
WELSH STATUTORY INSTRUMENTS

2002 No. 2295

The Food (Peanuts from China) (Emergency Control) (Wales) (No. 2) Regulations 2002

Interpretation

2.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990^{M1} and, save where the context otherwise requires and subject to paragraph (2), any expression used both in these Regulations and in the Act has the meaning it bears in the Act;

[^{F1}“the Commission Decision” means 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 as amended by Commission Decision [2002/233/EC](#), Commission Decision [2002/678/EC](#), Commission Decision [2003/550/EC](#) and Commission Decision [2004/429/EC](#) amending Decisions [97/830/EC](#), [2000/49/EC](#), [2002/79/EC](#) and [2002/80/EC](#) as regards the points of entry through which the products concerned may only be imported into the Community;]

“Chinese peanuts” means—

- (a) peanuts falling within CN code 1202 10 90 or within CN code 1202 20 00;
- (b) roasted peanuts falling within CN code 2008 11 92 (in immediate packs of a net content exceeding 1 kg) or roasted peanuts falling within CN code 2008 11 96 (in immediate packs of a net content not exceeding 1 kg); and
- (c) peanuts falling within CN code 2008 11 94 (in immediate packs of a net content exceeding 1kg) or peanuts falling within CN code 2008 11 98 (in immediate packs of a net content not exceeding 1 kg),

originating in, or consigned from, China;

“controlled Chinese peanuts” means Chinese peanuts which are intended for human consumption or to be used as an ingredient in foodstuffs;

“Directive [98/53/EC](#)” means Commission Directive [98/53/EC](#) laying down the sampling methods and the methods of analysis for the official control of the levels for certain contaminants in foodstuffs^{M2} as amended by Commission Decision [2002/27/EC](#)^{M3};

“food authority” does not include a port health authority;

“free circulation” has the same meaning as in Article 23.2, as read with Article 24, of the Treaty establishing the European Community; and

“port health authority” means in relation to any port health district constituted by order under section 2(3) of the Public Health (Control of Disease) Act 1984^{M4}, a port health authority for that district constituted by order under section 2(4) of that Act.

(2) Any term used in the definition of “Chinese peanuts” or “controlled Chinese peanuts” in paragraph (1) has the same meaning as in the Commission Decision.

Changes to legislation: There are currently no known outstanding effects for the *The Food (Peanuts from China) (Emergency Control) (Wales) (No. 2) Regulations 2002, Section 2.* (See end of Document for details)

Textual Amendments

- F1** Words in [reg. 2\(1\)](#) substituted (31.7.2004) by [The Food \(Emergency Control\) \(Wales\) \(Miscellaneous Amendments\) \(No. 2\) Regulations 2004 \(S.I. 2004/1804\)](#), regs. 1, 2
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Marginal Citations

- M1** [1990 c. 16.](#)
M2 [OJ No. L201, 17.7.1998, p.93.](#)
M3 [OJ No. L75, 16.3.2002, p.44.](#)
M4 [1984 c. 22.](#)

Changes to legislation:

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