
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations, which apply to Wales only, revoke and re-enact with changes the Food (Peanuts from China) (Emergency Control) (Wales) Regulations 2002. The revocation is effected by regulation 7.

The Regulations implement Commission Decision [2002/79/EC](#) imposing special conditions on the import of peanuts and certain products derived from peanuts originating in, or consigned from, China (OJ No. L34, 5.2.2002, p.21) as amended by Commission Decision [2002/233/EC](#) (OJ No. L78, 21.3.2002, p.14) and Commission Decision [2002/678/EC](#) (OJ No. L229, 27.8.2002, p.33). The categories of products which are subject to those conditions are specified in Article 1.1 of Commission Decision [2002/79/EC](#) as so amended.

The Regulations—

- a)** prohibit the importation of “Chinese peanuts” (defined in regulation 2(1)) into Wales;
- b)** prohibit the transport into Wales, from any other part of the United Kingdom, any controlled Chinese peanuts which have not been lawfully imported into the United Kingdom through a point of entry listed in Annex II to the Commission Decision. (Note: There are no specified points of entry for the United Kingdom located in Wales) (regulations 2 and 3);
- c)** specify the enforcement authorities and their duties under the Regulations (regulation 4);
- d)** apply with modifications certain provisions of the Food Safety Act 1990 for the purposes of the Regulations and provide for sampling and analysis (regulation 5); and
- e)** provide for the re-dispatch or destruction of illegal imports of controlled Chinese peanuts (regulation 6).

No regulatory appraisal has been prepared in relation to this Order.

These Regulations have been made in English only as, given the urgency with which they have had to be made, it was not reasonably practicable in the time available to produce a Welsh text.

Changes to legislation:

There are currently no known outstanding effects for the The Food (Peanuts from China) (Emergency Control) (Wales) (No. 2) Regulations 2002.