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WELSH STATUTORY INSTRUMENTS

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**2013 No. 2750 (W. 267)**

**FOOD, WALES**

**The Fruit Juices and Fruit Nectars (Wales) Regulations 2013**

<i>Made</i>	- - - -	<i>25 October 2013</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>28 October 2013</i>
<i>Coming into force</i>	- -	<i>20 November 2013</i>

The following Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972(1) and it appears to the Welsh Ministers that it is expedient for any reference in the following Regulations to an EU instrument listed in Schedule 1 to be construed as a reference to that instrument as amended from time to time.

The Welsh Ministers are designated(2) for the purposes of section 2(2) of the European Communities Act 1972 in relation to food (including drink) including the primary production of food.

Insofar as the following Regulations are made in exercise of powers under the Food Safety Act 1990(3), the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency in accordance with section 48(4A)(4) of that Act.

There has been consultation 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(5).

The Welsh Ministers make the following Regulations in exercise of the powers conferred by—

- (a) paragraph 1A of Schedule 2 to the European Communities Act 1972(6), so far as relating to regulation 3(3) and Schedule 1;
- (b) section 4(1), (2), (3), (4) and (8) and section 10 of the Healthy Eating in Schools (Wales) Measure 2009(7)so far as relating to—
  - (i) regulation 21, to the extent it relates to paragraph 2 of Schedule 15, and
  - (ii) paragraph 2 of Schedule 15; and

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(1) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).

(2) S.I. 2005/1971, to which there are amendments not relevant to these Regulations. Functions conferred on the National Assembly for Wales were subsequently transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32).

(3) 1990 c. 16.

(4) Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999 (c. 28).

(5) OJ No L 31, 1.2.2002, p.1, last amended by Regulation (EC) No 596/2009 of the European Parliament and of the Council (OJ No. L 188, 18.7.2009, p.14).

(6) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 and amended by S.I. 2007/1388 and section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008.

(7) 2009 nawm 3.

- (c) sections 6(4)(8), 16(1)(a) and (e), 17(1), 26(1)(a) and (3)(9) and 48(1)(10) of the Food Safety Act 1990, now vested in the Welsh Ministers(11), so far as relating to the other provisions of these Regulations.

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- (8) Section 6(4) was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act 1994 (c. 40), paragraph 10(1) and (3) of Schedule 5, and Schedule 6, to the Food Standards Act 1999, and S.I. 2002/794.
- (9) Section 26(3) was partially repealed by Schedule 6 to the Food Standards Act 1999.
- (10) Section 48(1) was amended by paragraph 8 of Schedule 5 to the Food Standards Act 1999.
- (11) Functions formerly exercisable by “the Ministers” so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672 as read with section 40(3) of the Food Standards Act 1999, and subsequently transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).