SCOTTISH STATUTORY INSTRUMENTS

2004 No. 413

FOOD

The Miscellaneous Food Additives Amendment (Scotland) Regulations 2004

Made - - - -	*23rd September 2004*
Laid before the Scottish Parliament - - - -	*24th September 2004*
Coming into force - -	*1st November 2004*

The Scottish Ministers in exercise of the powers conferred by sections 16(1)(a), 17(1), 26(1) and (3) and 48(1) of, and paragraph 1 of Schedule 1 to, the Food Safety Act 1990(**1**) and of all other powers enabling them in that behalf, and having had regard in accordance with section 48(4A)(**2**) of that Act to relevant advice given by the Food Standards Agency, and after consultation in accordance with section 48(4) and (4B)(**3**) of that Act, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Miscellaneous Food Additives Amendment (Scotland) Regulations 2004 and shall come into force on 1st November 2004.

(2) These Regulations extend to Scotland only.

Amendment of the Miscellaneous Food Additives Regulations 1995

2. The Miscellaneous Food Additives Regulations 1995(**4**) are amended in accordance with regulations 3 and 4.

3. In regulation 2(1) (interpretation), in the definition of "Directive 96/77/EC", for "and Commission Directive 2002/82/EC", substitute–

(**1**) 1990 c. 16; section 16(1) and 48(1) were amended by the Food Standards Act 1999 (c. 28) ("the 1999 Act"), Schedule 5, paragraph 8; section 17(1) was amended by the 1999 Act, Schedule 5, paragraphs 8 and 12; section 26(3) was amended by the 1999 Act, Schedule 6; amendments made by Schedule 5 to the 1999 Act are to be taken as pre-commencement enactments for the purposes of the Scotland Act 1998 (c. 46) by virtue of section 40(2) of the 1999 Act. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(**2**) Section 48(4A) was inserted by the 1999 Act, Schedule 5, paragraph 21.

(**3**) Section 48(4B) was inserted by the 1999 Act, Schedule 5, paragraph 21.

(**4**) S.I.1995/3187, amended by S.I. 1997/1413, 1999/1136, S.S.I. 2001/38, 103 and 450, 2003/132, 291, 293, 311 and 599 and 2004/6.