

WELSH STATUTORY INSTRUMENTS

2018 No. 806

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

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 ^{M1}, omit paragraph (f).

Marginal Citations

M1 [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 ^{M2}, for “2(1)(a)” substitute “2(1)”.

Marginal Citations

M2 [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 ^{M3} 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 ^{M4} ”.

Marginal Citations

- M3** 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.
- M4** 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 ^{M5}, for the definition of “the Directive” substitute—

““the Directive” (“y Gyfarwydddeb”) means Commission Directive 1999/21/EC on dietary foods for special medical purposes ^{M6}, as last amended by Commission Directive 2013/26/EU ^{M7}.”.

Marginal Citations

- M5** 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.
- M6** OJ No L 91, 7.4.1999, p. 29.
- M7** 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 ^{M8} 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 ^{M9} ”.

(3) Omit regulation 8.

Marginal Citations

- M8** S.I. 2001/1440 (W. 102), to which there are amendments not relevant to these Regulations.
- M9** 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 ^{M10} 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^{M11} ”.

(4) Omit regulation 12.

Marginal Citations

M10 [S.I. 2003/3037](#) (W. 285), amended by [S.I. 2005/3254](#) (W. 247) and [S.I. 2014/2303](#) (W. 227).

M11 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^{M12} 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^{M13} ”;

(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^{M14} ”.

Marginal Citations

M12 [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.

M13 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).

M14 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 ^{M15}, omit the definitions of “EEA Agreement” and “EEA State”.

Marginal Citations

M15 [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 ^{M16}, omit regulation 9.

Marginal Citations

M16 [S.I. 2004/3220](#) (W. 276), to which there are amendments not relevant to these Regulations.

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

^{F1}11.

Textual Amendments

F1 [Reg. 11](#) omitted (31.1.2020) by virtue of [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020](#) (S.I. 2020/44), regs. 1(2), 27

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

12.—(1) The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007 ^{M17} 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 ^{M18}.”;
 - (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 ^{M19} ”.
- (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

- M17** S.I. 2007/196 (W. 15), to which there are amendments not relevant to these Regulations.
- M18** S.I. 2009/3376 (W. 298).
- M19** 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^{M20} 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^{M21}.”

(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

- M20** 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.
- M21** 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^{M22} 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^{M23} 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^{M24} 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^{M25};”;

(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^{M26};”;

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

Marginal Citations

M22 S.I. 2007/3462 (W. 307), to which there are amendments not relevant to these Regulations.

M23 S.I. 2011/2379 (W. 252).

M24 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).

M25 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).

M26 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^{M27} 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^{M28};”;

(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

M27 [S.I. 2007/389](#) (W. 40), to which there are amendments not relevant to these Regulations.

M28 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 ^{M29}, omit regulation 8.

Marginal Citations

M29 [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.

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

17.—(1) The Products of Animal Origin (Disease Control) (Wales) Regulations 2008 ^{M30} 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

M30 [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 ^{M31} 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](#)^{M32} ”.

- (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 ^{M33} ”;
 - (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 ^{M34} ”;
 - (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 ^{M35}, with the exception of the execution and enforcement of regulation 32(3)(b) of those Regulations by the Agency,”.

Marginal Citations

- M31** 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.
- M32** 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).
- M33** 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.
- M34** S.I. 2011/991 (W. 145), to which there are amendments not relevant to these Regulations.
- M35** 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 ^{M36} 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^{M37}.”;

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

Marginal Citations

M36 [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.

M37 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^{M38} 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

M38 [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.

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^{M39}, 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^{M40} as Annex I to which is amended from time to time ”.

Marginal Citations

M39 [S.I. 2011/1605](#) (W. 186).

M40 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^{M41} 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^{M42}, Article 2 of Commission Regulation (EU) No 1183/2012^{M43}, Article 2 of Commission Regulation (EU) No 202/2014^{M44}, Article 2 of Commission Regulation (EU) 2015/174^{M45}, Article 2 of Commission Regulation (EU) 2016/1416^{M46}, Article 2

of Commission Regulation (EU) 2017/752^{M47}, Article 2 of Commission Regulation (EU) 2018/79^{M48} and Article 6 of Commission Regulation (EU) 2018/831^{M49}, ”.

(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

- M41** S.I. 2012/2705 (W. 291), to which there are amendments not relevant to these Regulations.
- M42** 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.
- M43** 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.
- M44** 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.
- M45** 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.
- M46** 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.
- M47** 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.
- M48** 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.
- M49** 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^{M50} 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—
- “(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^{M51}.”
- (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

M50 [S.I. 2013/2493](#) (W. 242), to which there are amendments not relevant to these Regulations.

M51 [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^{M52}, for “(1), (3) or (4)” substitute “(1)”.

Marginal Citations

M52 [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^{M53} 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

M53 [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^{M54}, 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^{M55} as the Annexes to which are amended from time to time ”.

Marginal Citations

M54 [S.I. 2014/3087](#) (W. 308).

M55 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^{M56}, for “Subject to the transitional provisions contained in Article 32, a” substitute “ A ”.

Marginal Citations

M56 [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^{M57} 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^{M58}.”

(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^{M59}.”

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

Marginal Citations

M57 S.I. 2016/387 (W. 121), to which there is an amendment not relevant to these Regulations.

M58 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).

M59 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.

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

Changes to legislation:

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