

To Interested Parties

17 October 2005

Reference: SCB/0263

APPLICATION OF THE NEW EU FOOD HYGIENE LEGISLATION INTO UK LAW: CURRENT POSITION AND NEXT STEPS

This letter is to update you on the current position and next steps regarding the above legislation.

The Food Hygiene (Scotland) Regulations 2005 (SSI 2005 No. 505) were laid before Parliament on 12th October 2005. Copies will be available shortly on the Office of Public Sector Information web site at <http://www.opsi.gov.uk/si/xxxx.htm>.

The Food Hygiene (Scotland) Regulations 2005 give effect to the EU Regulations which come into force on 1st January 2006. These Regulations were subject to a formal FSA consultation that concluded in January this year. Further details of the consultation can be found on the FSA website on the following link:

http://www.food.gov.uk/foodindustry/Consultations/completed_consultations/compleconsultscot/hygienereregsscot2005

A summary of consultation responses and an FSA response is available on the FSA website at the link below:

http://www.food.gov.uk/foodindustry/Consultations/completed_consultations/compleconsulteng/hygienereregsscot2005england

A formal FSA consultation was also carried out on an early draft of a possible Commission Regulation laying down implementing measures and transitional arrangements for certain products of animal origin, and the organisation of official



controls on those products, to facilitate application of the new EU food hygiene legislation. The consultation concluded in May this year and a summary of the consultation responses and an FSA response will be published shortly. These measures have yet to be formalised and will be published in the Official Journal in due course. Further details can be found on the FSA website at the attached link:

<http://www.food.gov.uk/foodindustry/regulation/europeleg/eufoodhygieneleg/>

The Commission's process means that the implementing and transitional measures legislation is unlikely to enter into force until December.

The Commission measures give rise to the need to make a second, consolidated, Scottish Statutory Instrument, The Food Hygiene (Scotland) (No 2) Regulations 2005. This will be necessary in order to give full effect to various pieces of Commission implementing legislation, including the regulation on microbiological criteria pursuant of Article 17(3) of Regulation 852/2004 on the hygiene of foodstuffs. The FSA issued a formal consultation on the draft Food Hygiene (Scotland) (No 2) Regulations 2005 on 23 September 2005.

Similar arrangements for consolidated Statutory Instruments are being made in England, Wales and Northern Ireland to give effect to the Commission implementing measures and transitional arrangements throughout the UK.

A list of interested parties to whom this letter is being sent is available on request. Please feel free to pass this document to any other parties with an interest in the subject matter herein, or send us their full contact details and we will arrange for a copy to be sent to them direct. Further updates will be posted on the FSA web site.

Yours sincerely

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