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WELSH STATUTORY INSTRUMENTS

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**2007 No. 3252**

**The Materials and Articles in Contact  
with Food (Wales) Regulations 2007**

**PART 1**

Preliminary

**Title, application and commencement**

1. The title of these Regulations is the Materials and Articles in Contact with Food (Wales) Regulations 2007, apply in relation to Wales and come into force —

- (a) for the purposes of regulations 5, 7 and 14(3), on 1st August 2008; and
- (b) for all other purposes, on 6 December 2007.

**Interpretation**

2.—(1) In these Regulations —

“the Act” (“*the Act*”) means the Food Safety Act 1990;

“the 2006 Regulations” (“*Rheoliadau 2006*”) means the Plastic Materials and Articles in Contact with Food (Wales) Regulations 2006(1);

“Directive 2002/72/EC” (“*Cyfarwyddeb 2002/72/EC*”) means Commission Directive [2002/72/EC](#) relating to plastic materials and articles intended to come into contact with foodstuffs(2);

“Directive 2007/42/EC” (“*Cyfarwyddeb 2007/42/EC*”) means Commission Directive [2007/42/EC](#) relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs(3);

“Regulation 1935/2004” (“*Rheoliad 1935/2004*”) means Regulation (EC) No. 1935/2004 of the European Parliament and of the Council on materials and articles intended to come into contact with food and repealing Directives [80/590/EEC](#) and [89/109/EEC](#)(4);

“Regulation 2023/2006” (“*Rheoliad 2023/2006*”) means Commission Regulation (EC) No. [2023/2006](#) on good manufacturing practice for materials and articles intended to come into contact with food(5);

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(1) [S.I. 2006/2982 \(W.273\)](#).

(2) OJ No. L220, 15.8.2002, p.18. This Directive was corrected by a corrigendum (OJ No. L39, 13.2.2003, p.1), and has been amended as at the date these Regulations were made by Commission Directives [2004/1/EC](#) (OJ No. L7, 13.1.2004, p.45), [2004/19/EC](#) (OJ No. L71, 10.3.2004, p.8), [2005/79/EC](#) (OJ No. L302, 19.11.2005, p.35) and Commission Directive [2007/19/EC](#) (OJ No.L97, 12.4.2007, p.50).

(3) OJ No. L172, 30.6.2007, p.71. This Directive repealed and consolidated without further amendment Commission Directive [93/10/EEC](#) as last amended by Commission Directive [2004/14/EC](#).

(4) OJ No. L338, 13.11.2004, p.4.

(5) OJ No. L384, 29.12.2006, p.75.

“authorised officer” (“*swyddog awdurdodedig*”) means any person, whether or not an officer of the authority having responsibility for execution and enforcement under regulation 14, who is authorised by that authority in writing to act in matters arising under these Regulations;

“food authority” (“*awdurdod bwyd*”) has the same meaning as in section 5(1A) of the Act but does not include port health authorities

“import” (“*mewnforio*”) means import in the course of a business from a place other than a Member State;

“plastics” (“*plastigion*”) means those materials and articles to which Directive 2002/72/EC applies;

“port health authority” (“*awadurdod iechyd porthladd*”) means in relation to any port health district constituted by order under section 2(3) of the Public Health (Control of Disease) Act 1984, a port health authority for that district constituted by order under section 2(4) of that Act;

“preparation” (“*paratoad*”) includes manufacture and any form of treatment or process, and “prepare” is to be construed accordingly;

“regenerated cellulose film” (“*caen cellwlos atgynyrchiedig*”) means a thin sheet material obtained from refined cellulose derived from unrecycled wood or cotton, with or without the addition of suitable substances, either in the mass or on one or both surfaces, but does not include synthetic casings of regenerated cellulose;

“sell” (“*gwerthu*”) includes offer or expose for sale or have in possession for sale, and “sale” and “sold” is to be construed accordingly.

(2) Except in regulations 5 and 7, any reference in these Regulations to a numbered Article is a reference to the Article bearing that number in Regulation 1935/2004.

(3) Expressions used in these Regulations and in Regulation 1935/2004 or Regulation 2023/2006 bear the same meaning in these Regulations as they bear in those Regulations.

(4) Any reference to Regulation 2023/2006 or to an Annex of Directive 2002/72/EC or of Directive 2007/42/EC is a reference to that Regulation or that Annex as amended from time to time.

### **Scope**

**3.** The provisions of these Regulations do not apply to those materials and articles specified in sub-paragraphs (a), (b) and (c) of Article 1(3).