
WELSH STATUTORY INSTRUMENTS

2020 No. 295

**The Food Information (Wales)
(Amendment) (No. 2) Regulations 2020**

Amendment of the Food Information (Wales) Regulations 2014

2.—(1) The Food Information (Wales) Regulations 2014 are amended as follows.

(2) In regulation 5 (foods that are not prepacked etc. containing an allergenic substance or product etc.), in paragraph (2)—

- (a) in sub-paragraph (a), after “prepacked,” insert “or”;
- (b) in sub-paragraph (b), for “, or” substitute “.”;
- (c) omit sub-paragraph (c).

(3) After regulation 5, insert—

“Foods that are prepacked for direct sale – duty to list ingredients

5A.—(1) A food business operator who offers for sale a food to which this regulation applies must provide directly on the package or on a label attached to the package the particulars required by the following—

- (a) Article 9(1)(b) (list of ingredients), as read with—
 - (i) Article 13(1) to (3),
 - (ii) Article 15,
 - (iii) Article 16(2), so far as it relates to the particulars required by Article 9(1)(b),
 - (iv) Article 17, as read with Parts A and C of Annex 6 and, in the case of an ingredient using a minced meat designation as a name, the following points of Part B of Annex 6—
 - (aa) point 1, and
 - (bb) point 3, as read with regulation 4 and Schedule 2,
 - (v) Article 18, as read with Annex 7 and paragraph (1)(a)(iv) of this regulation,
 - (vi) Article 19(1), and
 - (vii) Article 20;
- (b) Article 9(1)(c) (labelling of certain substances or products causing allergies or intolerances) as read with Article 21(1) and Annex 2.

(2) This regulation applies to a food that—

- (a) is offered for sale to a final consumer or to a mass caterer otherwise than by means of distance communication, and
- (b) is prepacked for direct sale.”

(4) In regulation 6 (foods that are not prepacked etc. – general requirement to name them), in paragraph (2)—

- (a) in sub-paragraph (a), after “prepacked,” insert “or”;
 - (b) in sub-paragraph (b), for “, or” substitute “.”;
 - (c) omit sub-paragraph (c).
- (5) After regulation 6, insert—

“Foods that are prepacked for direct sale – general requirement to name them

6A.—(1) A food business operator who offers for sale a food to which this regulation applies must provide the particulars required by Article 9(1)(a) (the name of the food), as read with—

- (a) Article 17(1) to (4),
- (b) Part A of Annex 6, and
- (c) in the case of food offered for sale using a minced meat designation as a name—
 - (i) Article 17(5),
 - (ii) point 1 of Part B of Annex 6, and
 - (iii) point 3 of Part B of Annex 6, as read with regulation 4 and Schedule 2.

(2) This regulation applies to a food that—

- (a) is offered for sale to a final consumer or to a mass caterer, and
- (b) is prepacked for direct sale.

(3) The particulars in paragraph (1) must be provided directly on the package or on a label attached to the package, except in the case of an offer for sale made by means of distance communication.”

(6) In regulation 10(1) (offence)—

- (a) in sub-paragraph (b), omit “or”;
- (b) after sub-paragraph (b) insert—
 - “(ba) regulation 5A(1)(b); or”.

(7) In regulation 12 (application of provisions of the Act), in paragraph (1)(a)—

- (a) after paragraph (ii), insert—
 - “(iia) regulation 5A(1);”;
- (b) after paragraph (iii), insert—
 - “(iiia) regulation 6A(1) or (3);”.

(8) In Schedule 1 (provisions of these Regulations that contain ambulatory references to FIC or Regulation 828/2014 by virtue of regulation 2(3)), insert the following entries into the appropriate places—

“Regulation 5A(1);”

“Regulation 6A(1)”.

(9) In Schedule 4 (application and modification of provisions of the Act), in Part 1, in paragraph 1, in the modified section 10(1A)(d)—

- (a) after sub-paragraph (i) insert—
 - “(ia) regulation 5A(1);”;
- (b) after sub-paragraph (ii) insert—
 - “(iia) regulation 6A(1) or (3);”.