
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations provide for the execution and enforcement, in relation to Wales, of certain provisions of Council Regulation (EC) No. 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (OJ No. L299, 16.11.2007, p.1) (“the Council Regulation”).

2. The Council Regulation repeals a number of other EU instruments and re-enacts their provisions without amendment. These Regulations provide for the enforcement of provisions formerly contained in two of the repealed EC instruments and formerly enforced in two separate statutory instruments.

3. The provisions of the Council Regulation include:

- (a) the requirement that milk and milk products marketed for human consumption must comply with certain specifications as to names and composition (*Article 114(1) and Annex XII*); and
- (b) the requirement that certain spreadable fats intended for human consumption must comply with specifications relating to their sales description, labelling and presentation, and use of terminology (*Article 115 and Annex XV*).

4. The provisions contained in the Council Regulation as regards spreadable fats are supplemented by Commission Regulation (EC) No. 445/2007 (OJ No. L106, 24.4.2007, p.24).

5. The Regulations in this instrument —

- (a) provide an exemption for spreadable fats imported from an EEA state other than a Member State (*regulation 3(1)*);
- (b) specify the required levels for certain vitamins in margarine (*regulation 4*), subject to an exemption for margarines brought into Wales from elsewhere in the EEA or the UK that do not comply with these national rules (*regulation 3(2)*);
- (c) designate the authorities responsible for enforcement of these Regulations and the EU Regulations mentioned in paragraphs 3 and 4 above (*regulation 5*);
- (d) create a summary offence of failing to comply with the requirements of these Regulations or the relevant EU provisions (*regulation 6*); and
- (e) apply certain provisions of the Food Safety Act 1990 for the purposes of these Regulations.

6. A full regulatory assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.