
WELSH STATUTORY INSTRUMENTS

2018 No. 806 (W. 162)

AGRICULTURE, WALES
FOOD, WALES

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

<i>Made</i>	- - - -	<i>2 July 2018</i>
<i>Laid before the National 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”) ^{M1};
- (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 ^{M2};
- (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 ^{M3}.

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 ^{M4};
- (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 ^{M5};
- (c) measures in the veterinary and phytosanitary fields for the protection of public health ^{M6};
- (d) measures in relation to the common agricultural policy of the European Union ^{M7}.

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—

- (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 ^{M8};
- (b) the Annexes to Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives ^{M9};
- (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) ^{M10};
- (d) Annex I to Commission Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food ^{M11};
- (e) the Annex to Commission Regulation (EU) No 579/2014 ^{M12}.

So far as these Regulations are made in exercise of powers under the Food Safety Act 1990, in accordance with section 48(4A) ^{M13} 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 ^{M14}.

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](#).

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

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).

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