

## SCHEDULE

Regulation 2(1)

Relevant Offences for the purposes of Part 3 of the 2015 Act as it applies to compliance notices

### The Quick-frozen Foodstuffs Regulations 1990

1. An offence under any of the following provisions of the Quick-frozen Foodstuffs Regulations 1990(1)—

- (a) regulation 3 (sale of quick-frozen foodstuffs),
- (b) regulation 4 (packaging of quick-frozen foodstuffs intended for supply to the ultimate consumer),
- (c) regulation 5(1), (2), (3) and (4) (labelling of quick-frozen foodstuffs),
- (d) regulation 6 (equipment),
- (e) regulation 7(1A) (penalties and enforcement).

#### Commencement Information

I1 [Sch. para. 1](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

### Food (Lot Marking) Regulations 1996

2. An offence under regulation 5(1) (enforcement) of the Food (Lot Marking) Regulations 1996(2).

#### Commencement Information

I2 [Sch. para. 2](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

### Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997

3. An offence under regulation 6(1) (offences and penalties) of the Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997(3).

#### Commencement Information

I3 [Sch. para. 3](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

### Bread and Flour Regulations 1998

4. An offence under any of the following provisions of the Bread and Flour Regulations 1998(4)—

- (a) regulation 4(4)(a) and (4)(b)(ii) (composition of flour),
- (b) regulation 5 (additional ingredients),
- (c) regulation 6(2) (restrictions on the use of the words ‘wholemeal’ and ‘wheatgerm’).

(1) [S.I. 1990/2615](#) relevant amending instrument is [S.S.I. 2007/106](#).

(2) [S.I. 1996/1502](#).

(3) [S.I. 1997/2182](#).

(4) [S.I. 1998/141](#).

**Changes to legislation:** There are currently no known outstanding effects for the The Food (Scotland) Act 2015 (Compliance Notices) Regulations 2023, SCHEDULE. (See end of Document for details)

**Commencement Information**

**I4** Sch. para. 4 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001**

**5.** An offence under regulation 7(1) (penalties and enforcement) of the Coffee Extracts and Chicory Extracts (Scotland) Regulations 2001(5).

**Commencement Information**

**I5** Sch. para. 5 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Kava-kava in Food (Scotland) Regulations 2002**

**6.** An offence under regulation 4(1) (penalty and enforcement) of the Kava-kava in Food (Scotland) Regulations 2002(6).

**Commencement Information**

**I6** Sch. para. 6 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Food Supplements (Scotland) Regulations 2003**

**7.** An offence under regulation 9 (offences and penalties) of the Food Supplements (Scotland) Regulations 2003(7).

**Commencement Information**

**I7** Sch. para. 7 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Cocoa and Chocolate Products (Scotland) Regulations 2003**

**8.** An offence under regulation 8(1) (penalties and enforcement) of the Cocoa and Chocolate Products (Scotland) Regulations 2003(8).

**Commencement Information**

**I8** Sch. para. 8 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Condensed Milk and Dried Milk (Scotland) Regulations 2003**

**9.** An offence under regulation 7(1) (penalties and enforcement) of the Condensed Milk and Dried Milk (Scotland) Regulations 2003(9).

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(5) S.S.I. 2001/38.  
(6) S.S.I. 2002/523.  
(7) S.S.I. 2003/278.  
(8) S.S.I. 2003/291.  
(9) S.S.I. 2003/311.

**Commencement Information**

**I9** Sch. para. 9 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Specified Sugar Products (Scotland) Regulations 2003**

**10.** An offence under regulation 7(1) (penalties and enforcement) of the Specified Sugar Products (Scotland) Regulations 2003(**10**).

**Commencement Information**

**I10** Sch. para. 10 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004**

**11.** An offence under any of the following provisions of the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Scotland) Regulations 2004(**11**)—

- (a) regulation 4 (restrictions on the sale of processed CEREAL-BASED foods and baby foods),
- (b) regulation 5(1), (3) and (4) (general requirements as to manufacture and composition),
- (c) regulation 6 (added nutritional substances and nutrients),
- (d) regulation 7 (pesticide residues),
- (e) regulation 8 (labelling).

**Commencement Information**

**I11** Sch. para. 11 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Jam and Similar Products (Scotland) Regulations 2004**

**12.** An offence under regulation 7(1) (penalties and enforcement) of the Jam and Similar Products (Scotland) Regulations 2004(**12**).

**Commencement Information**

**I12** Sch. para. 12 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Genetically Modified Food (Scotland) Regulations 2004**

**13.** An offence under regulation 5 (offences and penalties) of the Genetically Modified Food (Scotland) Regulations 2004(**13**).

(10) S.S.I. 2003/527.

(11) S.S.I. 2004/8 as amended by S.S.I. 2014/312.

(12) S.S.I. 2004/133.

(13) S.S.I. 2004/432.

**Changes to legislation:** There are currently no known outstanding effects for the *The Food (Scotland) Act 2015 (Compliance Notices) Regulations 2023, SCHEDULE*. (See end of Document for details)

#### Commencement Information

**I13** [Sch. para. 13](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

### General Food Regulations 2004

**14.** An offence under any of the following provisions of the General Food Regulations 2004(14)—

- (a) regulation 4(b) (Article 14(1) food safety requirements),
- (b) regulation 4(c) (Article 16 (presentation) in so far as it relates to food),
- (c) regulation 4(d) (Article 18(2) or (3) (traceability) in so far as it relates to food business operators),
- (d) regulation 4(e) (Article 19(4) responsibilities for food: food business operators).

#### Commencement Information

**I14** [Sch. para. 14](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

### Tryptophan in Food (Scotland) Regulations 2005

**15.** An offence under regulation 6(1) (offences and penalty) of the Tryptophan in Food (Scotland) Regulations 2005(15).

#### Commencement Information

**I15** [Sch. para. 15](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

### Addition of Vitamins, Minerals and Other Substances (Scotland) Regulations 2007

**16.** An offence under any of the following provisions of the Addition of Vitamins, Minerals and Other Substances (Scotland) Regulations 2007(16)—

- (a) regulation 4(2)(a) (Article 3(1) (requirement that only vitamins or minerals listed in Annex I and in form listed in Annex II may be added to food) as read with Article 17(1) (transitional application of national rules)),
- (b) regulation 4(2)(b) (Article 4 (prohibition on addition of vitamins and minerals to certain foods)),
- (c) regulation 4(2)(c) (Article 5(2) (requirement to observe purity criteria)),
- (d) regulation 4(2)(d) (Article 6(6) (requirement for added vitamins and minerals to be in the food in at least a significant amount as defined)),
- (e) regulation 4(2)(e) (Article 7(1), (2) and (3) (restrictions and conditions applying to labelling, presentation and advertising of foods to which vitamins or minerals have been added) as read with the first subparagraph of Article 54(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No

(14) [S.I. 2004/3279](#) to which there are no amendments relevant to these Regulations.

(15) [S.S.I. 2005/479](#).

(16) [S.S.I. 2007/325](#) as amended by [S.S.I. 2014/312](#), [S.S.I. 2020/7](#) and [S.S.I. 2020/156](#).

1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission regulation (EC) No 608/2004).

**Commencement Information**

**I16** Sch. para. 16 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Nutrition and Health Claims (Scotland) Regulations 2007**

**17.** An offence under regulation 5 (offences and penalties) of the Nutrition and Health Claims (Scotland) Regulations 2007(**17**).

**Commencement Information**

**I17** Sch. para. 17 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007**

**18.** An offence under regulation 20 (offences and penalties) of the Natural Mineral Water, Spring Water and Bottled Water (Scotland) No. 2 Regulations 2007(**18**).

**Commencement Information**

**I18** Sch. para. 18 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Specified Products from China (Restriction on First Placing on the Market) (Scotland) Regulations 2008**

**19.** An offence under regulation 3(1) (restriction on placing on the market of rice products) of the Specified Products from China (Restriction on First Placing on the Market) (Scotland) Regulations 2008(**19**).

**Commencement Information**

**I19** Sch. para. 19 in force at 30.6.2023, see [reg. 1\(2\)](#)

**Food Irradiation (Scotland) Regulations 2009**

**20.** An offence under either of the following provisions of the Food Irradiation (Scotland) Regulations 2009(**20**)—

- (a) regulation 6(1)(b) (restriction on storage or transport),
- (b) regulation 8(1)(b) (documentation for food not ready for final sale).

(17) S.S.I. 2007/383 as amended by S.S.I. 2014/312.

(18) S.S.I. 2007/483 as amended by S.S.I. 2009/273 and S.S.I. 2010/89.

(19) S.S.I. 2008/148 as amended by S.S.I. 2012/3 and S.S.I. 2013/221.

(20) S.S.I. 2009/261.

*Changes to legislation: There are currently no known outstanding effects for the The Food (Scotland) Act 2015 (Compliance Notices) Regulations 2023, SCHEDULE. (See end of Document for details)*

**Commencement Information**

**I20** [Sch. para. 20](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

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

**21.** An offence under regulation 3(1) (offences, penalties and execution and enforcement) of the Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Scotland) Regulations 2009(**21**).

**Commencement Information**

**I21** [Sch. para. 21](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

**Plastic Kitchenware (Conditions on Imports from China) (Scotland) Regulations 2011**

**22.** An offence under regulation 4 (offences and penalties) of the Plastic Kitchenware (Conditions on Imports from China) (Scotland) Regulations 2011(**22**).

**Commencement Information**

**I22** [Sch. para. 22](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

**Materials and Articles in Contact with Food (Scotland) Regulations 2012**

**23.** An offence under any of the following provisions of the Materials and Articles in Contact with Food (Scotland) Regulations 2012(**23**)—

- (a) regulation 4(3) (offences of contravening specified provisions of Regulation 1935/2004),
- (b) regulation 5 (offence of contravening Article 4 of Regulation 2023/2006),
- (c) regulation 7 (offences of contravening specified provisions of Regulation 450/2009),
- (d) regulation 14 (offences of contravening specified provisions of Regulation 10/2011),
- (e) regulation 16(4) (restrictions on the use of epoxy derivatives (BADGE, BFDGE and NOGE),
- (f) regulation 19(1) (offences and penalties).

**Commencement Information**

**I23** [Sch. para. 23](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

(21) [S.S.I. 2009/427](#).

(22) [S.S.I. 2011/282](#).

(23) [S.S.I. 2012/318](#) relevant amending instrument is [S.S.I. 2019/32](#).

### **Fish Labelling (Scotland) Regulations 2013**

**24.** An offence under regulation 5 (offences) of the Fish Labelling (Scotland) Regulations 2013(24).

#### **Commencement Information**

**I24** Sch. para. 24 in force at 30.6.2023, see [reg. 1\(2\)](#)

### **Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013**

**25.** An offence under any of the following provisions of the Food Additives, Flavourings, Enzymes and Extraction Solvents (Scotland) Regulations 2013(25)—

- (a) regulation 3 (offence of contravening EU requirements on food additives),
- (b) regulation 4 (offence of contravening EU requirements on flavourings, including smoke flavourings),
- (c) regulation 5 (offence of contravening EU requirements on flavourings, including smoke flavourings),
- (d) regulation 6 (offence of contravening EU requirements on food enzymes),
- (e) regulation 15(1) (offences and penalties).

#### **Commencement Information**

**I25** Sch. para. 25 in force at 30.6.2023, see [reg. 1\(2\)](#)

### **Fruit Juices and Fruit Nectars (Scotland) Regulations 2013**

**26.** An offence under regulation 17 (offences and penalties) of the Fruit Juices and Fruit Nectars (Scotland) Regulations 2013(26).

#### **Commencement Information**

**I26** Sch. para. 26 in force at 30.6.2023, see [reg. 1\(2\)](#)

### **Products Containing Meat etc. (Scotland) Regulations 2014**

**27.** An offence under regulation 6(1) (penalties and enforcement) of the Products Containing Meat etc. (Scotland) Regulations 2014(27).

#### **Commencement Information**

**I27** Sch. para. 27 in force at 30.6.2023, see [reg. 1\(2\)](#)

(24) S.S.I. 2013/256 as amended by S.S.I. 2015/48.

(25) S.S.I. 2013/266 to which there are no amendments relevant to these Regulations.

(26) S.S.I. 2013/305.

(27) S.S.I. 2014/289 as amended by S.S.I. 2019/33.

### The Food Information (Scotland) Regulations 2014

**28.** An offence under regulation 10 (offences) of the Food Information (Scotland) Regulations 2014**(28)**.

#### Commencement Information

**I28** Sch. para. 28 in force at 30.6.2023, see [reg. 1\(2\)](#)

### Honey (Scotland) Regulations 2015

**29.** An offence under regulation 17(1) (penalties and enforcement) of the Honey (Scotland) Regulations 2015**(29)**.

#### Commencement Information

**I29** Sch. para. 29 in force at 30.6.2023, see [reg. 1\(2\)](#)

### Country of Origin of Certain Meats (Scotland) Regulations 2016

**30.** An offence under regulation 6(1) and (2) (offences and penalties) of the Country of Origin of Certain Meats (Scotland) Regulations 2016**(30)**.

#### Commencement Information

**I30** Sch. para. 30 in force at 30.6.2023, see [reg. 1\(2\)](#)

### Food for Specific Groups (Scotland) Regulations 2016

**31.** An offence under regulation 4(1) (offences and penalties) of the Food for Specific Groups (Scotland) Regulations 2016**(31)**.

#### Commencement Information

**I31** Sch. para. 31 in force at 30.6.2023, see [reg. 1\(2\)](#)

### The Caseins and Caseinates (Scotland) (No. 2) Regulations 2016

**32.** An offence under any of the following provisions of the Caseins and Caseinates (Scotland) (No. 2) Regulations 2016**(32)**—

- (a) regulation 4 (restriction on the marketing and use of edible acid caseins, edible rennet caseins and edible caseinates),
- (b) regulation 5(1) and (2) (labelling of edible acid caseins, edible rennet caseins and edible caseinates).

**(28)** S.S.I. 2014/312 relevant amending instruments are S.S.I. 2015/410, S.S.I. 2016/191, S.S.I. 2020/156 and S.S.I. 2021/70.

**(29)** S.S.I. 2015/208 to which there are no amendments relevant to these Regulations.

**(30)** S.S.I. 2016/84 to which there are no amendments relevant to these Regulations.

**(31)** S.S.I. 2016/190 relevant amending instruments are S.S.I. 2018/392 and S.S.I. 2020/7.

**(32)** S.S.I. 2016/422 to which there are no amendments relevant to these Regulations.

**Changes to legislation:** There are currently no known outstanding effects for the *The Food (Scotland) Act 2015 (Compliance Notices) Regulations 2023, SCHEDULE*. (See end of Document for details)

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**Commencement Information**

**I32** [Sch. para. 32](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

**Novel Foods (Scotland) Regulations 2017**

**33.** An offence under regulation [<sup>F1</sup>4] (as read with Articles 24 and 35(2)) of the Novel Foods (Scotland) Regulations 2017(**33**).

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**Textual Amendments**

**F1** Word in [sch. para. 33](#) substituted (21.12.2023) by [The Food \(Scotland\) Act 2015 \(Compliance Notices\) Amendment Regulations 2023 \(S.S.I. 2023/337\)](#), regs. 1(2), **2(2)**

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**Commencement Information**

**I33** [Sch. para. 33](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

**Food for Specific Groups (Infant Formula and Follow-On Formula) (Scotland) Regulations 2020**

**34.** An offence under regulation 4(1) (offences and penalties) of the Food for Specific Groups (Infant Formula and Follow-On Formula) (Scotland) Regulations 2020(**34**).

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**Commencement Information**

**I34** [Sch. para. 34](#) in force at 30.6.2023, see [reg. 1\(2\)](#)

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(33) S.S.I. 2017/415.

(34) S.S.I. 2020/6.

**Changes to legislation:**

There are currently no known outstanding effects for the The Food (Scotland) Act 2015 (Compliance Notices) Regulations 2023, SCHEDULE.