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WELSH STATUTORY INSTRUMENTS

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**2018 No. 806 (W. 162)**

**AGRICULTURE, WALES  
FOOD, WALES**

**The Food and Feed (Miscellaneous Amendments  
and Revocations) (Wales) Regulations 2018**

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|--|---------|---------------------|
| <i>Made</i>  | - - - - | <i>2 July 2018</i>  |
| <i>Laid before the National<br/>Assembly for Wales</i> | - -     | <i>4 July 2018</i>  |
| <i>Coming into force</i>                               | - -     | <i>26 July 2018</i> |

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

- (a) except regulations 4, 26 and 29, to the extent that regulation 29 as read with Schedule 3 revokes the Beef Bones (Amendment) (Wales) Regulations 1999 and the Food Safety (General Food Hygiene) (Butchers' Shops) (Amendment) (Wales) Regulations 2000, section 2(2) of the European Communities Act 1972 (“the 1972 Act”) <sup>M1</sup>;
- (b) in relation to regulations 8(4)(b), 11(6)(a), 13(2), 21 and 26, paragraph 1A of Schedule 2 to the 1972 Act <sup>M2</sup>;
- (c) in relation to regulations 4, 26 and 29, to the extent that regulation 29 as read with Schedule 3 revokes the Beef Bones (Amendment) (Wales) Regulations 1999 and the Food Safety (General Food Hygiene) (Butchers' Shops) (Amendment) (Wales) Regulations 2000, sections 16(1)(a) and 48(1)(c) of the Food Safety Act 1990 <sup>M3</sup>.

The Welsh Ministers have been designated for the purposes of section 2(2) of the 1972 Act in relation to—

- (a) the control and regulation of the deliberate release, placing on the market and transboundary movements of genetically modified organisms <sup>M4</sup>;
- (b) measures in respect of food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals <sup>M5</sup>;
- (c) measures in the veterinary and phytosanitary fields for the protection of public health <sup>M6</sup>;
- (d) measures in relation to the common agricultural policy of the European Union <sup>M7</sup>.

As set out above, these Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Welsh Ministers that it is expedient for particular references to the specified Annexes to the following EU instruments to be construed as references to those Annexes as amended from time to time—

**Status:** Point in time view as at 26/07/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

- (a) Annex I or II to Regulation (EC) No 1925/2006 of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods <sup>M8</sup>;
- (b) the Annexes to Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives <sup>M9</sup>;
- (c) Annex I to Directive 2009/32/EC of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (Recast) <sup>M10</sup>;
- (d) Annex I to Commission Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food <sup>M11</sup>;
- (e) the Annex to Commission Regulation (EU) No 579/2014 <sup>M12</sup>.

So far as these Regulations are made in exercise of powers under the Food Safety Act 1990, in accordance with section 48(4A) <sup>M13</sup> of the Food Safety Act 1990, the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency before making these Regulations.

There has been open and transparent public consultation during the preparation and evaluation of these Regulations 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>M14</sup>.

#### Marginal Citations

- M1** 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 \(c. 7\)](#).
- M2** [Paragraph 1A](#) of Schedule 2 was inserted by section 28 of the [Legislative and Regulatory Reform Act 2006](#) and was amended by Part 1 of the Schedule to the [European Union \(Amendment\) Act 2008](#) and [S.I. 2007/1388](#).
- M3** 1990 c. 16. Sections 16(1)(a) and 48(1) were amended by paragraph 8 of Schedule 5 to the [Food Standards Act 1999 \(c. 28\)](#).
- M4** [S.I. 2003/2901](#). The functions conferred on the National Assembly for Wales by this designation are transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 28 and 30 of Schedule 11 to, the [Government of Wales Act 2006 \(c. 32\)](#).
- M5** [S.I. 2005/1971](#). The functions conferred on the National Assembly for Wales by this designation are transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 28 and 30 of Schedule 11 to, the [Government of Wales Act 2006](#).
- M6** [S.I. 2008/1792](#).
- M7** [S.I. 2010/2690](#).
- M8** OJ No L 404, 30.12.2006, p. 26, as last amended by Commission Regulation (EU) 2017/1203 (OJ No L 173, 6.7.2017, p. 9).
- M9** OJ No L 354, 31.12.2008, p. 16, as last amended by Commission Regulation (EU) 2018/682 (OJ No L 116, 7.5.2018, p. 5).
- M10** OJ No L 141, 6.6.2009, p. 3, as last amended by Commission Directive (EU) 2016/1855 (OJ No L 284, 20.10.2016, p. 19).
- M11** OJ No L 12, 15.1.2011, p. 1, as last amended by Commission Regulation (EU) 2018/831 (OJ No L 140, 6.6.2018, p. 35).
- M12** OJ No L 160, 29.5.2014, p. 14, as last amended by Commission Regulation (EU) No 2016/238 (OJ No L 45, 20.2.2016, p. 1).
- M13** [Section 48\(4A\)](#) was inserted by paragraph 21 of Schedule 5 to the [Food Standards Act 1999](#).

**M14** OJ No L 31, 1.2.2002, p. 1, as last amended by Commission Regulation (EU) 2017/228 (OJ No L 35, 10.2.2017, p. 10).

## **PART 1** **E+W**

### Introduction

#### **Title, application and commencement** **E+W**

- 1.—(1) The title of these Regulations is the Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018.
- (2) These Regulations apply in relation to Wales.
- (3) These Regulations come into force on 26 July 2018.

## **PART 2** **E+W**

### Amendments to food and feed-related subordinate legislation

#### **The Food (Lot Marking) Regulations 1996** **E+W**

2. In regulation 4 of the Food (Lot Marking) Regulations 1996 <sup>M15</sup>, omit paragraph (f).

#### **Marginal Citations**

**M15** [S.I. 1996/1502](#), to which there are amendments not relevant to these Regulations.

#### **The Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997** **E+W**

3. In regulation 3(f) of the Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997 <sup>M16</sup>, for “2(1)(a)” substitute “2(1)”.

#### **Marginal Citations**

**M16** [S.I. 1997/2182](#), amended by [S.I. 2016/639](#) (W. 175); there are other amending instruments but none is relevant to these Regulations.

#### **The Bread and Flour Regulations 1998** **E+W**

- 4.—(1) The Bread and Flour Regulations 1998 <sup>M17</sup> are amended as follows.
- (2) In regulation 2(1)—
  - (a) omit the definition of “flour treatment agent”;
  - (b) in the definition of “food additive”, for “the Miscellaneous Food Additives Regulations 1995” substitute “ Article 3(2)(a) of Regulation [\(EC\) No 1333/2008](#) of the European Parliament and of the Council on food additives <sup>M18</sup> ”.

**Status:** Point in time view as at 26/07/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

#### Marginal Citations

- M17** [S.I. 1998/141](#), amended by [S.I. 1999/1136](#) and [S.I. 2014/2303](#) (W. 227); there are other amending instruments but none is relevant to these Regulations.
- M18** OJ No L 354, 31.12.2008, p. 16, as last amended by Commission Regulation (EU) 2018/682 (OJ No L 116, 7.5.2018, p. 5).

### The Medical Food (Wales) Regulations 2000 **E+W**

5. In regulation 2 of the Medical Food (Wales) Regulations 2000 <sup>M19</sup>, for the definition of “the Directive” substitute—

““the Directive” (“*y Gyfarwydddeb*”) means Commission Directive [1999/21/EC](#) on dietary foods for special medical purposes <sup>M20</sup>, as last amended by Commission Directive 2013/26/EU <sup>M21</sup>.”

#### Marginal Citations

- M19** [S.I. 2000/1866](#) (W. 125), amended by [S.I. 2007/3573](#) (W. 316) and [S.I. 2008/2602](#) (W. 228); there are other amending instruments but none is relevant to these Regulations.
- M20** OJ No L 91, 7.4.1999, p. 29.
- M21** OJ No L 158, 10.6.2013, p. 376.

### The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001 **E+W**

6.—(1) The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001 <sup>M22</sup> are amended as follows.

(2) In regulation 7(3), for the words from “paragraphs 1 and 2” to “human consumption” substitute “ Annex 3 to Regulation [\(EC\) No 882/2004](#) of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules <sup>M23</sup> ”.

(3) Omit regulation 8.

#### Marginal Citations

- M22** [S.I. 2001/1440](#) (W. 102), to which there are amendments not relevant to these Regulations.
- M23** OJ No L 165, 30.4.2004, p. 1, as last amended by Commission Regulation (EU) 2018/455 (OJ No L 77, 20.3.2018, p. 4).

### The Cocoa and Chocolate Products (Wales) Regulations 2003 **E+W**

7.—(1) The Cocoa and Chocolate Products (Wales) Regulations 2003 <sup>M24</sup> are amended as follows.

(2) In regulation 2(1), omit the definitions of “EEA Agreement” and “EEA State”.

(3) In regulation 7(2)(a), for “the 1996 Regulations”, substitute “ Article 9(1)(b) of Regulation (EU) No 1169/2011 <sup>M25</sup> ”.

(4) Omit regulation 12.

#### Marginal Citations

**M24** [S.I. 2003/3037](#) (W. 285), amended by [S.I. 2005/3254](#) (W. 247) and [S.I. 2014/2303](#) (W. 227).

**M25** OJ No L 304, 22.11.2011, p. 18, as last amended by Regulation (EU) 2015/2283 of the European Parliament and of the Council (OJ No L 327, 11.12.2015, p. 1) and as corrected by the Corrigenda set out in OJ No L 247, 13.9.2012, p. 17 and OJ No L 266, 30.9.2016, p. 7.

### The Specified Sugar Products (Wales) Regulations 2003 **E+W**

- 8.—(1) The Specified Sugar Products (Wales) Regulations 2003 <sup>M26</sup> are amended as follows.
- (2) In regulation 2, omit the definitions of “EEA Agreement” and “EEA State”.
- (3) Omit regulation 11.
- (4) In Schedule 1—
- (a) in the table—
- (i) in entry 5, in column 2, in sub-paragraph (c), for “paragraph 4” substitute “ paragraph 3 ”;
- (ii) in entry 11, in column 2, for “paragraph (2)” substitute “ paragraph 3 ”;
- (b) in note 7—
- (i) for “Directive [2009/32/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (Recast)” substitute “ Directive [2009/32/EC](#) of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (Recast) as Annex I to which is amended from time to time <sup>M27</sup> ”;
- (ii) for “Regulation (EC) No. [1333/2008](#) of the European Parliament and of the Council on food additives” substitute “ Regulation (EC) No. [1333/2008](#) of the European Parliament and of the Council on food additives as the Annexes to which are amended from time to time <sup>M28</sup> ”.

#### Marginal Citations

**M26** [S.I. 2003/3047](#) (W. 290), amended by [S.I. 2005/3254](#) (W. 247); there are other amending instruments but none is relevant to these Regulations.

**M27** OJ No L 141, 6.6.2009, p. 3, as last amended by Commission Directive (EU) 2016/1855 (OJ No L 284, 20.10.2016, p. 19).

**M28** OJ No L 354, 31.12.2008, p. 16, as last amended by Commission Regulation (EU) 2018/682 (OJ No L 116, 7.5.2018, p. 5).

### The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004 **E+W**

9. In regulation 2(1) of the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004 <sup>M29</sup>, omit the definitions of “EEA Agreement” and “EEA State”.

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**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

#### Marginal Citations

**M29** [S.I. 2004/314](#) (W. 32), amended by [S.I. 2005/3254](#) (W. 247); there are other amending instruments but none is relevant to these Regulations.

### The Genetically Modified Food (Wales) Regulations 2004 **E+W**

**10.** In the Genetically Modified Food (Wales) Regulations 2004 <sup>M30</sup>, omit regulation 9.

#### Marginal Citations

**M30** [S.I. 2004/3220](#) (W. 276), to which there are amendments not relevant to these Regulations.

### The Food Hygiene (Wales) Regulations 2006 **E+W**

**11.**—(1) The Food Hygiene (Wales) Regulations 2006 <sup>M31</sup> are amended as follows.

(2) In regulation 2(1), in the definition beginning with “Decision 2006/766”—

- (a) omit “ “Regulation 809/2011” (“*Rheoliad 809/2011*”),”;
- (b) for “ “Regulation 16/2012” (“*Rheoliad 16/2012*”), “Regulation 28/2012” (“*Rheoliad 28/2012*”), “Regulation 702/2013” (“*Rheoliad 702/2013*”) and “Regulation 1079/2013” (“*Rheoliad 1079/2013*”)” substitute “and “Regulation 16/2012” (“*Rheoliad 16/2012*”)”.

(3) For regulation 32 substitute—

#### “Restriction on the sale of raw milk intended for direct human consumption

**32.** Schedule 6 (restrictions on the sale of raw milk intended for direct human consumption) has effect.”

(4) Omit regulation 33.

(5) In Schedule 1—

- (a) in the definition of “Regulation 852/2004” for “and with Commission Regulation (EU) No 210/2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No 852/2004 of the European Parliament and of the Council” substitute “ , Commission Regulation (EU) No 210/2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No 852/2004 of the European Parliament and of the Council <sup>M32</sup> and with Commission Regulation (EU) No 2017/2158 establishing mitigation measures and benchmark levels for the reduction of the presence of acrylamide in food <sup>M33</sup> ”;
- (b) in the definition of “Regulation 853/2004”, for “ “Regulation 1020/2008 and Regulation 1079/2013 (*Rheoliad 1079/2013*)” substitute “ and Regulation 1020/2008 ”;
- (c) in the definition of “Regulation 854/2004”, for “ “Regulation 1021/2008 and Regulation 1079/2013 (*Rheoliad 1079/2013*)” substitute “ and Regulation 1021/2008 ”;
- (d) in the definition of “Regulation 882/2004”, for “ “Regulation 669/2009 and Regulation 702/2013 (*Rheoliad 702/2013*)” substitute “ and Regulation 669/2009 ”;
- (e) for the definition of “Regulation 2073/2005” substitute—  
 ““Regulation 2073/2005” (“*Rheoliad 2073/2005*”) means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs <sup>M34</sup> as last amended by

Commission Regulation (EU) 2017/1495 amending Regulation (EC) No 2073/2005 as regards *Campylobacter* in broiler carcasses <sup>M35</sup>”;

(f) for the definition of “Regulation 2074/2005” substitute—

““Regulation 2074/2005” (“*Rheoliad 2074/2005*”) means Commission Regulation (EC) No. 2074/2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004 <sup>M36</sup>, as last amended by Commission Regulation (EU) 2017/1973 <sup>M37</sup>”;

(g) omit the definitions of “Regulation 809/2011”, “Regulation 28/2012”, “Regulation 702/2013” and “Regulation 1079/2013”.

(6) In Schedule 3—

(a) in paragraph 2(2), for “Annex to Commission Regulation (EU) No. 579/2014” substitute “Annex to Commission Regulation (EU) No. 579/2014 <sup>M38</sup> as amended from time to time”;

(b) for paragraph 14 substitute—

“14. For the purposes of this Schedule any words or expressions used both in this Schedule and in Commission Regulation (EU) No 579/2014 granting derogation from certain provisions of Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea <sup>M39</sup> or Commission Directive 98/28/EC granting a derogation from certain provisions of Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport by sea of bulk raw sugar <sup>M40</sup> will bear the same meanings as they respectively have in that Regulation or Directive.”

(7) In Schedule 3A, in the definition of “Community TSE Regulation”, for the words from “Regulation (EC) No. 999/2001” to “conferred on the Commission” substitute “Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies <sup>M41</sup>, as last amended by Commission Regulation (EU) 2017/893 <sup>M42</sup>”.

(8) In Schedule 4—

(a) in paragraph 3—

(i) in sub-paragraph (f), for “Council Regulation 1906/90 applies”, substitute “Commission Regulation 543/2008 and Regulation 1308/2013 apply”;

(ii) in sub-paragraph (g), for “Council Regulation 1907/90 applies”, substitute “Commission Regulation 589/2008 and Regulation 1308/2013 apply”;

(b) in paragraph 8—

(i) omit the definitions of “Council Regulation 1906/90” and “Council Regulation 1907/90”;

(ii) in the appropriate place, insert—

(aa) ““Commission Regulation 543/2008” (“*Rheoliad y Comisiwn 543/2008*”) means Commission Regulation (EC) No 543/2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat <sup>M43</sup>”;

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**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

- (bb) ““Commission Regulation 589/2008” (“*Rheoliad y Comisiwn 589/2008*”) means Commission Regulation (EC) No 589/2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs<sup>M44</sup>;”;
- (cc) ““Regulation 1308/2013” (“*Rheoliad 1308/2013*”) means Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007<sup>M45</sup>;”.

(9) Omit Schedule 7.

### Marginal Citations

- M31** S.I. 2006/31 (W. 5), amended by S.I. 2010/893 (W. 92), S.I. 2012/1765 (W. 225), S.I. 2013/3007 (W. 298), S.I. 2013/3049 (W. 308) and S.I. 2014/1858 (W. 192); there are other amending instruments but none is relevant to these Regulations.
- M32** OJ No L 68, 12.3.2013, p. 24.
- M33** OJ No L 304, 21.11.2017, p. 24.
- M34** OJ No L 338, 22.12.2005, p. 1, as corrected by the Corrigenda set out in OJ No L 278, 10.10.2006, p. 32, OJ No L 283, 14.10.2006, p. 62, OJ No L 68, 13.3.2015, p. 90, OJ No L 195, 20.7.2016, p.82 and OJ No L 195, 20.7.2016, p. 83.
- M35** OJ No L 218, 24.8.2017, p. 1.
- M36** OJ No L 338, 22.12.2005, p. 27, as corrected by the Corrigendum set out in OJ No L 214, 9.8.2013, p. 11.
- M37** Commission Regulation (EU) 2017/1973 amending Regulation (EC) No 2074/2005 as regards official controls on fishery products caught by vessels flying the flag of a Member State and introduced into Union after being transferred in third countries and establishing a model health certificate for those products (OJ No L 281, 31.10.2017, p. 21).
- M38** OJ No L 160, 29.5.2014, p. 14, as last amended by Commission Regulation (EU) No 2016/238 (OJ No L 45, 20.2.2016, p. 1).
- M39** OJ No L 160, 29.5.2014, p. 14, as last amended by Commission Regulation (EU) 2016/238 (OJ No L 45, 20.2.2016, p. 1).
- M40** OJ No L 140, 12.5.1998, p. 10. References in this Directive to the repealed Directive 93/43/EEC are to be construed as references to Regulation (EC) 852/2004 on the hygiene of foodstuffs (OJ No L 139, 30.4.2004, p. 1) (see [Article 17\(2\)](#) of Regulation (EC) 852/2004).
- M41** OJ No L 147, 31.5.2001, p. 1.
- M42** Commission Regulation (EU) 2017/893 amending Annexes I and IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council and Annexes X, XIV and XV to Commission Regulation (EU) No 142/2011 as regards the provisions on processed animal protein (OJ No L 138, 25.05.2017, p. 92). Parts of the amendments made by this Commission Regulation apply from 1 January 2018, which is after the date on which the amendments made by the later Commission Regulation (EU) 2017/1972 (OJ No L 281, 31.10.2017, p. 14) apply.
- M43** OJ No L 157, 17.6.2008, p. 46, as last amended by Commission Regulation (EU) No 519/2013 (OJ No L 158, 10.6.2013, p. 74). References in Commission Regulation 543/2008 to the repealed Council Regulation 1234/2007 are to be construed as references to Regulation 1308/2013 (see [Article 230\(2\)](#) of Regulation 1308/2013).
- M44** OJ No L 163, 24.6.2008, p. 6, as last amended by Commission Delegated Regulation (EU) 2017/2168 (OJ No L 306, 22.11.2017, p. 6). References in Commission Regulation 589/2008 to the repealed Council Regulation 1234/2007 are to be construed as references to Regulation 1308/2013 (see [Article 230\(2\)](#) of Regulation 1308/2013).



**M45** OJ No L 347, 20.12.2013, p. 671, as last amended by Regulation (EU) 2017/2393 of the European Parliament and of the Council (OJ No L 350, 29.12.2017, p. 15).

## The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007 **E+W**

**12.**—(1) The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007 <sup>M46</sup> are amended as follows.

(2) In regulation 2—

(a) in paragraph (1)—

(i) for the definition of “the 2006 Regulations” substitute—

““the 2009 Regulations” (“*Rheoliadau 2009*”) means the Official Feed and Food Controls (Wales) Regulations 2009 <sup>M47</sup>.”;

(ii) in the definition of “Regulation 882/2004”, omit paragraph (c);

(b) in paragraph (3)—

(i) in sub-paragraph (a), for “the 2006 Regulations” substitute “ the 2009 Regulations ”;

(ii) in sub-paragraph (b), for “the Veterinary Medicines Regulations 2006” substitute “ the Veterinary Medicines Regulations 2013 <sup>M48</sup> ”.

(3) In regulation 9—

(a) in each place it occurs, for “the 2006 Regulations” substitute “ the 2009 Regulations ”;

(b) in paragraph (3)—

(i) for “41 to 43” substitute “ 45 to 47 ”;

(ii) for “45 and 46” substitute “ 49 and 50 ”.

(4) Omit regulation 20.

### Marginal Citations

**M46** [S.I. 2007/196](#) (W. 15), to which there are amendments not relevant to these Regulations.

**M47** [S.I. 2009/3376](#) (W. 298).

**M48** [S.I. 2013/2033](#).

## The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007 **E+W**

**13.**—(1) The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007 <sup>M49</sup> are amended as follows.

(2) In regulation 2(1), for the definition of “the EC Regulation” substitute—

““the EC Regulation” (“*y Rheoliad CE*”) means Regulation (EC) No. 1925/2006 of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods, as Annex I or II to which is amended from time to time <sup>M50</sup>.”

(3) In regulation 4(1), for “Subject to the transitional measures contained in Article 18 (relating to foods placed on the market before 1 July 2007), any” substitute “ Any ”.

### Marginal Citations

**M49** [S.I. 2007/1984](#) (W. 165), amended by [S.I. 2010/2069](#) (W. 191); there are other amending instruments but none is relevant to these Regulations.

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**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

**M50** OJ No L 404, 30.12.2006, p. 26, as last amended by Commission Regulation (EU) 2017/1203 (OJ No L 173, 6.7.2017, p. 9).

## The Fishery Products (Official Controls Charges) (Wales) Regulations 2007 E+W

14.—(1) The Fishery Products (Official Controls Charges) (Wales) Regulations 2007 <sup>M51</sup> are amended as follows.

(2) In regulation 2—

(a) in paragraph (1)—

(i) in the definition beginning with “Directive 2004/41”—

(aa) for “, “Regulation 2075/2005” (“*Rheoliad 2075/2005*”)” substitute “and “Regulation 2015/1375” (“*Rheoliad 2015/1375*”)”;

(bb) omit “and “Regulation 2076/2005” (“*Rheoliad 2076/2005*”)”;

(ii) in the definition of “third country import”, for “a charge is payable under regulation 54 of the Products of Animal Origin (Third Country Imports) (Wales) Regulations 2007” substitute “ Part 3 of the Trade in Animals and Related Products (Wales) Regulations 2011 <sup>M52</sup> applies ”;

(b) in paragraph (2)(a), omit “or 7”.

(3) In the Schedule—

(a) in the definition of “Regulation 853/2004”, for “, Regulation 2074/2005 and Regulation 2076/2005” substitute “ and Regulation 2074/2005 ”;

(b) for the definition of “Regulation 854/2004”, substitute—

““Regulation 854/2004” (“*Rheoliad 854/2004*”) means Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption <sup>M53</sup> as read with Directive 2004/41, Regulation 2074/2005 and Regulation 2015/1375;”;

(c) in the definition of “Regulation 882/2004”, omit “and Regulation 2076/2005”;

(d) for the definition of “Regulation 2074/2005”, substitute—

““Regulation 2074/2005” (“*Rheoliad 2074/2005*”) means Commission Regulation (EC) No. 2074/2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004<sup>M54</sup>,”

(e) for the definition of “Regulation 2075/2005”, substitute—

““Regulation 2015/1375” (“*Rheoliad 2015/1375*”) means Commission Implementing Regulation (EU) 2015/1375 laying down specific rules on official controls for *Trichinella* in meat <sup>M55</sup>”;

(f) omit the definition of “Regulation 2076/2005”.

### Marginal Citations

**M51** S.I. 2007/3462 (W. 307), to which there are amendments not relevant to these Regulations.

**M52** S.I. 2011/2379 (W. 252).

- M53** OJ No L 139, 30.4.2004, p. 206, as last amended by Commission Regulation (EU) 2015/2285 (OJ No L 323, 9.12.2015, p. 2).
- M54** OJ No L 338, 22.12.2005, p. 27, as corrected by the Corrigendum set out in OJ No L 214, 9.8.2013, p. 11 and as last amended by Commission Regulation (EU) 2017/1973 amending Regulation (EC) No 2074/2005 as regards official controls on fishery products caught by vessels flying the flag of a Member State and introduced into Union after being transferred in third countries and establishing a model health certificate for those products (OJ No L 281, 31.10.2017, p. 21).
- M55** OJ No L 212, 11.8.2015, p. 7.

### The Quick-frozen Foodstuffs (Wales) Regulations 2007 **E+W**

- 15.—(1) The Quick-frozen Foodstuffs (Wales) Regulations 2007<sup>M56</sup> are amended as follows.
- (2) In regulation 2—
- (a) in paragraph (1)—
- (i) for the definition of “Directive 89/108” substitute—
- ““Directive 89/108” (“*Cyfarwyddeb 89/108*”) means Council Directive [89/108/EEC](#) on the approximation of the laws of Member States relating to quick-frozen foodstuffs for human consumption<sup>M57</sup>;”;
- (ii) for the definition of “food authority” substitute—
- ““food authority” (“*awdurdod bwyd*”) has the meaning it bears by virtue of section 5(1A) of the Act;”;
- (b) in paragraph (3)—
- (i) in sub-paragraph (a), omit “or 7”;
- (ii) at the end of sub-paragraph (a), insert “ or ”;
- (iii) at the end of sub-paragraph (b), omit “or”;
- (iv) omit sub-paragraph (c).
- (3) In regulation 9, omit paragraph (3).
- (4) Omit Schedule 3.

#### Marginal Citations

**M56** [S.I. 2007/389](#) (W. 40), to which there are amendments not relevant to these Regulations.

**M57** OJ No L 40, 11.2.1989, p. 34, as last amended by Council Directive 2013/20/EU (OJ No L 158, 10.6.2013, p. 234).

### The Specified Products from China (Restriction on First Placing on the Market) (Wales) Regulations 2008 **E+W**

16. In the Specified Products from China (Restriction on First Placing on the Market) (Wales) Regulations 2008<sup>M58</sup>, omit regulation 8.

#### Marginal Citations

**M58** [S.I. 2008/1080](#) (W. 114), amended by [S.I. 2013/1653](#) (W. 154); there are other amending instruments but none is relevant to these Regulations.

*Status: Point in time view as at 26/07/2018.*

*Changes to legislation: There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)*

## The Products of Animal Origin (Disease Control) (Wales) Regulations 2008 **E+W**

17.—(1) The Products of Animal Origin (Disease Control) (Wales) Regulations 2008 <sup>M59</sup> are amended as follows.

(2) In Schedule 3—

- (a) in paragraph 1(a), omit the words from “or article 4” to “legible”;
- (b) in paragraph 3, omit sub-paragraph (a) (together with the final “or”).

### Marginal Citations

**M59** [S.I. 2008/1275](#) (W. 132), to which there are amendments not relevant to these Regulations.

## The Official Feed and Food Controls (Wales) Regulations 2009 **E+W**

18.—(1) The Official Feed and Food Controls (Wales) Regulations 2009 <sup>M60</sup> are amended as follows.

(2) In regulation 2(1), in the definition beginning with “Directive 2004/41”, for “, “Regulation 211/2013” (“*Rheoliad 211/2013*”) and “Regulation 702/2013” (“*Rheoliad 702/2013*”)” substitute “ and “Regulation 211/2013” (“*Rheoliad 211/2013*”)”.

(3) In regulation 22, in the definition of “product”, for “Commission Decision [2007/275/EC](#) concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives [91/496/EEC](#) and [97/78/EC](#)” substitute “ Commission Decision [2007/275/EC](#) concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives [91/496/EEC](#) and [97/78/EC](#)<sup>M61</sup> ”.

(4) In Schedule 1—

- (a) in the definition of “Regulation 882/2004”, for “, Regulation 669/2009 and Regulation 702/2013 (“*Rheoliad 702/2013*”)” substitute “ and Regulation 669/2009 ”;
- (b) omit the definition of “Regulation 702/2013”.

(5) In Schedule 3, in the definition of “relevant food law”, in paragraph (a)—

- (a) in sub-paragraph (iii), for “Council Regulation ([EC](#)) No. [509/2006](#) on agricultural products and foodstuffs as traditional specialities guaranteed” substitute “ Regulation (EU) No. 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs <sup>M62</sup> ”;
- (b) in sub-paragraph (iv), for “Council Regulation ([EC](#)) No. [510/2006](#) on the protection of geographical indications and designations of origin for agricultural products and foodstuffs” substitute “ Regulation (EU) No. 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs ”;
- (c) for sub-paragraph (vi) substitute—
  - “(vi) the regulation of beef and veal labelling under the Beef and Veal Labelling (Wales) Regulations 2011 <sup>M63</sup> ”;
- (d) for sub-paragraph (vii) substitute—
  - “(vii) the regulation of the import of and trade in products of animal origin under the Trade in Animals and Related Products (Wales) Regulations 2011 <sup>M64</sup>, with the exception of the execution and enforcement of regulation 32(3)(b) of those Regulations by the Agency,”.

### Marginal Citations

- M60** S.I. 2009/3376 (W. 298), amended by S.I. 2014/2714 (W. 271); there are other amending instruments but none is relevant to these Regulations.
- M61** OJ No L 116, 4.5.2007, p. 9, as last amended by Commission Implementing Decision (EU) 2016/1196 (OJ No L 197, 22.7.2016, p. 10).
- M62** OJ No L 343, 14.12.2012, p. 1, as corrected by the Corrigendum set out in OJ No L 55, 27.2.2013, p. 27.
- M63** S.I. 2011/991 (W. 145), to which there are amendments not relevant to these Regulations.
- M64** S.I. 2011/2379 (W. 252), to which there are amendments not relevant to these Regulations.

## The Meat (Official Controls Charges) (Wales) Regulations 2009 **E+W**

19.—(1) The Meat (Official Controls Charges) (Wales) Regulations 2009<sup>M65</sup> are amended as follows.

(2) In regulation 2(1), in the definition beginning with “Directive 2004/41”, for “, “Regulation 2075/2005” (“*Rheoliad 2075/2005*”) and “Regulation 2076/2005” (“*Rheoliad 2076/2005*”) substitute “and “Regulation 2015/1375” (“*Rheoliad 2015/1375*”)”.

(3) In Schedule 1—

- (a) in the definition of “Regulation 853/2004”, for “, Regulation 2074/2005 and Regulation 2076/2005” substitute “ and Regulation 2074/2005 ”;
- (b) in the definition of “Regulation 854/2004”, for “, Regulation 2075/2005 and Regulation 2076/2005” substitute “ and Regulation 2015/1375 ”;
- (c) in the definition of “Regulation 882/2004”, omit “and Regulation 2076/2005”;
- (d) for the definition of “Regulation 2075/2005”, substitute—  
““Regulation 2015/1375” (“*Rheoliad 2015/1375*”) means Commission Implementing Regulation (EU) 2015/1375 laying down specific rules on official controls for *Trichinella* in meat<sup>M66</sup>.”;
- (e) omit the definition of “Regulation 2076/2005”.

### Marginal Citations

- M65** S.I. 2009/1557 (W. 152), amended by S.I. 2014/2714 (W. 271); there are other amending instruments but none is relevant to these Regulations.
- M66** OJ No L 212, 11.8.2015, p. 7.

## The Food Irradiation (Wales) Regulations 2009 **E+W**

20.—(1) The Food Irradiation (Wales) Regulations 2009<sup>M67</sup> are amended as follows.

(2) For Schedule 3, substitute the Schedule set out in Schedule 1 to these Regulations.

(3) For Schedule 4, substitute the Schedule set out in Schedule 2 to these Regulations.

### Marginal Citations

- M67** S.I. 2009/1795 (W. 162), amended by S.I. 2010/2289 (W. 201); there are other amending instruments but none is relevant to these Regulations.

*Status: Point in time view as at 26/07/2018.*

*Changes to legislation: There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)*

## The Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011 **E** **+W**

**21.** In regulation 8(2)(d)(ii) of the Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011 <sup>M68</sup>, for “Commission Regulation (EU) No. 10/2011 on plastic materials and articles intended to come into contact with food” substitute “ Commission Regulation (EU) No. 10/2011 on plastic materials and articles intended to come into contact with food <sup>M69</sup> as Annex I to which is amended from time to time ”.

### Marginal Citations

**M68** S.I. 2011/1605 (W. 186).

**M69** OJ No L 12, 15.1.2011, p. 1, as last amended by Commission Regulation (EU) 2018/831 (OJ No L 140, 6.6.2018, p. 35).

## The Materials and Articles in Contact with Food (Wales) Regulations 2012 **E+W**

**22.**—(1) The Materials and Articles in Contact with Food (Wales) Regulations 2012 <sup>M70</sup> are amended as follows.

(2) In regulation 13, for “In this Part and in Schedule 1 any reference” substitute “ Except in regulation 14(1), any reference in this Part and in Schedule 1 ”.

(3) In regulation 14(1), for “Article 22(4) and (5) and Article 23,” substitute “ Article 2 of Commission Regulation (EU) No 1282/2011 <sup>M71</sup>, Article 2 of Commission Regulation (EU) No 1183/2012 <sup>M72</sup>, Article 2 of Commission Regulation (EU) No 202/2014 <sup>M73</sup>, Article 2 of Commission Regulation (EU) 2015/174 <sup>M74</sup>, Article 2 of Commission Regulation (EU) 2016/1416 <sup>M75</sup>, Article 2 of Commission Regulation (EU) 2017/752 <sup>M76</sup>, Article 2 of Commission Regulation (EU) 2018/79 <sup>M77</sup> and Article 6 of Commission Regulation (EU) 2018/831 <sup>M78</sup>, ”.

(4) In regulation 16(2), for “Subject to Article 6(1), (2) and (4) (transitional provisions), no” substitute “ No ”.

(5) Omit regulations 28 and 29.

### Marginal Citations

**M70** S.I. 2012/2705 (W. 291), to which there are amendments not relevant to these Regulations.

**M71** Commission Regulation (EU) No 1282/2011 amending and correcting Commission Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food (OJ No L 328, 10.12.2011, p. 22). Article 2 provides that plastic materials and articles which were lawfully placed on the market before 1 January 2012 and which did not comply with Regulation 1282/2011 (which amended Annex I to Regulation 10/2011) may continue to be placed on the market until 1 January 2013 and may remain on the market after that date until the exhaustion of stocks.

**M72** Commission Regulation (EU) No 1183/2012 amending and correcting Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food (OJ No L 338, 12.12.2012, p. 11). Article 2 provides that plastic materials and articles which were lawfully placed on the market before 1 January 2013 and which did not comply with Regulation 1183/2012 (which amended Annex I to Regulation 10/2011) may continue to be placed on the market until 1 January 2014 and may remain on the market after that date until the exhaustion of stocks.

**M73** Commission Regulation (EU) No 202/2014 amending Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food (OJ No L 62, 4.3.2014, p. 13). Article 2 provides that plastic materials and articles which were lawfully placed on the market before 24 March 2014 and which did not comply with Regulation 202/2014 (which amended Annex I to Regulation

10/2011) may continue to be placed on the market until 24 March 2015 and may remain on the market after that date until the exhaustion of stocks.

- M74** Commission Regulation (EU) 2015/174 amending and correcting Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food (OJ No L 30, 6.2.2015, p. 2). Article 2 provides that plastic materials and articles complying with requirements of Regulation 10/2011 as applicable before 26 February 2015 may be placed on the market until 26 February 2016 and may remain on the market after that date until the exhaustion of stocks.
- M75** Commission Regulation (EU) 2016/1416 amending and correcting Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food (OJ No L 230, 25.8.2016, p. 22). Article 2 provides that plastic materials and articles complying with Regulation 10/2011 as applicable before the entry into force of Regulation 2016/1416 on 14 September 2016 may be placed on the market until 14 September 2017 and may remain on the market after that date until the exhaustion of stocks.
- M76** Commission Regulation (EU) 2017/752 amending and correcting Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food (OJ No L 113, 29.4.2017, p. 18). Article 2 provides that plastic materials and articles complying with Regulation 10/2011 as applicable before the entry into force of Regulation 2017/752 on 19 May 2017 may be placed on the market until 19 May 2018 and may remain on the market after that date until the exhaustion of stocks.
- M77** Commission Regulation (EU) 2018/79 amending Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food (OJ No L 14, 19.1.2018, p. 31). Article 2 provides that plastic materials and articles complying with Regulation 10/2011 as applicable before the entry into force of Regulation 2018/79 on 8 February 2018 may be placed on the market until 8 February 2019 and may remain on the market after that date until the exhaustion of stocks.
- M78** Commission Regulation (EU) 2018/831 amending Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food (OJ No L 140, 6.6.2018, p. 35). Article 6 provides that plastic materials and articles complying with Regulation 10/2011 as applicable before the entry into force of Regulation 2018/831 on 26 June 2018 may be placed on the market until 26 June 2019 and may remain on the market after that date until the exhaustion of stocks.

### The Contaminants in Food (Wales) Regulations 2013 **E+W**

- 23.**—(1) The Contaminants in Food (Wales) Regulations 2013 <sup>M79</sup> are amended as follows.
- (2) In regulation 2—
- (a) in paragraph (1), omit the definitions of “Directive 76/621”, “Directive 80/891”, “Regulation 629/2008” and “Regulation 165/2010”;
- (b) in paragraph (2)—
- (i) omit “Directive 76/621, Directive 80/891,”;
- (ii) omit “Directive or”;
- (c) in paragraph (3)—
- (i) omit “Directive 76/621, Directive 80/891,”;
- (ii) omit “Directives or”;
- (d) in paragraph (4)(a), omit “or 7”.
- (3) Omit regulations 3 and 4.
- (4) In regulation 5—
- (a) for paragraph (1) substitute—
- “(1) A person who contravenes or fails to comply with any of the EU provisions specified in paragraph (2) is guilty of an offence.”;
- (b) after paragraph (2) insert—

*Status: Point in time view as at 26/07/2018.*

*Changes to legislation: There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)*

“(3) The level of erucic acid in a food must be determined according to sampling methods, and methods of analysis that meet the performance criteria, set out in the Annex to Commission Regulation (EU) 2015/705 laying down methods of sampling and performance criteria for the methods of analysis for the official control of the levels of erucic acid in foodstuffs and repealing Commission Directive 80/891/EEC<sup>M80</sup>.”

- (5) In regulation 6, omit “regulation 4(3) or”.
- (6) In regulation 8—
  - (a) in paragraph (1)(c)(i), omit “4(3) or”;
  - (b) in paragraph (2), in the application and modification of section 9 of the Food Safety Act 1990, omit “4(1) or”.

#### Marginal Citations

**M79** [S.I. 2013/2493](#) (W. 242), to which there are amendments not relevant to these Regulations.  
**M80** OJ No L 113, 1.5.2015, p. 29.

### The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013 **E+W**

**24.** In regulation 8(1)(b) of the Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013<sup>M81</sup>, for “(1), (3) or (4)” substitute “(1)”.

#### Marginal Citations

**M81** [S.I. 2013/2591](#) (W. 255), to which there is an amendment not relevant to these Regulations.

### The Fruit Juices and Fruit Nectars (Wales) Regulations 2013 **E+W**

**25.—**(1) The Fruit Juices and Fruit Nectars (Wales) Regulations 2013<sup>M82</sup> are amended as follows.

- (2) Omit regulation 22.
- (3) In Schedule 7, in Part 1—
  - (a) in paragraph 1, for “juice” substitute “product”;
  - (b) in paragraph 2, in the words before sub-paragraph (a), for “juices” substitute “products”.
- (4) In Schedule 9, after paragraph 9 insert—

“**10.** Plant proteins for clarification from—

- (a) wheat,
- (b) peas,
- (c) potatoes, or
- (d) any combination of them.”

#### Marginal Citations

**M82** [S.I. 2013/2750](#) (W. 267), to which there is an amendment not relevant to these Regulations.



## The Products Containing Meat etc. (Wales) Regulations 2014 E+W

26. In Schedule 1 to the Products Containing Meat etc. (Wales) Regulations 2014 <sup>M83</sup>, in the definition of “curing salt”, in paragraph (c), for “Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives” substitute “Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives <sup>M84</sup> as the Annexes to which are amended from time to time”.

### Marginal Citations

**M83** S.I. 2014/3087 (W. 308).

**M84** OJ No L 354, 31.12.2008, p. 16, as last amended by Commission Regulation (EU) 2018/682 (OJ No L 116, 7.5.2018, p. 5).

## The Animal Feed (Composition, Marketing and Use) (Wales) Regulations 2016 E+W

27. In regulation 12 of the Animal Feed (Composition, Marketing and Use) (Wales) Regulations 2016 <sup>M85</sup>, for “Subject to the transitional provisions contained in Article 32, a” substitute “A”.

### Marginal Citations

**M85** S.I. 2016/386 (W. 120).

## The Animal Feed (Hygiene, Sampling etc. and Enforcement) (Wales) Regulations 2016 E+W

28.—(1) The Animal Feed (Hygiene, Sampling etc. and Enforcement) (Wales) Regulations 2016 <sup>M86</sup> are amended as follows.

(2) In regulation 2(1)—

(a) for the definition of “Regulation 882/2004” substitute—

““Regulation 882/2004” (“*Rheoliad 882/2004*”) means Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules <sup>M87</sup>.”

(b) for the definition of “Regulation 767/2009” substitute—

““Regulation 767/2009” (“*Rheoliad 767/2009*”) means Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC <sup>M88</sup>.”

(3) In regulation 4(2)(a), for “2(e)” substitute “2(f)”.

### Marginal Citations

**M86** S.I. 2016/387 (W. 121), to which there is an amendment not relevant to these Regulations.

**M87** OJ No L 165, 30.4.2004, p. 1, as last amended by Commission Regulation (EU) 2018/455 (OJ No L 77, 20.3.2018, p. 4).

**Status:** Point in time view as at 26/07/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

**M88** OJ No L 229, 1.9.2009, p. 1, as last amended by Commission Regulation (EU) 2017/2279 (OJ No L 328, 12.12.2017, p. 3).

## PART 3 **E+W**

### Revocations

#### **E+W**

**29.** The Regulations listed in Schedule 3 are revoked.

2 July 2018

*Vaughan Gething*  
Cabinet Secretary for Health and Social  
Services, one of the Welsh Ministers

SCHEDULE 1 **E+W**

Regulation 20(2)

SCHEDULE SUBSTITUTED FOR SCHEDULE 3 TO THE  
FOOD IRRADIATION (WALES) REGULATIONS 2009**E+W**“SCHEDULE 3 **E+W**

Regulations 3(1) and 5(1)(b)(i)

## LIST OF APPROVED FACILITIES IN MEMBER STATES

| <i>Official reference number</i> | <i>Name and address</i>   |
|----------------------------------|---|
| 2110/91/0004                     | Sterigenics SA<br>Zoning Industriel<br>6220 Fleurus<br>Belgium  |
| 01/23.05.2008                    | Bulgama, Sopharma Ltd<br>Iliensko Shosse 16<br>Sofia<br>Bulgaria  |
| 2/26.10.2010                     | GITAVA Ltd ‘Kalina’<br>Town of Stamboliyski<br>Hristo Botev str.<br>Municipality Stamboliyski<br>Plovdiv district<br>Bulgaria |
| IR-02-CZ                         | Bioster a.s.<br>Tejny 621<br>664 71 Veverská Bítýška<br>Czech Republic  |
| SN 01                            | Synergy Health Radeberg GmbH<br>Juri—Gagarin Strasse 15<br>01454 Radeberg<br>Germany  |
| BY FS 01/2001                    | Synergy Health Allershausen GmbH<br>Kesselbodenstrasse 7<br>85391 Allershausen<br>Germany                                     |
| NRW-GM 01 and NRW-GM 02          | BGS Beta-Gamma-Service GmbH & Co. KG<br>Fritz-Kotz-Str.16<br>51674 Wiehl<br>Germany   |
| D-BW-X-01                        | Beta-Gamma-Service GmbH & Co. KG<br>John-Deere-Strasse 3<br>76646 Bruchsal<br>Germany   |
| 2835                             | Scandinavian Clinics Estonia OÜ<br>Kurvi tee 406a,  |

**Status:** Point in time view as at 26/07/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

|                   |   |
|-------------------|---|
|                   | Alliku kula,<br>76403 Saue vald,<br>Harjumaa<br>Estonia   |
| 5.00001/CU        | Ionmed Esterilización, SA<br>C/Rocinante, Parc.50<br>(Polg. Ind. Tarancón)<br>16400 Tarancón (Cuenca)<br>Spain      |
| 5.00002/B         | Aerogamma S.L.<br>Carretera Granollers a Cardeneu, Km. 3.5<br>08520 Les Franqueses del Vallés (Barcelona)<br>Spain  |
| 5.00005/SO        | Mevion Technology, S.L.<br>Avda. De España, 1<br>Pol. Industrial Emiliano Revilla,<br>42110 Ólvega (Soria)<br>Spain |
| 13055 F           | Synergy Health<br>Rue Jean Queillau Marché des Arnavaux<br>13014 Marseille Cedex 14<br>France                       |
| 72 264 F          | Ionisos SA<br>Zone industrielle de l'Aubrée<br>72300 Sablé-sur-Sarthe<br>France                                     |
| 85 182 F          | Ionisos SA<br>Zone industrielle Montifaud<br>85700 Pouzauges<br>France  |
| 01 142 F          | Ionisos SA<br>Zone Industrielle les Chartinières<br>01120 Dagneux<br>France   |
| 10 093 F          | Ionisos SA<br>Zone Industrielle<br>10500 Chaumesnil<br>France   |
| 541-02/03-IRB16-1 | Institut Ruder Bošković,<br>Bijenička 54,<br>10 000 Zagreb,<br>Croatia  |
| EU-AIF-04-2002    | AGROSTER Besugárzó Zártkörűen Működő<br>Részvénytársaság<br>Budapest<br>Jászberényi út 5<br>1106<br>Hungary         |

|                           |  |
|---------------------------|--|
| RAD 1/04 IT               | Gammarad Italia SPA<br>Via Marzabotto 4<br>Minerbio (BO)<br>Italy  |
| GZB/VVB-991393 Ede        | Synergy Health<br>Morsestraat 3<br>6716AH Ede<br>Netherlands   |
| GZB/VVB-991393 Etten-Leur | Synergy Health<br>Soevereinsstraat 2<br>4879 NN Etten-Leur<br>Netherlands  |
| GIS-HZ-4434-W.-2/MR/03    | Institute of Applied Radiation Chemistry<br>Technical University of Lodz<br>15 Wróblewskiego Str.<br>39-590 Łódź<br>Poland   |
| GIS-HZ-4434-W.-3/MR/03    | Institute of Nuclear Chemistry and Technology<br>16 Dorodna Str.<br>03-195 Warsaw<br>Poland  |
| RG016/2008                | Multipurpose Irradiation Facility<br>IRASM Technological Irradiations Department<br>Horia Hulubei<br>National Institute for Research and Development<br>of Physics and Nuclear Engineering<br>Atomiştilor Str. No. 407<br>PO Box MG-6<br>Măgurele. Ilfov County<br>Romania |
| EW/04                     | Synergy Health<br>Moray Road<br>Elgin Industrial Estate<br>Swindon<br>Wiltshire<br>SN2 8XS<br>United Kingdom".   |

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**Status:** Point in time view as at 26/07/2018.**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)SCHEDULE 2 **E+W**

Regulation 20(3)

SCHEDULE SUBSTITUTED FOR SCHEDULE 4 TO THE  
FOOD IRRADIATION (WALES) REGULATIONS 2009**E+W**“SCHEDULE 4 **E+W**

Regulation 5(1)(b)(ii)

## LIST OF FACILITIES IN COUNTRIES OUTSIDE THE EUROPEAN UNION

| <i>Official reference number</i> | <i>Name and address</i>  |
|----------------------------------|--|
| EU-AIF 01-2002                   | HEPRO Cape (Pty) Ltd<br>6 Ferrule Avenue<br>Montague Gardens<br>Milnerton 7441<br>Western Cape<br>Republic of South Africa   |
| EU-AIF 02-2002                   | Gammaster South Africa (Pty) Ltd<br>PO Box 3219<br>5 Waterpas Street<br>Isando Extension 3<br>Kempton Park 1620<br>Johannesburg<br>Republic of South Africa                    |
| EU-AIF 03-2002                   | Gamwave (Pty) Ltd<br>PO Box 26406<br>Isipingo Beach<br>Durban 4115<br>Kwazulu-Natal<br>Republic of South Africa  |
| EU-AIF 05-2004                   | Gamma-Pak As<br>Yünsa Yolu N: 4 0SB<br>Cerkezköy/TEKIRDAG<br>TR-59500<br>Turkey  |
| EU-AIF 06-2004                   | Studer Ag Werk Hard<br>Hogenweidstrasse 2<br>Däniken<br>CH-4658<br>Switzerland   |
| EU-AIF 07-2006                   | Thai Irradiation Centre<br>Thailand Institute of Nuclear Technology<br>(Public Organisation)<br>37 Moo 3, TECHNOPOLIS<br>Klong 5, Klong Luang<br>Pathumthani 12120<br>Thailand |
| EU-AIF 08-2006                   | Synergy Health (Thailand) Ltd  |

|                |  |
|----------------|--|
|                | 700/465 Amata Nakorn Industrial<br>Moo 7, Tambon Donhuaroh,<br>Amphur Muang,<br>Chonburi 20000<br>Thailand   |
| EU-AIF 09-2010 | Board of Radiation and Isotope Technology<br>Department of Atomic Energy<br>BRIT/BARC Vashi Complex<br>Sector 20, Vashi<br>Navi Mumbai – 400 705 (Maharashtra)<br>India                                  |
| EU-AIF 10-2010 | Board of Radiation and Isotope Technology<br>ISOMED<br>Bhabha Atomic Research Centre<br>South Site Gate, Refinery Road<br>Next to TATA Power Station, Trombay<br>Mumbai – 400 085 (Maharashtra)<br>India |
| EU-AIF 11-2010 | Microtrol Sterilisation Services Pvt. Ltd<br>Plot No. 14 Bommasandra- Jigani Link Road Industrial<br>Area<br>KIADB, Off Hosur Road<br>Hennagarra Post<br>Bengalooru – 562 106 (Karnataka)<br>India”.     |

SCHEDULE 3 **E+W**

Regulation 29

## REGULATIONS REVOKED

| <b>Title</b>  | <b>SI Number</b>   |
|---|--------------------|
| The Beef Bones (Amendment) (Wales) Regulations 1999   | 1999/3464 (W. 52)  |
| The Dairy Products (Hygiene) (Charges) (Amendment) (Wales) Regulations 2000                   | 2000/1738 (W. 121) |
| The Colours in Food (Amendment) (Wales) Regulations 2000                                      | 2000/1799 (W. 124) |
| The Meat Products (Hygiene) (Amendment) (Wales) Regulations 2000                              | 2000/1885 (W. 131) |
| The Meat (Disease Control) (Wales) Regulations 2000   | 2000/2257 (W. 150) |
| The Food Safety (General Food Hygiene) (Butchers' Shops) (Amendment) (Wales) Regulations 2000 | 2000/3341 (W. 219) |
| The Fresh Meat (Beef Controls) (No.2) (Amendment) (Wales) Regulations 2000                    | 2000/3388 (W. 225) |
| The Meat (Hygiene and Inspection) (Charges) (Amendment) (Wales) Regulations 2001              | 2001/1302 (W. 79)  |

**Status:** Point in time view as at 26/07/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

The Foot-and-Mouth Disease (Marking of Meat and Meat Products) (Wales) Regulations 2001 2001/1508 (W. 105)

The Products of Animal Origin (Import and Export) (Amendment) (Wales) Regulations 2001 2001/1660 (W. 119)

The Infant Formula and Follow-on Formula (Amendment) (Wales) Regulations 2001 2001/1690 (W. 120)

The Foot-and-Mouth Disease (Marking of Meat, Minced Meat and Meat Preparations) (Wales) Regulations 2001 2001/1740 (W. 123)

The Miscellaneous Food Additives (Amendment) (Wales) Regulations 2001 2001/1787 (W. 128)

The Foot-and-Mouth Disease (Marking of Meat, Meat Products, Minced Meat and Meat Preparations) (Wales) Regulations 2001 2001/1802 (W. 131)

The Meat (Enhanced Enforcement Powers) (Wales) Regulations 2001 2001/2198 (W. 158)

The Foot-and-Mouth Disease (Marking of Meat, Meat Products, Minced Meat and Meat Preparations) (Wales) (No. 2) Regulations 2001 2001/2627 (W. 216)

The Sweeteners in Food (Amendment) (Wales) Regulations 2001 2001/2679 (W. 220)

The Meat (Hygiene and Inspection) (Charges) (Amendment) (No.2) (Wales) Regulations 2001 2001/3831 (W. 317)

The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2002 2002/47 (W. 6)

The Foot-and-Mouth Disease (Marking of Meat, Meat Preparations and Meat Products) (Wales) Regulations 2002 2002/129 (W. 17)

The Miscellaneous Food Additives (Amendment) (Wales) Regulations 2002 2002/329 (W. 42)

The Sweeteners in Food (Amendment) (Wales) Regulations 2002 2002/330 (W. 43)

The Animals and Animal Products (Import and Export) (England and Wales) (Amendment) (Wales) Regulations 2002 2002/430 (W. 52)

The Meat (Hazard Analysis and Critical Control Point) (Wales) Regulations 2002 2002/1476 (W. 148)

The Food (Peanuts from China) (Emergency Control) (Amendment) (Wales) Regulations 2002 2002/1728 (W. 162)

The Food and Animal Feedingstuffs (Products of Animal Origin from China) (Emergency Control) (Wales) Regulations 2002 2002/1798 (W. 173)

The Products of Animal Origin (Third Country Imports) (Wales) (Amendment) Regulations 2002 2002/3011 (W. 283)

The Miscellaneous Food Additives (Amendment) (Wales) Regulations 2003 2003/945 (W. 126)

The Sweeteners in Food (Amendment) (Wales) Regulations 2003 2003/1713 (W. 181)

The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Wales) Regulations 2003 2003/3042 (W. 287)



- The Food (Emergency Control) (Miscellaneous Amendments) 2004/245 (W. 24)  
(Wales) Regulations 2004
- The Infant Formula and Follow-on Formula (Amendment) (Wales) 2004/313 (W. 31)  
Regulations 2004
- The Miscellaneous Food Additives (Amendment) (Wales) 2004/554 (W. 57)  
Regulations 2004
- The Food for Particular Nutritional Uses (Addition of Substances 2004/1012 (W. 109)  
for Specific Nutritional Purposes) (Wales) (Amendment)  
Regulations 2004
- The Food (Jelly Confectionery) (Emergency Control) (Wales) 2004/1262 (W. 134)  
(Amendment) Regulations 2004
- The Natural Mineral Water, Spring Water and Bottled Drinking 2004/1509 (W. 158)  
Water (Amendment) (Wales) Regulations 2004
- The Food (Emergency Control) (Wales) (Miscellaneous 2004/1804 (W. 192)  
Amendments) (No. 2) Regulations 2004
- The Miscellaneous Food Additives (Amendment) (Wales) 2005/259 (W. 25)  
Regulations 2005
- The Food Safety (General Food Hygiene) (Amendment) (Wales) 2005/363 (W. 30)  
Regulations 2005
- The Sweeteners in Food (Amendment) (Wales) Regulations 2005 2005/1156 (W. 73)
- The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat 2005/1310 (W. 92)  
(Hygiene and Inspection) (Amendment) (Wales) Regulations 2005
- The Miscellaneous Food Additives (Amendment) (No.2) (Wales) 2005/1311 (W. 93)  
Regulations 2005
- The Colours in Food (Amendment) (Wales) Regulations 2005 2005/1628 (W. 122)
- The Food Labelling (Amendment) (Wales) (No. 2) (Amendment) 2005/3236 (W. 241)  
Regulations 2005
- The Products of Animal Origin (Third Country Imports) (Wales) 2006/767 (W. 74)  
(Amendment) Regulations 2006
- The Animals and Animal Products (Import and Export) (Wales) 2006/2128 (W. 198)  
(Amendment) Regulations 2006
- The Rice Products (Restriction on First Placing on the Market) 2006/2969 (W. 268)  
(Wales) (Amendment) Regulations 2006
- The Food for Particular Nutritional Uses (Addition of Substances 2007/116 (W. 7)  
for Specific Nutritional Purposes) (Wales) (Amendment)  
Regulations 2007
- The Colours in Food (Amendment) (Wales) Regulations 2007 2007/579 (W. 51)
- The Products of Animal Origin (Third Country Imports) (Wales) 2007/1710 (W. 148)  
(Amendment) Regulations 2007
- The Bovine Products (Restriction on Placing on the Market) 2007/1835 (W. 159)  
(Wales) (No. 2) (Amendment) Regulations 2007

**Status:** Point in time view as at 26/07/2018.

**Changes to legislation:** There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018. (See end of Document for details)

|   |                    |
|---|--------------------|
| The Miscellaneous Food Additives and the Sweeteners in Food 2008/138 (W. 20)<br>(Amendment) (Wales) Regulations 2008                    |                    |
| The Animals and Animal Products (Import and Export) (Wales) 2009/390 (W. 40)<br>(Amendment) Regulations 2009                            |                    |
| The Products of Animal Origin (Third Country Imports) (Wales) 2009/392 (W. 41)<br>(Amendment) Regulations 2009                          |                    |
| The Products of Animal Origin (Third Country Imports) (Wales) 2009/1088 (W. 96)<br>(Amendment) (No. 2) Regulations 2009                 |                    |
| The Purity Criteria for Colours, Sweeteners and Miscellaneous 2009/1092 (W. 97)<br>Food Additives (Wales) Regulations 2009              |                    |
| The Purity Criteria for Colours, Sweeteners and Miscellaneous 2009/2201 (W. 186)<br>Food Additives (Wales) (Amendment) Regulations 2009 |                    |
| The Materials and Articles in Contact with Food (Wales) 2009/3105 (W. 271)<br>(Amendment) Regulations 2009                              |                    |
| The Contaminants in Food (Wales) (Amendment) Regulations 2009/2939 (W. 256)<br>2009   |                    |
| The Food Additives (Wales) Regulations 2009   | 2009/3378 (W. 300) |
| The Food Labelling (Nutrition Information) (Wales) (Amendment) 2010/1069 (W. 100)<br>Regulations 2010                                   |                    |
| The Flavourings in Food (Wales) Regulations 2010  | 2010/2922 (W. 243) |

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make amendments in relation to Wales to a number of pieces of secondary legislation relating to food and feed.

Regulation 11 amends the Food Hygiene (Wales) Regulations 2006 (S.I. 2006/32 (W. 5)) to amend the definition of Regulation (EC) 852/2004 on the hygiene of foodstuffs (OJ No L 139, 30.4.2004, p. 1) so as to require that Regulation to be read with new Commission Regulation (EU) No 2017/2158 establishing mitigation measures and benchmark levels for the reduction of the presence of acrylamide in food (OJ No L 304, 21.11.2017, p. 24).

Regulation 25 amends the Fruit Juices and Fruit Nectars (Wales) Regulations 2013 (S.I. 2013/2750 (W. 267)) to implement Commission Delegated Regulation (EU) No 1040/2014 amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption to adapt its Annex I to technical progress (OJ No L 288, 2.10.2014, p. 1). This allows plant proteins from wheat, peas and potatoes to be used for the clarification of products to which the Fruit Juices and Fruit Nectars (Wales) Regulations 2013 apply.

These Regulations make other miscellaneous minor amendments to legislation relating to food and feed, in particular amending out of date references to domestic legislation and to EU instruments.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

**Status:**

Point in time view as at 26/07/2018.

**Changes to legislation:**

There are currently no known outstanding effects for the The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018.