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WELSH STATUTORY INSTRUMENTS

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**2014 No. 3080**

**The Food Hygiene (Wales)  
(Amendment) (No. 2) Regulations 2014**

**Amendments to the Food Hygiene (Wales) Regulations 2006**

**2.—(1)** The Food Hygiene (Wales) Regulations 2006<sup>(1)</sup> are amended in accordance with paragraphs (2) and (3).

(2) In regulation 17 (offences and penalties)—

- (a) in paragraph (2), for “Subject to paragraph (3)” substitute “Subject to paragraphs (3) and (3A)”;
- (b) after paragraph (3), insert the following paragraph—

“(3A) A person guilty of an offence under paragraph 1A or 1B of Schedule 6 is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”

(3) In Schedule 6 (restrictions on the sale of raw milk intended for direct human consumption)—

(a) after paragraph 1, insert the following paragraphs—

**1A.** Any person who sells raw milk in contravention of paragraph 7A commits an offence.

**1B.** Any person who sells raw milk in contravention of paragraph 7B commits an offence.”;

(b) after paragraph 7, insert the following paragraphs—

**7A.** Except in cases to which paragraph 7B applies, the container in which any raw milk is sold must be marked or labelled with the words “This milk has not been heat-treated and may therefore contain organisms harmful to health. The Food Standards Agency strongly advises that it should not be consumed by children, pregnant women, older people or those who are unwell or have chronic illness.”.

**7B.** In the case of any raw milk which is not prepacked and is sold at a catering establishment there must appear—

- (a) on a label attached to the container in which that milk is sold, or
- (b) on a ticket or notice that is readily discernible by an intending purchaser at the place where the purchaser chooses that milk,

the words “Milk supplied in this establishment has not been heat-treated and may therefore contain organisms harmful to health. The Food Standards Agency strongly advises that it should not be consumed by children, pregnant women, older people or those who are unwell or have chronic illness.”.

**7C.** In addition to the English text that must be included by virtue of paragraph 7A, the mark or label may include the Welsh text “Nid yw’r llaeth hwn wedi ei drin â gwres a

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<sup>(1)</sup> S.I. 2006/31 (W. 5) as amended by S.I. 2006/1534 (W. 151), S.I. 2007/373 (W. 33), S.I. 2010/893 (W. 92), S.I. 2012/975 (W. 129), S.I. 2012/1765 (W. 225), S.I. 2013/479 (W. 55), S.I. 2013/3007 (W. 298), S.I. 2013/3049 (W. 308), S.I. 2014/1858 (W. 192) and S.I. 2014/2303 (W. 227).

gall felly gynnwys organeddau sy'n niweidiol i iechyd. Mae'r Asiantaeth Safonau Bwyd yn cynghori'n gryf na ddylai gael ei yfed gan blant, merched beichiog, pobl hŷn neu'r rhai sy'n sâl neu â salwch cronig.”.

**7D.** In addition to the English text that must be included by virtue of paragraph 7B, the label, ticket or notice may include the Welsh text “Nid yw'r llaeth a ddarperir yn y sefydliad hwn wedi ei drin â gwres a gall felly gynnwys organeddau sy'n niweidiol i iechyd. Mae'r Asiantaeth Safonau Bwyd yn cynghori'n gryf na ddylai gael ei yfed gan blant, merched beichiog, pobl hŷn neu'r rhai sy'n sâl neu â salwch cronig.”.

**7E.** Nothing in this Schedule prevents the following being marked or labelled, as appropriate, with text corresponding to that which is required by virtue of paragraphs 7A and 7B in any other language in addition to Welsh and English—

- (a) the container in which raw milk is sold;
- (b) in the case of raw milk which is not prepacked and is sold at a catering establishment—
  - (i) a label attached to the container in which that milk is sold,
  - (ii) a ticket or notice that is readily discernible by an intending purchaser at the place where the purchaser chooses that milk.”;
- (c) in paragraph 8, in the appropriate place in alphabetical order insert—

““catering establishment” (“*sefydliad arlwyo*”) means a restaurant, canteen, club, public house, school, hospital or similar establishment (including a vehicle or a fixed or mobile stall) where, in the course of a business, food is prepared for delivery to the final consumer and is ready for consumption without further preparation;”;

““labelling” (“*labelu*”), in relation to a food, includes any words, particulars, trade mark, brand name, pictorial matter or symbol relating to the food and appearing on the packaging of the food or on any document, notice, label, ring or collar accompanying the food;”;

““prepacked” (“*wedi ei ragbecynnu*”), in relation to a food, means put into packaging before being offered for sale in such a way that the food, whether wholly or only partly enclosed, cannot be altered without opening or changing the packaging and is ready for sale to the final consumer or to a catering establishment;”.