to a fine or to both.

In accordance with Article 22 of Regulation (EC) 882/2004, you as the food or feed business operator are responsible for the consignment or product may be required to pay or reimburse on demand the costs incurred pursuant to this notice including those of storing, transporting, re-dispatching, disposing of and destroying the product or consignment specified in the schedule hereto.

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## Regulation 27 (6) Trade in Animals and Related Products (Scotland) 2012 Notice – Example Notice

*[Insert Name, address and telephone number of Authority]*

<p><b>REGULATION 27 (6) NOTICE</b></p> <p><b>THE TRADE IN ANIMALS AND RELATED PRODUCTS (SCOTLAND) REGULATIONS 2012</b></p> <p><b>(“the Regulations”)</b></p> <p><b>DETENTION OF PRODUCTS OF ANIMAL ORIGIN WHICH MAY HAVE BEEN INTRODUCED IN BREACH OF THE REGULATIONS</b></p>
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TO (Person appearing to have charge of the products): *[insert name]*

OF: *[insert full postal address and postcode]*

Country of origin:

Country arriving from (if different to country of origin):

Identifying number (of container/airway bill etc):

I, being an authorised officer of *[insert authority]* acting under regulation 27 (6) of the above Regulations **hereby give notice to you**, being the person appearing to me to have charge of the consignment or products described in the schedule overleaf, that I am detaining the products listed in the product details schedule overleaf until a Customs officer takes charge of them, because I consider that they may have been introduced into Scotland in breach of the Regulations.

**Signed:** \_\_\_\_\_

**Dated this** \_\_\_\_\_ **day of** \_\_\_\_\_ **20**\_\_

**Name (in BLOCK LETTERS)** \_\_\_\_\_

**Title/Position Held:** \_\_\_\_\_

**Official Address: (if that different to address at the head of this Notice)**

**Telephone number: (if different to number at the head of this Notice):** \_\_\_\_\_

Authority logo

Ref No:

**REGULATION 27 (6) NOTICE**  
**THE TRADE IN ANIMALS AND RELATED PRODUCTS (SCOTLAND) REGULATIONS 2012**  
**(“the Regulations”)**  
**DETENTION OF PRODUCTS OF ANIMAL ORIGIN WHICH MAY HAVE BEEN INTRODUCED**  
**IN BREACH OF THE REGULATIONS**

**Product Details Schedule**

<b>Product Details</b>					
	<b>Description (to include weight and other details e.g. airway bill/bill of lading if known)</b>	<b>Date and time detained by Local Authority</b>	<b>Date and Time notified to Customs</b>	<b>Storage location</b>	<b>Date and time Customs attended</b>
<b>1</b>					
<b>2</b>					
<b>3</b>					
<b>4</b>					

## Example template to record checks

Imported food and feed checks carried out at ..... (insert port name and address)

Date	Airway bill/ Bill of lading number	Origin	Product	Document / Manifest check Yes/No		Identity Check Yes/No		Physical Check (Yes/No)		Further Action	Outcome	Comments
				Yes	Officer SMc	No	Officer	No	Officer			
E.g. 24 <sup>th</sup> June 2012	125 6593 2499	USA	Fresh onions	Yes	Officer SMc	No	Officer	No	Officer	Not required	n/a	n/a
E.g. 5 <sup>th</sup> July 2012	125 7689 9098	USA	Fresh red table grapes	Yes	Officer SMc	Yes	Officer AR	Yes	Officer AR	Sampled and released (routine surveillance)	Results received 10/05/2012- Satisfactory	n/a
					Officer		Officer		Officer			
					Officer		Officer		Officer			
					Officer		Officer		Officer			
					Officer		Officer		Officer			
					Officer		Officer		Officer			
					Officer		Officer		Officer			
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