
WELSH STATUTORY INSTRUMENTS

2012 No. 2705

**The Materials and Articles in Contact
with Food (Wales) Regulations 2012**

PART 1

Preliminary

Title, application and commencement

1. The title of these Regulations is the Materials and Articles in Contact with Food (Wales) Regulations 2012, they apply in relation to Wales and come into force on 20 November 2012.

Interpretation

2.—(1) In these Regulations—

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

“Directive [84/500/EEC](#)” (“*Cyfarwyddeb 84/500/EEC*”) means Council Directive [84/500/EEC](#) on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs(1);

“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(2);

“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](#)(3);

“Regulation 1895/2005” (“*Rheoliad 1895/2005*”) means Commission Regulation (EC) No. [1895/2005](#) on the restriction of use of certain epoxy derivatives in materials and articles intended to come into contact with food(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);

“Regulation 450/2009” (“*Rheoliad 450/2009*”) means Commission Regulation (EC) No. [450/2009](#) on active and intelligent materials and articles intended to come into contact with food(6);

(1) OJ No. L277, 20.10.1984, p.12, amended by Commission Directive [2005/31/EC](#) (OJ No. L110, 30.4.2005, p.36).

(2) 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 This Directive repealed and consolidated without further amendment Commission Directive [93/10/EEC](#) as last amended by Commission Directive [2004/14/EC](#).

(3) OJ No. L338, 13.11.2004, p.4, amended by Regulation (EC) No. [596/2009](#) of the European Parliament and of the Council (OJ No. L188, 18.7.2009, p.14).

(4) OJ No. L302, 19.11.2005, p.28.

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

(6) OJ No. L135, 30.5.2009, p.3.

“Regulation 10/2011” (“*Rheoliad 10/2011*”) means Commission Regulation (EU) No. 10/2011 on plastic materials and articles intended to come into contact with food⁽⁷⁾;

“authorised officer” (“*swyddog awdurdodedig*”) means any person, whether or not an officer of the authority concerned, who is authorised in writing by an authority having responsibility for execution and enforcement under regulation 20 to act in matters arising under these Regulations;

“food authority” (“*awdurdod bwyd*”) does not include a port health authority;

“port health authority” (“*awdurdod 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⁽⁸⁾, a port health authority for that district constituted by order under section 2(4) of that Act;

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

(2) Expressions used in these Regulations and in Regulation 1935/2004, Regulation 1895/2005, Regulation 2023/2006, Regulation 450/2009 or Regulation 10/2011 bear the same meaning in these Regulations as they bear in those Regulations.

(3) Any reference in these Regulations to Regulation 2023/2006 or to an Annex to Directive [2007/42/EC](#) or Regulation 10/2011 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 in relation to those materials and articles specified in paragraph (3) of Article 1 (purpose and subject matter) of Regulation 1935/2004.

(7) OJ No. L12, 15.1.2011, p.1 as last amended by Commission Regulation (EU) No. 1282/2011 (OJ No. L328, 10.12.2011, p.22).

(8) 1984 c. 22.