



NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No.1740 (W.123)

FOOD, WALES

The Foot-and-Mouth Disease (Marking of Meat, Minced Meat and Meat Preparations) (Wales) Regulations 2001

Made

4th May 2001

Coming into force

5th May 2001

The National Assembly for Wales, being designated (a) for the purposes of section 2(2) of the European Communities Act 1972 (b) in relation to the Common Agricultural Policy of the European Community, in exercise of the powers conferred on it by that section, and of all other powers enabling it in that behalf, makes the following Regulations:

Title, commencement and application

1 These Regulations may be cited as the Foot-and-Mouth Disease (Marking of Meat, Minced Meat and Meat Preparations) (Wales) Regulations 2001; they apply to Wales and come into force on 5th May 2001.

Amendment to the Fresh Meat (Hygiene and Inspection) Regulations 1995

2.-(1) The Fresh Meat (Hygiene and Inspection) Regulations 1995(c) are amended in so far as they apply to Wales in accordance with this regulation.

(2) After sub-paragraph (2) of paragraph 9 of Schedule 12 to the Fresh Meat (Hygiene and Inspection) Regulations 1995 insert-

(a) By virtue of the European Communities (Designation) (No.3) Order 1999 (S.I.1999/2788).

(b) 1972 c. 68.

(c) S. I. 1995/3189 amended by S. I. 1995/3189, S.I. 2000/2215 and S.I. 2001/1508 (W.105).

"(3) Sub-paragraph (1) does not apply to fresh meat originating from outside the United Kingdom and handled in accordance with Article 2(2)(c) of Commission Decision 2001/172/EC(a) concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom.

(4) Fresh meat to which sub-paragraph (3) applies must be marked in accordance with paragraph 1 of this Schedule."

Amendment to the Minced Meat and Meat Preparations (Hygiene) Regulations 1995

3.-(1) The Minced Meat and Meat Preparations (Hygiene) Regulations 1995(b) are amended in so far as they apply to Wales in accordance with this regulation.

(2) In this regulation a reference to a regulation by number alone is a reference to the regulation so numbered in the Minced Meat and Meat Preparations (Hygiene) Regulations 1995.

(3) In regulation 7-

(a) after paragraph (1A), insert-

"(1B) Paragraph (1A) does not apply to minced meat made from fresh meat originating from outside the United Kingdom and handled in accordance with Article 2(2)(c) of Commission Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom.";

(b) for paragraph (5), substitute-

"(5) Except where paragraph (6) or paragraph (7) applies, no person shall affix the health mark to any minced meat which has been processed in Great Britain after the coming into force of the Foot-and-Mouth Disease (Marking of Meat and Meat Products) (Wales) Regulations 2001(c).";
and

(c) after paragraph (5), insert-

(6) The health mark may be affixed to minced meat which satisfies the requirements specified in paragraph (1) and is made from fresh meat originating from outside the United Kingdom and handled in accordance with Article 2(2)(c) of Commission Decision 2001/172/EC.

(a) OJ No. L62, 2.3.2001, p. 22 as amended by Commission Decisions 2001/190/EC (OJ No. L67, 9.3.2001, p. 88), 2001/209/EC (OJ No. L76, 16.3.2001, p. 35), 2001/239/EC (OJ No. L86, 27.3.2001, p.33), 2001/268/EC (OJ No. L94, 3.4.2001, p. 27), 2001/316/EC (OJ No. L109, 19.4.2001, p. 72) and 2001/318/EC (OJ No. L109, 19.4.2001, p.75).

(b) S.I. 1995/3205 amended by S.I. 2000/656 and S.I. 2001/1508 (W.105).

(c) S.I. 2001/1508 (W.105).

(7) Until 23 July 2001, where minced meat not intended for intra-Community trade is wrapped in commercial portions intended for direct sale to the consumer, the health mark may be affixed provided that the minced meat is also marked with the stamp specified in paragraph 9 of Schedule 12 to the Fresh Meat (Hygiene and Inspection) Regulations 1995^(a) (except that the dimension requirements need not apply).

(8) The stamp specified in paragraph 9 of Schedule 12 to the Fresh Meat (Hygiene and Inspection) Regulations 1995 may be applied to minced meat which

- (a) satisfies the requirements specified in paragraph (1); and
- (b) is made from fresh meat which is itself marked with that stamp,

except that the dimension requirements need not apply where the stamp is applied to minced meat wrapped in commercial portions intended for direct sale to the consumer.

(4) In regulation 8-

(a) after paragraph (4A), insert-

"(4B) Paragraph (4A) does not apply to meat preparations made from fresh meat originating from outside the United Kingdom and handled in accordance with Article 2(2)(c) of Commission Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom.";

(b) for paragraph (6), substitute-

"(6) Except where paragraph (7) or paragraph (8) applies, no person shall affix the health mark to any meat preparation containing meat from animals of the bovine, ovine, caprine and porcine species and other biungulates and processed in Great Britain after the coming into force of the Foot-and-Mouth Disease (Marking of Meat and Meat Products) (Wales) Regulations 2001^(b)."; and

(c) after paragraph (6), insert-

"(7) The health mark may be affixed to any meat preparation which satisfies the requirements specified in paragraph (1) and is made from fresh meat originating from outside the United Kingdom and handled in accordance with Article 2(2)(c) of Commission Decision 2001/172/EC.

(8) Until 23 July 2001, where meat preparations not intended for intra-Community trade are wrapped in commercial portions intended for direct sale to the consumer, the health mark may be affixed provided that the meat preparations are also marked with the stamp specified in paragraph 9 of Schedule 12 to the Fresh Meat (Hygiene and Inspection) Regulations 1995 (except that the dimension requirements need not apply).

(9) The stamp specified in paragraph 9 of Schedule 12 to the Fresh Meat (Hygiene and Inspection) Regulations 1995 may be applied to meat preparations which

- (a) satisfy the requirements specified in paragraph (1); and
- (b) are prepared from fresh meat which is itself marked with that stamp,

except that the dimension requirements need not apply where the stamp is applied to meat preparations wrapped in commercial portions intended for direct sale to the consumer."

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998 **(c)**

4th May 2001

Dafydd Elis Thomas

Presiding Officer, National Assembly for Wales

(a) S.I. 1994/3082 amended by S.I. 2001/1508 (W.105).

(b) S.I. 2001/1508 (W.105).

(c) 1998 c.38.

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations implement in Wales Commission Decision 2001/345/EC on marking and use of certain animal products in relation to Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom, OJ No. L122, 3.5.2001. p.31. They amend the Fresh Meat (Hygiene) and Inspection Regulations 1995 and the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 to provide that fresh meat, minced meat and meat preparations made from meat that originates outside the United Kingdom and which is handled in accordance with Article 2(2) of Decision 2001/172/EC may continue to bear the Community health mark.

A regulatory appraisal has not been prepared for these Regulations.

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