

Executive Note

The Spreadable Fats (Marketing Standards) (Scotland) Amendment Regulations 2007 SSI 2007/303

The above instrument is being made in exercise of the powers conferred by sections 16(1), 17(2), 26(1) and (3), and 48(1) of the Food Safety Act 1990, and is subject to negative resolution procedure.

Policy Objectives

The purpose of this instrument is to provide enforcement powers in Scotland in respect of compliance under Commission Regulation (EC) No. 445/2007, which revokes and replaces Commission Regulation (EC) No. 577/97 with a consolidated version, whilst retaining the same provisions.

Parallel implementing legislation will be made in England, Wales and Northern Ireland.

Policy background

The European Commission has codified (consolidated) Commission Regulation (EC) No. 577/97 and its amendments, which sets out additional rules for declaring fat content on spreadable fats and use of the word 'butter' to describe composite foods, into a new Commission Regulation (EC) No. 445/2007, which has the same provisions.

UK industry will be legally obliged to comply with new Commission Regulation (EC) No. 445/2007 (as it is directly applicable). In Scotland, enforcement powers are provided for by the Spreadable Fats (Marketing Standards) (Scotland) Regulations 1999 [SSI 1999 No. 34] which makes reference to Commission Regulation (EC) No. 577/97. Therefore, the reference in the

existing instrument will need to be amended in order to ensure that the new European legislation is reflected in Scottish law and can be enforced.

Consultation

There are no changes to the legal requirements that apply to manufacturers, therefore, a full public consultation has not been issued. However, interested parties in Scotland were informed of the changes and were given the opportunity to comment. No comments were received.

Regulatory Impact

As there are no changes to the legal requirements that apply to manufacturers, a Regulatory Impact Assessment has not been produced.

Contact

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