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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 278**

**The Food Supplements (Scotland) Regulations 2003**

**Prohibitions on sale relating to composition of food supplements**

5.—(1) <sup>F1</sup>... No person shall sell a food supplement in the manufacture of which a vitamin or mineral has been used unless that vitamin or mineral—

(a) is listed in [<sup>F2</sup>schedule 1 of the 2019 Regulations]; and

(b) is in a form which—

(i) is listed in [<sup>F3</sup>schedule 2 of the 2019 Regulations]; and

(ii) meets the relevant purity criteria.

(2) The relevant purity criteria for the purposes of paragraph (1)(b)(ii) are—

[<sup>F4</sup>(a) the purity criteria, if any, specified in [<sup>F5</sup>assimilated] law or in regulations made by the Scottish Ministers or the Secretary of State under regulation 3 of the 2019 Regulations; or]

(b) in the absence of such purity criteria, generally acceptable purity criteria for the substance in question recommended by international bodies.

<sup>F6</sup>(3) .....

**Textual Amendments**

- F1** Words in [reg. 5\(1\)](#) omitted (1.1.2010) by virtue of [The Food Supplements, Vitamins, Minerals and Other Substances \(Scotland\) Regulations 2009](#) (S.S.I. 2009/438), [regs. 1, 2\(5\)\(a\)](#)
- F2** Words in [reg. 5\(1\)\(a\)](#) substituted (31.12.2020) by [The Nutrition \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019](#) (S.S.I. 2019/54), [regs. 1, 4\(4\)\(a\)\(i\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in [reg. 5\(1\)\(b\)\(i\)](#) substituted (31.12.2020) by [The Nutrition \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019](#) (S.S.I. 2019/54), [regs. 1, 4\(4\)\(a\)\(ii\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F4** [Reg. 5\(2\)\(a\)](#) substituted (31.12.2020) by [The Nutrition \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019](#) (S.S.I. 2019/54), [regs. 1, 4\(4\)\(b\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in [reg. 5\(2\)\(a\)](#) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023](#) (Consequential Amendments) (Scotland) Regulations 2023 (S.S.I. 2023/374), [reg. 1\(1\), sch. 2 para. 4](#)
- F6** [Reg. 5\(3\)](#) omitted (1.1.2010) by virtue of [The Food Supplements, Vitamins, Minerals and Other Substances \(Scotland\) Regulations 2009](#) (S.S.I. 2009/438), [regs. 1, 2\(5\)\(d\)](#)

**Changes to legislation:**

The Food Supplements (Scotland) Regulations 2003, Section 5 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 12(3) inserted by [S.I. 2023/131 reg. 4\(4\)](#)