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WELSH STATUTORY INSTRUMENTS

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**2003 No. 945 (W.126)**

**FOOD, WALES**

**The Miscellaneous Food Additives  
(Amendment) (Wales) Regulations 2003**

*Made* - - - - 27th March 2003

*Coming into force* - - 30th May 2003

The National Assembly for Wales in exercise of the powers conferred by sections 16(1)(a), 17(1), 26(1) and (3) and 48(1) of, and paragraph 1 of Schedule 1 to, the Food Safety Act 1990<sup>(1)</sup> and now vested in the Assembly<sup>(2)</sup> and having had regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency and after 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<sup>(3)</sup> and in accordance with section 48(4) and (4B) of the Food Safety Act 1990, makes the following Regulations:

**Title, application and commencement**

1. These Regulations may be cited as the Miscellaneous Food Additives (Amendment) (Wales) Regulations 2003, shall apply to Wales only and shall come into force on 30th May 2003.

**Amendment of the Miscellaneous Food Additives Regulations 1995**

2. In paragraph (1) of regulation 2 (interpretation) of the Miscellaneous Food Additives Regulations 1995<sup>(4)</sup>, in the definition of “Directive 96/77/EC”<sup>(5)</sup>, for the words “and Commission Directive 2001/30/EC”<sup>(6)</sup> there shall be substituted the words “, Commission Directive 2001/30/EC and Commission Directive 2002/82/EC”<sup>(7)</sup>.

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(1) 1990 c. 16.

(2) Functions of “the Ministers” so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672), as read with section 40(3) of the 1999 Act (1999 c. 28).

(3) OJ No. L31, 1.2.2002, p.1.

(4) S.I. 1995/3187, amended by S.I. 1997/1413, S.I. 1999/1136, S.I. 2001/1787 (W.128) and S.I. 2002/329 (W.42).

(5) OJ No. L339, 30.12.1996, p.1.

(6) OJ No. L146, 31.5.2001, p.1.

(7) OJ No. L292, 28.10.2002, p.1.

**Consequential amendments**

3.—(1) Paragraph (2) of regulation 9 (consequential amendments) of the Miscellaneous Food Additives (Amendment) (Wales) Regulations 2002<sup>(8)</sup> shall be omitted.

(2) In the Regulations listed below, in so far as they extend to Wales, references to the Miscellaneous Food Additives Regulations 1995 shall be construed as references to those Regulations as amended by the Miscellaneous Food Additives (Amendment) Regulations 1997<sup>(9)</sup>, the Miscellaneous Food Additives (Amendment) Regulations 1999<sup>(10)</sup>, the Coffee Extracts and Chicory Extracts (Wales) Regulations 2001<sup>(11)</sup>, the Miscellaneous Food Additives (Amendment) (Wales) Regulations 2001<sup>(12)</sup>, the Miscellaneous Food Additives (Amendment) (Wales) Regulations 2002 and these Regulations:

- the Mineral Hydrocarbons in Food Regulations 1966<sup>(13)</sup>;
- the Specified Sugar Products Regulations 1976<sup>(14)</sup>;
- the Cocoa and Chocolate Products Regulations 1976<sup>(15)</sup>;
- the Fruit Juices and Fruit Nectars Regulations 1977<sup>(16)</sup>;
- the Condensed Milk and Dried Milk Regulations 1977<sup>(17)</sup>;
- the Jam and Similar Products Regulations 1981<sup>(18)</sup>;
- the Meat Products and Spreadable Fish Products Regulations 1984<sup>(19)</sup>;
- the Food Additives Labelling Regulations 1992<sup>(20)</sup>;
- the Food Labelling Regulations 1996<sup>(21)</sup>.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(22)</sup>

*Jane Hutt*  
Minister for Health and Social Services.

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(8) S.I. 2002/329 (W.42).  
(9) S.I. 1997/1413.  
(10) S.I. 1999/1136.  
(11) S.I. 2001/1440 (W.102).  
(12) S.I. 2001/1787 (W.128).  
(13) S.I. 1966/1073; the relevant amending instrument is S.I. 1995/3187.  
(14) S.I. 1976/509; the relevant amending instrument is S.I. 1995/3187.  
(15) S.I. 1976/541; the relevant amending instrument is S.I. 1995/3187.  
(16) S.I. 1977/927; the relevant amending instrument is S.I. 1995/3187.  
(17) S.I. 1977/928; the relevant amending instrument is S.I. 1995/3187.  
(18) S.I. 1981/1063; the relevant amending instrument is S.I. 1995/3187.  
(19) S.I. 1984/1566; the relevant amending instrument is S.I. 1995/3187.  
(20) S.I. 1992/1978; the relevant amending instrument is S.I. 1995/3187.  
(21) S.I. 1996/1499; to which there are amendments not relevant to these Regulations.  
(22) 1998 c. 38.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which apply to Wales only, amend the Miscellaneous Food Additives Regulations 1995, as already amended (“the principal Regulations”), which extend to Great Britain.

The Regulations implement Commission Directive [2002/82/EC](#) amending Directive [96/77/EC](#) laying down specific purity criteria on food additives other than colours and sweeteners (OJ No. L292, 28.10.2002, p.1.).

The Regulations specify new purity criteria in relation to the additives specified in the Annex to Commission Directive [2002/82/EC](#) (regulation 2) and make related amendments to certain Regulations as regards references in those Regulations to the principal Regulations (regulation 3).

No regulatory appraisal has been prepared in respect of these Regulations.