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## EXPLANATORY NOTE

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

1. These Regulations, which apply in relation to Wales, implement the Commission Decision of 23rd May 2005 on emergency measures regarding chilli, chilli products, curcuma and palm oil. That Decision repealed Commission Decision [2004/92/EC](#) on emergency measures regarding chilli and chilli products (OJNo. L27, 30.1.2004, p.52).

2. The Regulations —

- (a) subject to transitional provisions, prohibit the importation of “chilli”, “chilli products”, “curcuma” and “palm oil” (defined in regulation 2(1)) that are (in the case of the first three products named) intended for human consumption and (in the case of the final product named) intended for direct human consumption, except where they are accompanied by an original analytical report demonstrating that the product does not contain Sudan I (CAS Number 842-07-9), Sudan II (CAS Number 3118-97-6), Sudan III (CAS Number 85-86-9) or Scarlet Red (Sudan IV) (CAS Number 85-83-6) (regulation 3);
- (b) provide for their enforcement (regulation 4);
- (c) apply with modifications certain provisions of the Food Safety Act for the purposes of the Regulations and provide for sampling and analysis (regulation 5);
- (d) provide for the destruction of illegal imports of chilli, chilli products, curcuma and palm oil (regulation 6); and
- (e) revoke the Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Wales) Regulations 2003 (S.I. [2003/2455](#) ([W.238](#))) and the Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Wales) (Amendment) Regulations 2004 (S.I. [2004/392](#) ([W.40](#))) (regulation 7).

3. The CN codes referred to in the definitions of “chilli”, “chilli products”, “curcuma” and “palm oil” are the code numbers of the combined nomenclature established by Regulation 2658/87 on the tariff and statistical nomenclature and on the customs tariff (OJ No. L256, 7.9.87, p.1).

4. No regulatory appraisal has been prepared in relation to these Regulations.