

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1

Regulation 2(1A)

#### DEFINITIONS OF LEGISLATION

##### Textual Amendments

- F1** Sch. 1 substituted (31.12.2020) by [The Official Feed and Food Controls \(Miscellaneous Amendments\) \(Wales\) Regulations 2020 \(S.I. 2020/1487\)](#), reg. 1(2), **Sch. 1**

“Directive 2004/41” means [Directive 2004/41/EC](#) of the European Parliament and of the Council repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives [89/662/EEC](#) and [92/118/EEC](#) and Council [Decision 95/408/EC](#);

“Regulation 178/2002” means Regulation [\(EC\) No. 178/2002](#) of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as read with Regulation 931/2011, and Regulation 208/2013;

“Regulation 852/2004” means Regulation [\(EC\) No. 852/2004](#) of the European Parliament and of the Council on the hygiene of foodstuffs as read with Regulation 2073/2005 and Regulation 210/2013;

“Regulation 853/2004” means Regulation [\(EC\) No. 853/2004](#) of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and Regulation 2017/185;

“Regulation 1688/2005” means [Commission Regulation \(EC\) No. 1688/2005](#) implementing Regulation [\(EC\) No. 853/2004](#) of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs;

“Regulation 2073/2005” means [Commission Regulation \(EC\) No. 2073/2005](#) on microbiological criteria for foodstuffs;

“Regulation 2074/2005” means [Commission Regulation \(EC\) No. 2074/2005](#) laying down implementing measures for certain products under Regulation [\(EC\) No. 853/2004](#) of the European Parliament and of the Council and for the organisation of official controls under Regulation [\(EC\) No. 854/2004](#) of the European Parliament and of the Council and Regulation [\(EC\) No. 882/2004](#) of the European Parliament and of the Council, derogating from Regulation [\(EC\) No. 852/2004](#) of the European Parliament and of the Council and amending Regulations [\(EC\) No. 853/2004](#) and [\(EC\) No. 854/2004](#);

“Regulation 931/2011” means [Commission Implementing Regulation \(EU\) No. 931/2011](#) on the traceability requirements set by Regulation [\(EC\) No. 178/2002](#) of the European Parliament and of the Council for food of animal origin;

“Regulation 1169/2011” means [Regulation \(EU\) No. 1169/2011](#) of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations [\(EC\) No. 1924/2006](#) and [\(EC\) No. 1925/2006](#) of the European Parliament and of the

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**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Wales) Regulations 2006*. (See end of Document for details)

Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No. 608/2004;

“Regulation 208/2013” means Commission Implementing Regulation (EU) No. 208/2013 on traceability requirements for sprouts and seeds intended for the production of sprouts;

“Regulation 210/2013” means Commission Regulation (EU) No. 210/2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No. 852/2004 of the European Parliament and of the Council;

“Regulation 579/2014” means Commission Regulation (EU) No. 579/2014 granting derogation from certain provisions of Annex II to Regulation (EC) No. 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea;

“Regulation 2015/1375” means Commission Implementing Regulation (EU) 2015/1375 laying down specific rules on official controls for *Trichinella* in meat;

“Regulation 2017/185” means Commission Regulation (EU) 2017/185 laying down transitional measures for the application of certain provisions of Regulations (EC) No. 853/2004 and (EC) No. 854/2004 of the European Parliament and of the Council;

The Regulation 2017/625 package

“Regulation 2017/625” means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No. 999/2001, (EC) No. 396/2005, (EC) No. 1069/2009, (EC) No. 1107/2009, (EU) No. 1151/2012, (EU) No. 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No. 1/2005 and (EC) No. 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC as read with Regulation 2074/2005, Regulation 2017/185 and the Regulation 2017/625 package;

“Regulation 2019/478” means Commission Delegated Regulation (EU) 2019/478 amending Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the categories of consignments to be subjected to official controls at border control posts;

“Regulation 2019/624” means Commission Delegated Regulation (EU) 2019/624 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council;

“Regulation 2019/625” means Commission Delegated Regulation (EU) 2019/625 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption;

“Regulation 2019/626” means Commission Implementing Regulation (EU) 2019/626 concerning lists of third countries or regions thereof authorised for the entry into the European Union of certain animals and goods intended for human consumption, amending Implementing Regulation (EU) 2016/759 as regards these lists;

“Regulation 2019/627” means Commission Implementing Regulation (EU) 2019/627 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625

of the European Parliament and of the Council and amending [Commission Regulation \(EC\) No. 2074/2005](#) as regards official controls;

“Regulation 2019/628” means [Commission Implementing Regulation \(EU\) 2019/628](#) concerning model official certificates for certain animals and goods and amending Regulation (EC) No. 2074/2005 and [Implementing Regulation \(EU\) 2016/759](#) as regards these model certificates;

“Regulation 2019/1012” means [Commission Delegated Regulation \(EU\) 2019/1012](#) supplementing [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts;

“Regulation 2019/1013” means [Commission Implementing Regulation \(EU\) 2019/1013](#) on prior notification of consignments of certain categories of animals and goods entering the Union;

“Regulation 2019/1014” means [Commission Implementing Regulation \(EU\) 2019/1014](#) to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points;

“Regulation 2019/1081” means [Commission Delegated Regulation \(EU\) 2019/1081](#) establishing rules on specific training requirements for staff for performing certain physical checks at border control posts;

“Regulation 2019/1602” means [Commission Delegated Regulation \(EU\) 2019/1602](#) supplementing [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council concerning the Common Health Entry Document accompanying consignments of animals and goods to their destination;

“Regulation 2019/1666” means [Commission Delegated Regulation \(EU\) 2019/1666](#) supplementing [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council as regards conditions for monitoring the transport and arrival of consignments of certain goods from the border control post of arrival to the establishment at the place of destination in the Union;

“Regulation 2019/1715” means [Commission Implementing Regulation \(EU\) 2019/1715](#) laying down rules for the functioning of the information management system for official controls and its system components;

“Regulation 2019/1793” means [Commission Implementing Regulation \(EU\) 2019/1793](#) on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing [Regulations \(EU\) 2017/625](#) and [\(EC\) No. 178/2002](#) of the European Parliament and of the Council and repealing [Commission Regulations \(EC\) No. 669/2009](#), [\(EU\) No. 884/2014](#), [\(EU\) 2015/175](#), [\(EU\) 2017/186](#) and [\(EU\) 2018/1660](#);

“Regulation 2019/1873” means [Commission Implementing Regulation \(EU\) 2019/1873](#) on the procedures at border control posts for a coordinated performance by competent authorities of intensified official controls on products of animal origin, germinal products, animal by-products and composite products.

“Regulation 2019/2007” means [Commission Implementing Regulation \(EU\) 2019/2007](#) laying down rules for the application of [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending [Decision 2007/275/EC](#);

“Regulation 2019/2074” means [Commission Delegated Regulation \(EU\) 2019/2074](#) supplementing [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council

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as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country;

“Regulation 2019/2122” means [Commission Delegated Regulation \(EU\) 2019/2122](#) supplementing [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers’ personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market and amending [Commission Regulation \(EU\) No. 142/2011](#);

“Regulation 2019/2123” means [Commission Delegated Regulation \(EU\) 2019/2123](#) supplementing [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts;

“Regulation 2019/2124” means [Commission Delegated Regulation \(EU\) 2019/2124](#) supplementing [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending [Commission Regulations \(EC\) No. 798/2008, \(EC\) No. 1251/2008, \(EC\) No. 119/2009, \(EU\) No. 206/2010, \(EU\) No. 605/2010, \(EU\) No. 142/2011, \(EU\) No. 28/2012, Commission Implementing Regulation \(EU\) 2016/759](#) and [Commission Decision 2007/777/EC](#);

“Regulation 2019/2126” means [Commission Delegated Regulation \(EU\) 2019/2126](#) supplementing [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts;

“Regulation 2019/2129” means [Commission Implementing Regulation \(EU\) 2019/2129](#) establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union;

“Regulation 2019/2130” means [Commission Implementing Regulation \(EU\) 2019/2130](#) establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts;

“Regulation 2020/466” means [Commission Implementing Regulation \(EU\) 2020/466](#) on temporary measures to contain risks to human, animal and plant health and animal welfare during certain serious disruptions of Member States’ control systems due to coronavirus disease;

“Regulation 2020/1158” means [Commission Implementing Regulation \(EU\) 2020/1158](#) on the conditions governing imports of food and feed originating in third countries following the accident at the Chernobyl nuclear power station.]

## SCHEDULE 2

Regulations 2(1) and 17

### SPECIFIED COMMUNITY PROVISIONS

| 1. Provision of Community Regulations | 2. Subject matter  |
|---------------------------------------|--|
| Article 3 of Regulation 852/2004      | Requirement that food business operators ensure that all stages of production, processing and distribution of food under their control |

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|  | satisfy the relevant hygiene requirements laid down in Regulation 852/2004.  |
| Article 4(1) of Regulation 852/2004                  | Requirement that food business operators carrying out primary production and specified associated operations comply with the general hygiene provisions laid down in Part A of Annex I to Regulation 852/2004 and any specific requirements provided for in Regulation 853/2004.   |
| Article 4(2) of Regulation 852/2004                  | Requirement that food business operators carrying out any stage of production, processing and distribution of food after those stages to which Article 4(1) applies comply with the general hygiene requirements laid down in Annex II to Regulation 852/2004 and any specific requirements provided for in Regulation 853/2004. |
| Article 4(3) of Regulation 852/2004                  | Requirement that food business operators, as appropriate, adopt certain specific hygiene measures.   |
| Article 5(1) of Regulation 852/2004                  | Requirement that food business operators put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles.   |
| Article 5(2) of Regulation 852/2004                  | Requirement that when any modification is made in the product, process, or any step, food business operators review the procedure referred to in Article 5(1) and make the necessary changes to it.  |
| Article 5(4)(a) of Regulation 852/2004               | Requirement that food business operators provide the competent authority with evidence of their compliance with Article 5(1).  |
| Article 5(4)(b) of Regulation 852/2004               | Requirement that food business operators ensure that any documents describing the procedures developed in accordance with Article 5 are up to date.  |
| Article 5(4)(c) of Regulation 852/2004               | Requirement that food business operators retain documents and records for an appropriate period.   |
| Article 6(1) of Regulation 852/2004                  | Requirement that food business operators co-operate with the competent authorities in accordance with [F2United Kingdom law].  |
| Article 6(2), first paragraph of Regulation 852/2004 | Requirement that a food business operator notify the competent authority of each establishment under its control that carries out any of the stages of production, processing and distribution of food.  |

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| Article 6(2), second paragraph of Regulation 852/2004 | Requirement that food business operators ensure that the competent authority has up to date information on establishments.   |
| Article 6(3) of Regulation 852/2004                   | Requirement that food business operators ensure that establishments are approved by the competent authority when approval is required.   |
| Article 3(1) of Regulation 853/2004                   | Requirement that food business operators comply with the relevant provisions of Annexes II and III to Regulation 853/2004.   |
| Article 3(2) of Regulation 853/2004                   | Requirement that food business operators do not use any substance other than potable water or, when Regulation 852/2004 or Regulation 853/2004 permits its use, clean water, to remove surface contamination from products of animal origin unless use of the substance has been approved.   |
| Article 4(1) of Regulation 853/2004                   | Requirement that food business operators place products of animal origin <sup>F3</sup> ... on the market only if they have been prepared and handled exclusively in establishments— <ul style="list-style-type: none"> <li>(a) that meet the relevant requirements of Regulation 852/2004, those of Annexes II and III of Regulation 853/2004 and other relevant requirements of food law; and</li> <li>(b) that the competent authority has registered or, where required in accordance with Article 4(2), approved.</li> </ul> |
| Article 4(2) of Regulation 853/2004                   | Requirement that establishments handling those products of animal origin for which Annex III to Regulation 853/2004 lays down requirements do not operate unless the competent authority has approved them in accordance with Article 4(3).  |
| Article 4(3) of Regulation 853/2004                   | Requirement that establishments subject to approval in accordance with Article 4(2) do not operate unless the competent authority has, in accordance the Regulation 854/2004— <ul style="list-style-type: none"> <li>(a) granted the establishment approval to operate following an on-site visit; or</li> <li>(b) provided the establishment with conditional approval.</li> </ul>  |
| Article 4(4) of Regulation 853/2004                   | Requirement that food business operators co-operate with the competent authorities in accordance with Regulation 854/2004 including ensuring that an establishment ceases to operate if it is no longer approved.  |
| Article 5(1) of Regulation 853/2004                   | Requirement that food business operators do not place on the market a product of animal  |

|   |   |
|---|---|
|   | <p>origin handled in an establishment subject to approval in accordance with Article 4(2) unless it has—</p> <ul style="list-style-type: none"><li>(a) a health mark applied in accordance with Regulation 854/2004; or</li><li>(b) when Regulation 854/2004 does not provide for the application of a health mark, an identification mark applied in accordance with Section I of Annex II to Regulation 853/2004.</li></ul>   |
| Article 5(2) of Regulation 853/2004         | Requirement that food business operators apply an identification mark to a product of animal origin only if the product has been manufactured in accordance with Regulation 853/2004 in establishments meeting the requirements of Article 4.   |
| Article 5(3) of Regulation 853/2004         | Requirement that food business operators do not remove a health mark applied in accordance with Regulation 854/2004 from meat unless they cut or process it or work upon it in another manner.  |
| Article 6(1) and (2) of Regulation 853/2004 | Requirement that food business operators ensure that importation of products of animal origin only takes place where certain conditions are met.  |
| Article 6(3) of Regulation 853/2004         | Requirement that food business operators importing products of animal origin shall ensure that— <ul style="list-style-type: none"><li>(a) products are made available for control upon importation in accordance with Council Directive <a href="#">97/78/EC</a><sup>M1</sup>;</li><li>(b) importation complies with the requirements of Council Directive <a href="#">2002/99/EC</a><sup>M2</sup>; and</li><li>(c) operations under their control that take place after importation are carried out in accordance with the requirements of Annex III to Regulation 853/2004.</li></ul> |
| Article 6(4) of Regulation 853/2004         | Requirement that food business operators importing food containing both products of plant origin and processed products of animal origin ensure that the processed products of animal origin satisfy the requirements of paragraphs (1) to (3) of Article 6.  |
| Article 7 of Regulation 853/2004            | Requirement that food business operators ensure that certificates or other documents accompany consignments of products of animal origin when required in accordance with Annex II or III to Regulation 853/2004.   |

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**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Wales) Regulations 2006*. (See end of Document for details)

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| F4   | F4   |
| ...  | ...  |
| Article 7(1) of Regulation 2073/2005               | Requirement that food business operators take the measures laid down in paragraphs (2) to (4) of Article 7 when the results of testing against the criteria set out in Annex I to Regulation 2073/2005 (microbiological criteria for foodstuffs) are unsatisfactory.   |
| Article 9 of [ <sup>F5</sup> Regulation 2015/1375] | [ <sup>F6</sup> Requirement that food business operators of holdings officially recognised as applying controlled housing conditions must inform the competent authority of any requirement of Annex IV to Regulation 2015/1375 that is no longer fulfilled or of any other change that might affect the holdings' <i>Trichinella</i> status.] |

#### Textual Amendments

- F2** Words in Sch. 2 substituted (31.12.2020) by [The Food \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1046\)](#), regs. 1(3), **3(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Sch. 2 omitted (31.12.2020) by virtue of [The Food \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1046\)](#), regs. 1(3), **3(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Sch. 2 omitted (31.12.2020) by virtue of [The Food \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1046\)](#), regs. 1(3), **3(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Sch. 2 substituted (15.10.2016) by [The Food Hygiene \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/845\)](#), regs. 1(3), **2(4)(a)**
- F6** Words in Sch. 2 substituted (15.10.2016) by [The Food Hygiene \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/845\)](#), regs. 1(3), **2(4)(b)**

#### Marginal Citations

- M1** OJ No. L24, 30.1.1998, p.9.
- M2** OJ No. L18, 23.1.2003, p.11.

## SCHEDULE 3

Regulation 29

### BULK TRANSPORT IN SEA-GOING VESSELS OF LIQUID OILS OR FATS AND THE BULK TRANSPORT BY SEA OF RAW SUGAR

#### Offence

1. A person who contravenes or fails to comply with any of the requirements of this Schedule will be guilty of an offence.

#### Liquid oils or fats

2.—(1) The bulk transport in sea-going vessels of liquid oils or fats which are to be processed, and which are intended for or likely to be used for human consumption, is permitted in tanks that are not exclusively reserved for the transport of foodstuffs, subject to the following conditions—



- (a) where the oil or fat is transported in a stainless steel tank, or tank lined with epoxy resin or technical equivalent, the immediately previous cargo transported in the tank must have been a foodstuff or a cargo from the list of acceptable previous cargoes for liquid oils or fats; and
- (b) where the oil or fat is transported in a tank of materials other than those specified in sub-paragraph (a), the three previous cargoes transported in the tanks must have been foodstuffs or from the list of acceptable previous cargoes for liquid oils or fats.

(2) For the purposes of this paragraph, “list of acceptable previous cargoes for liquid oils or fats” means the list set out in the [F7Annex to [Commission Regulation \(EU\) No. 579/2014](#) as amended from time to time].

#### Textual Amendments

- F7** Words in Sch. 3 para. 2(2) substituted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(6)(a)**

**3.** The bulk transport in sea-going vessels of liquid oils or fats which are not to be further processed, and which are intended for or are likely to be used for human consumption, is permitted in tanks that are not exclusively reserved for the transport of foodstuffs, subject to the following conditions—

- (a) the tank must be of stainless steel or lined with epoxy resin or technical equivalent; and
- (b) the three previous cargoes transported in the tank must have been foodstuffs.

**4.** The captain of a sea-going vessel transporting, in tanks, bulk liquid oils or fats intended for or likely to be used for human consumption must keep accurate documentary evidence relating to the three previous cargoes carried in the tanks concerned, and the effectiveness of the cleaning process applied between those cargoes.

**5.** Where the cargo has been trans-shipped, in addition to the documentary evidence required by virtue of paragraph 4, the captain of the receiving vessel must keep accurate documentary evidence that the transport of the bulk liquid oil or fat complied with the provisions of paragraph 2 or 3 during previous shipment and of the effectiveness of the cleaning process used between those cargoes on the vessel from which they were trans-shipped.

**6.** Upon request, the captain of the vessel must provide the enforcement authority with the documentary evidence described in paragraphs 4 and 5.

#### Raw sugar

**7.** The bulk transport by sea of raw sugar which is not intended for use as food or as a food ingredient without a full and effective refining process is permitted in receptacles, containers or tankers that are not exclusively used for the transport of foodstuffs.

**8.** The receptacles, containers or tankers referred to in paragraph 7 will be subject to the following conditions—

- (a) prior to loading the raw sugar, the receptacle, container or tanker must be effectively cleaned to remove residues of the previous cargo and other soiling and inspected to establish that such residues have been removed effectively; and
- (b) the immediate previous cargo prior to the raw sugar must not have been a bulk liquid.

**9.** A food business operator who is responsible for the transport of raw sugar by sea under paragraph 7 must keep documentary evidence, accurately describing in detail the immediate previous

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cargo carried in the receptacle, container or tanker concerned, and the type and effectiveness of the cleaning process applied prior to the transport of the raw sugar.

**10.** The documentary evidence must accompany the consignment of raw sugar during all stages of transport to the refinery and a copy must be retained by the refinery. The documentary evidence must be marked as follows in a clearly visible and indelible fashion, in [<sup>F8</sup>English, or in English and in Welsh]: “This product must be refined before being used for human consumption”.

#### Textual Amendments

**F8** Words in Sch. 3 para. 10 substituted (31.12.2020) by [The Food \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1046\)](#), regs. 1(3), **3(3)**; 2020 c. 1, Sch. 5 para. 1(1)

**11.** On request, a food business operator responsible for the transport of the raw sugar or the refining process must provide the enforcement authority with the documentary evidence referred to in paragraphs 9 and 10.

**12.** Raw sugar which has been transported by sea in receptacles, containers or tankers which are not exclusively reserved for the transport of foodstuffs will be subjected to a full and effective refining process before being considered suitable for use as food or as a food ingredient.

**13.** In fulfilling the obligations under Article 5(1) of Regulation 852/2004 (hazard analysis and critical control points) in relation to the bulk transport of raw sugar by sea under paragraph 7, a food business operator who is responsible for the transport or refining of raw sugar must—

- (a) consider the cleaning process undertaken prior to the loading of the sugar for transport by sea to be a critical control point as referred to in Article 5(2)(b) of Regulation 852/2004; and
- (b) take into account the nature of the previous cargo which has been transported in any receptacle, container or tanker used for the transport of the sugar.

#### Interpretation

[<sup>F9</sup>**14.** For the purposes of this Schedule any words or expressions used both in this Schedule and in [Commission Regulation \(EU\) No 579/2014](#) granting derogation from certain provisions of Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea or Commission [Directive 98/28/EC](#) granting a derogation from certain provisions of [Directive 93/43/EEC](#) on the hygiene of foodstuffs as regards the transport by sea of bulk raw sugar will bear the same meanings as they respectively have in that Regulation or Directive.]

#### Textual Amendments

**F9** Sch. 3 para. 14 substituted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(6)(b)**

[<sup>F10</sup>SCHEDULE 3A

Regulation 17(5)

REQUIREMENTS REFERRED TO IN REGULATION 17(5)

**Textual Amendments**

**F10** Schs. 3A-3D inserted (13.4.2010) by [The Food Hygiene \(Wales\) \(Amendment\) Regulations 2010 \(S.I. 2010/893\)](#), reg. 1, [Sch. 2](#)

The requirements are that—

- (a) on 31 December 2005 the slaughterhouse was licensed as a low throughput slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995;
- (b) the condition of meat derived from domestic ungulates slaughtered at the slaughterhouse is only rarely such that it is necessary to detain such meat after post-mortem inspection for further inspection by the official veterinarian;
- (c) where such further inspection is considered necessary by the official veterinarian, the meat concerned is destroyed or is detained at an alternative detention facility in the locality of the slaughterhouse;
- (d) when meat is transported from the slaughterhouse to the alternative detention facility referred to in paragraph (c), it must be marked 'detained meat' and accompanied by a document that has been signed by the official veterinarian, declares that the meat is detained meat and contains the following information—
  - (i) name and address of slaughterhouse of origin;
  - (ii) name and address of alternative detention facility;
  - (iii) number of carcasses or cuts; and
  - (iv) species of animal; and
- (e) no processing for human consumption of bovine animals that, in accordance with point 2 of Part I of Chapter A of Annex III to the Community TSE Regulation, require BSE testing at slaughter or of swine (domestic and farmed game), solipeds and other species susceptible to *Trichinosis* that, [<sup>F11</sup>under Article 18(2) of Regulation 2017/625 as read with Article 31 of Regulation 2019/627, require that examination for *Trichinella* takes place in accordance with Article 2 of Regulation 2015/1375].

For the purposes of this Schedule the “Community TSE Regulation” (“*Rheoliad TSE y Gymuned*”) means [<sup>F12</sup>Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as last amended by Commission Regulation (EU) 2017/893] and as read with—

- (i) Commission Decision [2007/411/EC](#) prohibiting the placing on the market of products derived from bovine animals born or reared within the United Kingdom before 1 August 1996 for any purpose and exempting such animals from certain control and eradication measures laid down in Regulation (EC) No. 999/2001 and repealing Decision [2005/598/EC](#),
- (ii) Commission Decision [2007/453/EC](#) establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk, and
- (iii) Commission Decision [2009/719/EC](#) authorising certain Member States to revise their annual BSE monitoring programmes as amended by Commission Decision 2010/66/EU amending Decision [2009/719/EC](#) authorising certain Member States to revise their annual BSE monitoring programmes.]

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Wales) Regulations 2006*. (See end of Document for details)

### Textual Amendments

- F11** Words in Sch. 3A(e) substituted (14.12.2019) by [The Official Feed and Food Controls \(Wales\) \(Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1482\)](#), regs. 1(1), 7
- F12** Words in Sch. 3A substituted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(7)**

## [F10]SCHEDULE 3B

Regulation 17(6)

### REQUIREMENTS REFERRED TO IN REGULATION 17(6)

The requirements are that—

- (a) on 31 December 2005 the slaughterhouse was licensed as a low throughput slaughterhouse under the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995;
- (b) the condition of meat derived from poultry or lagomorphs slaughtered at the slaughterhouse is only rarely such that it is necessary to detain such meat after post-mortem inspection for further inspection by the official veterinarian;
- (c) where such further inspection is considered necessary by the official veterinarian, the meat concerned is destroyed or is detained at an alternative detention facility in the locality of the slaughterhouse; and
- (d) when meat is transported from the slaughterhouse to the alternative detention facility referred to in paragraph (c), it must be marked 'detained meat' and accompanied by a document that has been signed by the official veterinarian, declares that the meat is detained meat and contains the following information—
  - (i) name and address of slaughterhouse of origin;
  - (ii) name and address of alternative detention facility;
  - (iii) number of carcasses or cuts; and
  - (iv) species of animal.]

## [F10]SCHEDULE 3C

Regulation 17(7)

### REQUIREMENTS REFERRED TO IN REGULATION 17(7)

The requirements are that—

- (a) on 31 December 2005 the slaughterhouse was licensed as a low throughput slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995;
- (b) the food business operator at the slaughterhouse only accepts domestic ungulates that have been transported direct from the holding of origin or from a market;
- (c) the food business operator responsible for transporting the domestic ungulates undertakes in writing to the food business operator at the slaughterhouse that he or she is to ensure that the means of transport are cleaned and, if necessary, disinfected after emptying;
- (d) the food business operator at the slaughterhouse retains the undertaking referred to in paragraph (c) for one year; and

- (e) the food business operator at the slaughterhouse acknowledges to the official veterinarian that he or she may be required under animal health rules to cease operating at the slaughterhouse in the event of an animal disease outbreak.]

## [F10] SCHEDULE 3D

Regulation 17(8)

### REQUIREMENTS REFERRED TO IN REGULATION 17(8)

The requirements are that—

- (a) on 31 December 2005 the slaughterhouse was licensed as a low throughput slaughterhouse under the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995;
- (b) the food business operator at the holding of origin of the poultry or lagomorphs transports them from that holding direct to the slaughterhouse and undertakes in writing to the food business operator at the slaughterhouse that he or she is to ensure that the means of transport are cleaned and, if necessary, disinfected after emptying;
- (c) the food business operator at the slaughterhouse retains the undertaking referred to in paragraph (b) for one year; and
- (d) the food business operator at the slaughterhouse acknowledges to the official veterinarian that he or she may be required under animal health rules to cease operating at the slaughterhouse in the event of an animal disease outbreak.]

## SCHEDULE 4

Regulation 30

### TEMPERATURE CONTROL REQUIREMENTS

#### Scope

1. This Schedule does not apply in relation to—
  - (a) any food business operation to which Regulation 853/2004 applies; or
  - (b) any food business operation carried out on a ship or aircraft.

#### Chill holding requirements

- 2.—(1) Subject to sub-paragraph (2) and paragraph 3, any person who keeps any food—
  - (a) which is likely to support the growth of pathogenic micro-organisms or the formation of toxins; and
  - (b) with respect to which any commercial operation is being carried out,at or in food premises at a temperature above 8°C will be guilty of an offence.
- (2) Sub-paragraph (1) will not apply in relation to any food which, as part of a mail order transaction, is being conveyed to the final consumer.
- (3) Subject to paragraph 3, no person may supply by mail order any food which—
  - (a) is likely to support the growth of pathogenic micro-organisms or the formation of toxins; and

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Wales) Regulations 2006*. (See end of Document for details)

(b) is being or has been conveyed by post or by a private or common carrier to the final consumer,  
at a temperature which has given rise to or is likely to give rise to a risk to health.

### General exemptions from the chill holding requirements

3. Sub-paragraphs (1) and (3) of paragraph 2 does not apply in relation to—
- (a) food which—
    - (i) has been cooked or reheated,
    - (ii) is for service or on display for sale, and
    - (iii) needs to be kept at or above 63°C in order to control the growth of pathogenic micro-organisms or the formation of toxins;
  - (b) food which, for the duration of its shelf life may be kept at ambient temperatures with no risk to health;
  - (c) food which is being or has been subjected to a process such as dehydration or canning intended to prevent the growth of pathogenic micro-organisms at ambient temperatures, but not where—
    - (i) after or by virtue of that process the food was contained in a hermetically sealed container, and
    - (ii) that container has been opened;
  - (d) food which must be ripened or matured at ambient temperatures, but not when the process of ripening or maturation is completed;
  - (e) raw food intended for further processing (including cooking) before human consumption, but only if that processing, if undertaken correctly, will render that food fit for human consumption;
  - (f) food to which [<sup>F13</sup>Commission Regulation 543/2008 and Regulation 1308/2013 apply]; and
  - (g) food to which [<sup>F14</sup>Commission Regulation 589/2008 and Regulation 1308/2013 apply].

#### Textual Amendments

- F13** Words in Sch. 4 para. 3(f) substituted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(8)(a)(i)**
- F14** Words in Sch. 4 para. 3(g) substituted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(8)(a)(ii)**

### Upward variation of the 8°C temperature by manufacturers etc.

4.—(1) In any proceedings for an offence consisting of a contravention of sub-paragraph (1) of paragraph 2, it will be a defence for the accused to prove that—

- (a) a food business responsible for manufacturing, preparing or processing the food, including, where relevant, the accused, has recommended that it is kept—
  - (i) at or below a specified temperature between 8°C and ambient temperatures, and
  - (ii) for a period not exceeding a specified shelf life;

- (b) that recommendation has, unless the accused is that food business, been communicated to the accused either by means of a label on the packaging of the food or by means of some other appropriate form of written instruction;
- (c) the food was not kept by the accused at a temperature above the specified temperature; and
- (d) at the time of the commission of the alleged offence, the specified shelf life had not been exceeded.

(2) A food business responsible for manufacturing, preparing or processing food must not recommend that any food is kept—

- (a) at or below a specified temperature between 8°C and ambient temperatures; and
- (b) for a period not exceeding a specified shelf life,

unless that recommendation is supported by a well-founded scientific assessment of the safety of the food at the specified temperature.

### **Chill holding tolerance periods**

**5.—**(1) In any proceedings for an offence consisting of a contravention of sub-paragraph (1) of paragraph 2, it will be a defence for the accused to prove that the food—

- (a) was for service or on display for sale;
- (b) had not previously been kept for service or on display for sale at a temperature above 8°C or, where a recommendation has been made pursuant to sub-paragraph (1) of paragraph 4, the recommended temperature; and
- (c) had been kept for service or on display for sale for a period of less than four hours.

(2) In any proceedings for an offence consisting of a contravention of sub-paragraph (1) of paragraph 2, it will be a defence for the accused to prove that the food—

- (a) was being transferred—
  - (i) from premises at which the food was going to be kept at or below 8°C or in appropriate circumstances the recommended temperature to a vehicle used for the purposes of a food business, or
  - (ii) to such premises from such a vehicle; or
- (b) was kept at a temperature above 8°C or, in appropriate circumstances, the recommended temperature for an unavoidable reason, such as—
  - (i) to accommodate the practicalities of handling during and after processing or preparation,
  - (ii) the defrosting of equipment, or
  - (iii) temporary breakdown of equipment,

and was kept at a temperature above 8°C or, in appropriate circumstances, the recommended temperature for a limited period only and that period was consistent with food safety.

### **Hot holding requirements**

**6.** Any person who in the course of the activities of a food business keeps at or in food premises at a temperature below 63°C any food which—

- (a) has been cooked or reheated;
- (b) is for service or on display for sale; and

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Wales) Regulations 2006*. (See end of Document for details)

(c) needs to be kept at or above 63°C in order to control the growth of pathogenic micro-organisms or the formation of toxins,  
will be guilty of an offence.

### Hot holding defences

7.—(1) In any proceedings for an offence consisting of a contravention of paragraph 6, it will be a defence for the accused to prove that—

- (a) a well-founded scientific assessment of the safety of the food at temperatures below 63°C has concluded that there is no risk to health if, after cooking or re-heating, the food is held for service or on display for sale—
  - (i) at a holding temperature which is below 63°C, and
  - (ii) for a period not exceeding any period of time specified in that scientific assessment; and
- (b) at the time of the commission of the alleged offence, the food was held in a manner which was justified in the light of that scientific assessment.

(2) In any proceedings for an offence consisting of a contravention of paragraph 6, it will be a defence for the accused to prove that the food—

- (a) had been kept for service or on display for sale for a period of less than two hours; and
- (b) had not previously been kept for service or on display for sale by that person.

### Interpretation

8. In this Schedule—

[<sup>F15</sup>“Commission Regulation 543/2008” (“*Rheoliad y Comisiwn 543/2008*”) means [Commission Regulation \(EC\) No 543/2008](#) laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat;]

[<sup>F16</sup>“Commission Regulation 589/2008” (“*Rheoliad y Comisiwn 589/2008*”) means [Commission Regulation \(EC\) No 589/2008](#) laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs;]

<sup>F17</sup>  
...

<sup>F17</sup>  
...

“recommended temperature” (“*tymheredd a argymhellwyd*”) means a specified temperature which has been recommended in accordance with sub-paragraph (1)(a)(i) of paragraph 4; and

[<sup>F18</sup>“Regulation 1308/2013” (“*Rheoliad 1308/2013*”) means Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007;]

“shelf life” (“*oes silff*”) means—

- (a) [<sup>F19</sup>in relation to food for which a date of minimum durability is required in accordance with Article 9(1)(f) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as read with Article 24(1) and (2) of that Regulation, the period up to and including the required date of minimum durability;]
- (b) [<sup>F19</sup>in relation to food for which a “use by” date is required in accordance with Article 9(1)(f) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council,



as read with Article 24(1) and (2) of that Regulation, the period up to and including the required “use by” date; and]

- (c) in relation to food which is not required to bear an indication of minimum durability or a “use by” date, the period for which the food can be expected to remain fit for sale if it is kept in a manner which is consistent with food safety.

#### Textual Amendments

- F15** Words in Sch. 4 para. 8 inserted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(8)(b)(ii)(aa)**
- F16** Words in Sch. 4 para. 8 inserted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(8)(b)(ii)(bb)**
- F17** Words in Sch. 4 para. 8 omitted (26.7.2018) by virtue of [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(8)(b)(i)**
- F18** Words in Sch. 4 para. 8 inserted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(8)(b)(ii)(cc)**
- F19** Words in Sch. 4 para. 8 substituted (13.12.2014) by [The Food Information \(Wales\) Regulations 2014 \(S.I. 2014/2303\)](#), reg. 1(3), **Sch. 7 para. 41**

## SCHEDULE 5

Regulation 31

### DIRECT SUPPLY BY THE PRODUCER OF SMALL QUANTITIES OF MEAT FROM POULTRY AND LAGOMORPHS SLAUGHTERED ON THE FARM

#### Scope

1. The requirements of this Schedule apply in relation to the direct supply by the producer of small quantities of meat from poultry or lagomorphs that have been slaughtered on the farm to the final consumer or to local retail establishments directly supplying such meat to the final consumer as fresh meat.

#### Requirements

2.—(1) Where a producer supplies meat in the manner described in paragraph 1, he or she must ensure that it bears a label or other marking clearly indicating the name and address of the farm where it was slaughtered.

(2) The producer must—

- (a) keep a record in adequate form to show the number of birds and the number of lagomorphs received into, and the amounts of fresh meat despatched from, his or her premises during each week;
- (b) retain the record for a period of one year; and
- (c) make the record available to an authorised officer on request.

#### Offence

3. A person who contravenes or fails to comply with any of the requirements of this Schedule will be guilty of an offence.

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Wales) Regulations 2006*. (See end of Document for details)

## SCHEDULE 6

Regulation 32

### RESTRICTIONS ON THE SALE OF RAW MILK INTENDED FOR DIRECT HUMAN CONSUMPTION

1. Any person who sells raw milk intended for direct human consumption in contravention of paragraph 5 will be guilty of an offence.

[<sup>F20</sup>1A. Any person who sells raw milk in contravention of paragraph 7A commits an offence.]

#### Textual Amendments

**F20** Sch. 6 paras. 1A, 1B inserted (13.12.2014) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/3080\)](#), regs. 1(2), 2(3)(a)

[<sup>F20</sup>1B. Any person who sells raw milk in contravention of paragraph 7B commits an offence.]

#### Textual Amendments

**F20** Sch. 6 paras. 1A, 1B inserted (13.12.2014) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/3080\)](#), regs. 1(2), 2(3)(a)

2.—(1) If any person other than the occupier of a production holding or a distributor sells raw cows' milk intended for direct human consumption that person will be guilty of an offence.

(2) If the occupier of a production holding sells raw cows' milk intended for direct human consumption in contravention of paragraph 3 he or she will be guilty of an offence.

(3) If a distributor sells raw cows' milk intended for direct human consumption in contravention of paragraph 4 he or she will be guilty of an offence.

3. The occupier of a production holding may only sell raw cows' milk intended for direct human consumption—

(a) at or from the farm premises where the animals from which the milk has been obtained are maintained; and

(b) to—

(i) the final consumer for consumption other than at those farm premises,

(ii) a temporary guest or visitor to those farm premises as or as part of a meal or refreshment, or

(iii) a distributor.

4. A distributor may only sell raw cows' milk intended for direct human consumption—

(a) which he or she has bought pursuant to sub-paragraph (b)(iii) of paragraph 3;

(b) in the containers in which he or she receives the milk, with the fastenings of the containers unbroken;

(c) from a vehicle which is lawfully used as a shop premises; and

(d) direct to the final consumer.

5. The raw milk must meet the following standards:

Plate count at 30°C (cfu per ml)

## 20,000

Coliforms (cfu per ml)

< 100

6. In the case where farm premises are being used for the sale of raw cows' milk intended for direct human consumption pursuant to sub-paragraph (a) of paragraph 3, the Agency must carry out such sampling, analysis and examination of the milk as it considers necessary to ensure that it meets the standards specified in paragraph 5.

7. In any case where the Agency carries out sampling, analysis and examination of raw cows' milk in accordance with paragraph 6, there will be due to the Agency from the occupier of the production holding who is selling the milk a fee of £63, which is payable by the occupier to the Agency on demand.

[<sup>F21</sup>7A. Except in cases to which paragraph 7B applies, the container in which any raw milk is sold must be marked or labelled with the words “This milk has not been heat-treated and may therefore contain organisms harmful to health. The Food Standards Agency strongly advises that it should not be consumed by children, pregnant women, older people or those who are unwell or have chronic illness.”.]

**Textual Amendments**

**F21** Sch. 6 paras. 7A-7E inserted (13.12.2014) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/3080\)](#), regs. 1(2), 2(3)(b)

[<sup>F21</sup>7B. In the case of any raw milk which is not prepacked and is sold at a catering establishment there must appear—

- (a) on a label attached to the container in which that milk is sold, or
- (b) on a ticket or notice that is readily discernible by an intending purchaser at the place where the purchaser chooses that milk,

the words “Milk supplied in this establishment has not been heat-treated and may therefore contain organisms harmful to health. The Food Standards Agency strongly advises that it should not be consumed by children, pregnant women, older people or those who are unwell or have chronic illness.”.]

**Textual Amendments**

**F21** Sch. 6 paras. 7A-7E inserted (13.12.2014) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/3080\)](#), regs. 1(2), 2(3)(b)

[<sup>F21</sup>7C. In addition to the English text that must be included by virtue of paragraph 7A, the mark or label may include the Welsh text “Nid yw’r llaeth hwn wedi ei drin â gwres a gall felly gynnwys organeddau sy’n niweidiol i iechyd. Mae’r Asiantaeth Safonau Bwyd yn cynghori’n gryf na ddylai gael ei yfed gan blant, merched beichiog, pobl hŷn neu’r rhai sy’n sâl neu â salwch cronig.”.]

**Textual Amendments**

**F21** Sch. 6 paras. 7A-7E inserted (13.12.2014) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/3080\)](#), regs. 1(2), 2(3)(b)

[<sup>F21</sup>7D. In addition to the English text that must be included by virtue of paragraph 7B, the label, ticket or notice may include the Welsh text “Nid yw’r llaeth a ddarperir yn y sefydliad hwn wedi

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Food Hygiene (Wales) Regulations 2006*. (See end of Document for details)

ei drin â gwres a gall felly gynnwys organeddau sy'n niweidiol i iechyd. Mae'r Asiantaeth Safonau Bwyd yn cynghori'n gryf na ddylai gael ei yfed gan blant, merched beichiog, pobl hŷn neu'r rhai sy'n sâl neu â salwch cronig.”.]

#### Textual Amendments

**F21** Sch. 6 paras. 7A-7E inserted (13.12.2014) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/3080\)](#), regs. 1(2), **2(3)(b)**

[<sup>F21</sup>**7E.** Nothing in this Schedule prevents the following being marked or labelled, as appropriate, with text corresponding to that which is required by virtue of paragraphs 7A and 7B in any other language in addition to Welsh and English—

- (a) the container in which raw milk is sold;
- (b) in the case of raw milk which is not prepacked and is sold at a catering establishment—
  - (i) a label attached to the container in which that milk is sold,
  - (ii) a ticket or notice that is readily discernible by an intending purchaser at the place where the purchaser chooses that milk.]

#### Textual Amendments

**F21** Sch. 6 paras. 7A-7E inserted (13.12.2014) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/3080\)](#), regs. 1(2), **2(3)(b)**

#### 8. In this Schedule—

[<sup>F22</sup>“catering establishment” (“*sefydliad arlwyo*”) means a restaurant, canteen, club, public house, school, hospital or similar establishment (including a vehicle or a fixed or mobile stall) where, in the course of a business, food is prepared for delivery to the final consumer and is ready for consumption without further preparation;]

“distributor” (“*dosbarthwr*”) means a person who sells raw cows' milk that has been produced on a production holding of which he or she is not the occupier;

“farm premises” (“*mangre fferm*”) means a farm occupied by the occupier of a production holding as a single farm and includes the production holding and any other building situated on that farm and occupied by the same occupier;

[<sup>F22</sup>“labelling” (“*labelu*”), in relation to a food, includes any words, particulars, trade mark, brand name, pictorial matter or symbol relating to the food and appearing on the packaging of the food or on any document, notice, label, ring or collar accompanying the food;]

“occupier” (“*meddiannydd*”) means any person carrying on the business of producing or handling raw cows' milk or the occupier's duly authorised representative;

[<sup>F22</sup>“prepacked” (“*wedi ei ragbecynnu*”), in relation to a food, means put into packaging before being offered for sale in such a way that the food, whether wholly or only partly enclosed, cannot be altered without opening or changing the packaging and is ready for sale to the final consumer or to a catering establishment;]

“production holding” (“*daliad cynhyrchu*”) means premises at which milk-producing cows are kept; and

“shop premises” (“*mangre siop*”) means premises from which any food is sold to the final consumer.

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Food Hygiene (Wales) Regulations 2006. (See end of Document for details)

.....  
**Textual Amendments**

**F22** Words in Sch. 6 para. 8 inserted (13.12.2014) by [The Food Hygiene \(Wales\) \(Amendment\) \(No. 2\) Regulations 2014 \(S.I. 2014/3080\)](#), regs. 1(2), **2(3)(c)**

.....  
**F23**SCHEDULE 6A

Regulation 32A

.....  
**Textual Amendments**

**F23** Sch. 6A revoked (8.8.2014) by [The Food Hygiene \(Wales\) \(Amendment\) Regulations 2014 \(S.I. 2014/1858\)](#), regs. 1(2), **2(5)**

.....  
**F24**SCHEDULE 7

Regulation 33

.....  
**Textual Amendments**

**F24** Sch. 7 omitted (26.7.2018) by virtue of [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **11(9)**

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Food Hygiene (Wales) Regulations 2006.