Draft Regulations laid before the Scottish Parliament under section 9(4) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2024 No.

AGRICULTURE

FOOD

The Free-Range Egg Marketing Standards (Amendment) (Scotland) Regulations 2024

Made - - - -	*2024*
Coming into force - -	*2024*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 9(1) and 21(1)(b) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020(**a**) and all other powers enabling them to do so.

In accordance with section 9(5) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, the Scottish Ministers have consulted such persons as they consider are representative of the interests of persons likely to be affected by the Regulations as they consider appropriate.

There has been consultation as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**b**).

In accordance with section 9(4) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020 a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Free-Range Egg Marketing Standards (Amendment) (Scotland) Regulations 2024 and come into force on the day after the day on which they are made.

(**a**) 2020 asp 17.
(**b**) EUR 2002/178, relevantly amended by S.I. 2019/641 and 2020/1504.

Amendment of Commission Regulation (EC) No 589/2008

2.—(1) Commission Regulation (EC) No 589/2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs(**a**) is amended as follows.

(2) In Annex 2 (minimum requirements for systems of production for the various egg farming methods), in paragraph 1, in the second sub-paragraph, in point (a)—

(a) for "retained direct EU legislation" substitute "assimilated law",

(b) before "restricted" in the first place it occurs insert "temporarily",

(c) omit ", provided" to "restricted" in the third place it occurs.

Name
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
Date

(**a**) EUR 2008/589, relevantly amended by S.I. 2019/1422.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Commission Regulation (EC) No. 589/2008 ("EUR 2008/589") which lays down detailed rules as regards marketing standards for eggs.

Regulation 2 amends EUR 2008/589, paragraph 1, second sub-paragraph in point (a) of Annex 2 (minimum requirements for systems of production for the various egg farming methods). The amendment removes the 16 week limit on the length of time packs of Class A eggs can continue to be marked as "free-range" where the laying hens' daytime access to open-air runs is restricted. It provides that eggs can be marked as "free-range" notwithstanding any temporary restriction imposed on the basis of assimilated law to protect public or animal health.

A Business and Regulatory Impact Assessment and a Child Rights and Wellbeing Impact Assessment have been prepared and are available online at www.legislation.gov.uk.

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