
WELSH STATUTORY INSTRUMENTS

2020 No. 1487

The Official Feed and Food Controls (Miscellaneous Amendments) (Wales) Regulations 2020

The Official Feed and Food Controls (Wales) Regulations 2009

3.—(1) The Official Feed and Food Controls (Wales) Regulations 2009⁽¹⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) omit the definition that begins “Decision 2007/275”;

(ii) in the definition of “the Official Control Regulations”, for “Regulation 2017/625 or the Regulation 2017/625 package” substitute “the Regulation 2017/625 package”;

(iii) for the definition of “the Regulation 2017/625 package” substitute—

“the Regulation 2017/625 package” (*“pecyn Rheoliad 2017/625”*) means Regulation 2017/625 and the other Regulations listed in Schedule 1 below the heading “The Regulation 2017/265 package”;

(b) after paragraph (1), insert—

“(1A) Any reference in these Regulations to Regulation 2017/625 or any other Directive or Regulation referred to in Schedule 1 have the meanings respectively given to them in that Schedule.”

(c) for paragraph (3) substitute—

“(3) Unless the contrary intention appears, any expression used both in these Regulations and in Regulation 178/2002 or in the Regulation 2017/625 package has the meaning it bears in Regulation 178/2002 or in the Regulation 2017/625 package as the case may be.”

(3) In regulation 22 (interpretation of Part 3)—

(a) for the definition of “product” substitute—

““product” (*“cynnyrch”*) means feed and food of non-animal origin whose import is regulated by Article 44 or Article 47(1)(d), (e) or (f) of Regulation 2017/625 and includes composite products and foodstuffs which are not listed in Commission [Decision 2007/275/EC](#) concerning lists of composite products to be subject to controls at border control posts⁽²⁾”;

(b) in the definition of “specified import provision”, for “Regulation 2017/625 or the Regulation 2017/625 package” substitute “the Regulation 2017/625 package”.

(1) [S.I. 2009/3376 \(W. 298\)](#), amended by [S.I. 2011/1043](#), [2019/1482 \(W. 266\)](#); there are other amending instruments but none is relevant to these Regulations.

(2) OJ No. L 116, 4.5.2007, p. 9, as last amended by [Commission Implementing Regulation \(EU\) 2019/2007](#) of 18 November 2019 laying down rules for the application of [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts (OJ No. L 312, 3.12.19, p. 1).

(4) In regulation 29 (checks on products), for “and 45(1), (2) and (4)”, in each place it occurs, substitute “, 45(1), (2) and (4), and 49(1)”.

(5) In regulation 36(2) (costs and fees) after “as referred to in”, insert “Article 79(2)(a) and”.

(6) In regulation 41(1A) (offences and penalties), for the words from “Article 3” to “production of sprouts”, substitute “Article 13 of Regulation 2019/625, in so far as it applies to sprouts and seeds intended for the production of sprouts, as read with Article 27 of Regulation 2019/628”.

(7) In Part 4 (recovery of expenses), at the appropriate place insert—

“Fees or charges arising from unplanned official controls

42A. Fees or charges imposed by a competent authority on an operator pursuant to article 79(2)(c) of Regulation 2017/625 must be paid by the operator on the written demand of the competent authority.”

(8) For Schedule 1 (definitions of EU legislation) substitute the Schedule set out in Schedule 2 to these Regulations.

(9) For Schedule 4 (competent authorities for the purposes of certain provisions of Regulation 2017/625 in so far as they apply in relation to relevant feed law) substitute the Schedule set out in Schedule 3 to these Regulations.

(10) For Schedule 5 (competent authorities for the purposes of certain provisions of Regulation 2017/625 in so far as they apply in relation to relevant food law) substitute the Schedule set out in Schedule 4 to these Regulations.

(11) For Schedule 6 (specified import provisions) substitute the Schedule set out in Schedule 5 to these Regulations.