
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 427

**The Food for Particular Nutritional Uses
(Addition of Substances for Specific Nutritional
Purposes) (Scotland) Regulations 2009**

Application of various sections of the Food Safety Act 1990

4. The following provisions of the Act shall apply for the purposes of these Regulations with the modification that any reference in those provisions to the Act or Part of the Act shall be construed as a reference to these Regulations—

- (a) section 3 (presumptions that food intended for human consumption);
- (b) section 20 (offences due to fault of another person);
- (c) section 21 (defence of due diligence) ^{M1}, as it applies for the purpose of section 14 or 15;
- (d) section 30(8) (analysis etc. of samples);
- (e) section 33(1) (obstruction etc. of officers);
- (f) section 33(2), with the modification that the reference to “any such requirement as is mentioned in subsection (1)(b) above” shall be deemed to be a reference to any such requirement as is mentioned in that subsection as applied by sub-paragraph (e);
- (g) section 35(1) (punishment of offences) ^{M2}, in so far as it relates to offences under section 33(1) as applied by sub-paragraph (e);
- (h) section 35(2) and (3) ^{M3}, in so far as it relates to offences under section 33(2) as applied by sub-paragraph (f);
- (i) section 36 (offences by bodies corporate);
- (j) section 36A (offences by Scottish partnerships) ^{M4}; and
- (k) section 44 (protection of officers acting in good faith).

Marginal Citations

M1 Section 21 was amended by [S.I. 2004/3279](#).

M2 Section 35(1) is amended by the [Criminal Justice Act 2003 \(2003 c.44\)](#), [Schedule 26](#), paragraph 42, from a date to be appointed.

M3 Section 35(3) was amended by [S.I. 2004/3279](#).

M4 Section 36A was inserted by the [Food Standards Act 1999 \(1999 c.28\)](#), [Schedule 5](#), paragraph 16.

Changes to legislation:

There are currently no known outstanding effects for the The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2009, Section 4.