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WELSH STATUTORY INSTRUMENTS

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**2009 No. 3252 (W.282)**

**FOOD, WALES**

**The Food Supplements (Wales) and Addition  
of Vitamins, Minerals and Other Substances  
(Wales) (Amendment) Regulations 2009**

<i>Made</i>	- - - -	<i>8 December 2009</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>10 December 2009</i>
<i>Coming into force</i>	- -	<i>1 January 2010</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 16(1)(a) and (e), 17(1) and (2), 26(1)(a) and (3) and 48(1) of the Food Safety Act 1990<sup>(1)</sup>.

In accordance with section 48(4A) of the Food Safety Act 1990, the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972<sup>(2)</sup> and it appears to the Welsh Ministers that it is expedient for any reference to an Annex to Directive [2002/46/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States relating to food supplements<sup>(3)</sup> to be construed as a reference to that Annex as amended from time to time.

As required by Article 9 of 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<sup>(4)</sup> there has been open and transparent public consultation during the preparation of the following Regulations.

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- (1) [1990 c. 16](#). Functions of the Secretary of State under the Food Safety Act 1990, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. [1999/672](#)) and thereafter transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 ([2006 c. 32](#)).
  - (2) [1972 c. 68](#).
  - (3) OJ No. L183, 12.7.2002, p.51, as last amended by Commission Regulation [\(EC\) No. 1170/2009](#) amending Directive [2002/46/EC](#) of the European Parliament and of Council and Regulation [\(EC\) No. 1925/2006](#) of the European Parliament and of the Council as regards the lists of vitamin and minerals and their forms that can be added to foods, including food supplements (OJ No. L314, 1.12.2009, p.36).
  - (4) OJ No. L31, 1.2.2002, p.1, as last amended by Regulation [\(EC\) No. 596/2009](#) of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468 with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny — Part Four (OJ No. L188, 18.7.2009, p.14).