

NOVEL FOOD DETENTION NOTICE

Local Authority:	Reference Number:
<p>Section 9(2)(a) of the Food Safety Act 1990 (as applied by regulation 5(2) of the Novel Foods (Scotland) Regulations 2017)</p> <p>Contravention of Article 6(2) of Regulation (EU) 2015/2283</p> <p>Unauthorised novel food placed on the market</p>	
<p>To:..... (The person in charge of the food)</p> <p>At:..... (Address of person in charge of the food)</p> <p>And (only if the person in charge of the food is not the owner of the food, above):</p> <p>To:..... (The owner of the food)</p> <p>At:..... (Address of the owner of the food)</p>	
<p>Name of food business:..... Address of food business.....</p>	
<p>The food described below, or any specified portion of it so described, is being detained for the purposes of determining whether or not it is considered a novel food in accordance with Article 6(2) of Regulation (EU) 2015/2283:</p> <p>Description:</p> <p>Quantity:</p> <p>Identification / Lot Marks :</p> <p>.....</p> <ol style="list-style-type: none"> 1. This food is not to be used for human consumption. 2. The food described below, or any specified part of it, is not to be removed from the address below. 	

Description:

.....
.....
.....

Address of where this food described is to remain:

.....
.....

You will be informed in writing as soon as is reasonably practicable and in any case within 21 days of the Authorised Officer's determination. This notice will then either be withdrawn and the food released, or the food will be seized to be dealt with by the sheriff, who may make such an order as the sheriff considers appropriate in respect of the food.

Signed:.....(Authorised Officer)

Name in capitals:Date:

Address:

Tel: E-mail:

Please read the notes overleaf carefully. If you are not sure of your rights or the implications of this notice, you may want to seek independent legal advice.

NOTES

1. The Authorised Officer has, by means of this notice, required the detention of the food specified for the purposes of determining whether or not it is considered a novel food in accordance with Article 6(2) of Regulation (EU) 2015/2283.
2. The food must remain where it is. If it is moved it may only be moved within the place stated in this notice.
3. If an Authorised Officer is satisfied that the food need no longer be detained this notice will be withdrawn by means of a further notice in writing.
4. If, for some reason, you need to move the food after receiving this notice, you should contact the Authorised Officer at the address given.
5. If a notice under subsection (2)(a) is withdrawn, or the sheriff by whom any food falls to be dealt with under section 9 of the Food Safety Act 1990 (as applied by regulation 5 (2) of the Novel Foods (Scotland) Regulations 2017) refuses to condemn it, the food authority may be required to compensate the owner of the food for any depreciation in its value from the action taken by the Authorised Officer.

WARNING

FAILURE TO COMPLY WITH THIS NOTICE IS AN OFFENCE