
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Wales, implement Directive [2000/36/EC](#) of the European Parliament and the Council relating to cocoa and chocolate products intended for human consumption (OJ No. L197, 3.8.2000, p.19). They revoke and replace the Cocoa and Chocolate Products Regulations 1976, as amended, in relation to Wales.

The Regulations —

- (a) prescribe definitions and reserved descriptions for designated cocoa and chocolate products (regulation 2 and Schedule 1);
- (b) specify the vegetable fats, other than cocoa butter, which may be added to designated chocolate products (regulation 3 and Schedule 2);
- (c) apply the Regulations to designated cocoa and chocolate products intended for human consumption and ready for delivery to the ultimate consumer or to a catering establishment (regulation 4);
- (d) restrict the use of reserved descriptions to the designated cocoa and chocolate products to which they relate (regulation 5);
- (e) require reserved descriptions and specified declarations to be applied to designated cocoa and chocolate products and prescribe the manner of marking or labelling (regulations 6 and 7);
- (f) specify a penalty, enforcement responsibilities and, in accordance with Articles 2 and 3 of Council Directive [89/397/EEC](#) on the official control of foodstuffs (OJ No. L186, 30.6.1989, p.23) and the European Economic Area Agreement, a defence in relation to exports (regulations 8 and 9);
- (g) apply various provisions of the Food Safety Act 1990 (regulation 10);
- (h) remove the exemption for cocoa and chocolate products from Part II of the Food Labelling Regulations 1996, revoke the previous Cocoa and Chocolate Products Regulations and make consequential amendments and transitional provision (regulations 11 and 12).

A regulatory appraisal has been prepared pursuant to section 65 of the Government of Wales Act 1998 and placed in the Library of the National Assembly for Wales together with a Transposition Note setting out how the main elements of the European legislation referred to above are transposed in these Regulations. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Cardiff, CF10 1EW.

Changes to legislation:

There are currently no known outstanding effects for the The Cocoa and Chocolate Products (Wales) Regulations 2003.