

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

CONSULTATION SUMMARY PAGE

Date launched:	05 March 2018	Closing date:	30 April 2018
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Who will this consultation be of most interest to?

Enforcement authorities, manufacturers, wholesalers and retailers of food products.

What is the subject of this consultation?

The drafting of the Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018 to:

- I.)** Provide for the enforcement in Wales of an amendment made to Directive 2001/112/EC relating to fruit juices and similar products by Commission Delegated Regulation (EU) No 1040/2014;
- II.)** Amend the Food Hygiene (Wales) Regulations 2006 to draw businesses' attention to Regulation (EU) No 2017/2158 on acrylamide;
- III.)** Make other miscellaneous amendments and revocations to several Statutory Instruments (SIs) to ensure the accuracy and currency of the statute book in Wales in relation to food and feed before the UK exits the EU.

What is the purpose of this consultation?

To provide stakeholders with an opportunity to comment on the draft Regulations. The Regulations are based on the proposed preferred option of: **I.)** Providing for the enforcement in Wales of Commission Delegated Regulation (EU) No 1040/2014; **II.)** amending the Food Hygiene (Wales) Regulations 2006 to draw attention to Regulation (EU) No 2017/2158 on acrylamide; **III.)** Making other miscellaneous amendments and revocations to several Statutory Instruments (SIs) to ensure the accuracy and currency of the statute book in Wales in relation to food and feed before the UK exits the EU.

Responses to this consultation should be sent to:

Kerys James-Palmer
Regulatory Policy Team

FOOD STANDARDS AGENCY
Tel: 029 2067 8912

11th Floor Southgate House
Wood Street
Cardiff
CF10 1EW
Email: kerys.james-palmer@food.gov.uk

Impact Assessment included?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> See Annex A for reason.
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The Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018

DETAIL OF CONSULTATION

Food Standards Agency in Wales (FSA) would welcome your comments on the draft Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018 (see Annex B)

Introduction

The purpose of the draft Regulations is to –

- Amend the Fruit Juices and Fruit Nectars (Wales) Regulations 2013 (“the 2013 Regulations”) to provide for the enforcement of Commission Delegated Regulation (EU) No 1040/2014;
- Amend the Food Hygiene (Wales) Regulations 2006 to draw attention to Regulation (EU) No 2017/2158 on acrylamide;
- Make other miscellaneous amendments and revocations to several Statutory Instruments (SIs) to ensure the accuracy and currency of the statute book in Wales in relation to food and feed before the UK exits the EU. These general amendments will also include changes to nutrition/supplements legislation for which the Welsh Government has policy responsibility in Wales.

Proposals

The options being considered are:

1. Do nothing. This would entail not making amendments to the 2013 Regulations to provide for the enforcement of Commission Delegated Regulation (EU) No 1040/2014 and not making any of the proposed miscellaneous amendments, including those to the Food Hygiene (Wales) Regulations 2006 in respect of the new EU Regulation on acrylamide. Choosing this option would mean that one part of the EU law provisions on fruit juices and nectars would not be covered by enforcement legislation in Wales. It would also mean that the statute book in Wales in relation to food and feed would continue to contain out of date references to EU and domestic legislation.
2. Make the Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018 to cover all the proposed changes in one statutory instrument. This is the preferred option.

Key proposals:

- **Provide for the enforcement in Wales of an amendment made to Directive 2001/112/EC relating to fruit juices and similar products by Commission Delegated Regulation (EU) No 1040/2014;**
- **Amend the Food Hygiene (Wales) Regulations 2006 to draw attention to Regulation (EU) No 2017/2158 on acrylamide;**

- **Make other miscellaneous amendments and revocations to several Statutory Instruments (SIs) to ensure the accuracy and currency of the statute book in Wales in relation to food and feed before the UK exits the EU.**

Background

3. The proposed Regulations would make the changes set out below.

Fruit Juice

4. The 2013 Regulations transpose in Wales Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption. The 2013 Regulations lay down product definitions and reserved names by which juices and nectars can be called. They also set conditions for juice manufacture by laying down specific permitted raw materials and treatments that may be used and limit the amounts that may be used of certain ingredients and additives.
5. Commission Delegated Regulation (EU) No 1040/2014 was published and came into force in October 2014. It amends Annex I to Directive 2001/112/EC by adding to the list of authorised treatments and substances that may be applied to fruit juices and fruit nectars. Following this amendment, plant proteins from wheat, peas or potatoes may be used to clarify fruit juices.
6. Delegated Regulation 1040/2014 is directly applicable, which means that the change that it made to Directive 2001/112 has automatically become part of the law in force in Wales. However, it is considered preferable to amend the 2013 Regulations to make clear to manufacturers what substances may be applied to fruit juices.

Acrylamide

7. Acrylamide is a chemical substance formed by a reaction between amino acids and sugars. It typically occurs when foods with high starch content such as potatoes, root vegetables and bread, are cooked at high temperatures (over 120°C) in a process of frying, roasting or baking. Acrylamide is not deliberately added to foods; it is a natural by-product of the cooking process and has always been present in our food.
8. In June 2015, the European Food Safety Authority (EFSA) produced its full Scientific Opinion on the risks related to the presence of acrylamide in food, and concluded that the current level of acrylamide is a concern for public health. It highlighted that further work is needed to reduce the occurrence of acrylamide in food.
9. Following the EFSA opinion, the European Commission and Member States agreed that further risk management measures were needed to ensure that acrylamide levels in food are consistently as low as reasonably achievable through the application of appropriate mitigation measures by all food business operators (FBOs) along the food chain.

10. As a result, Commission Regulation (EU) 2017/2158 was published in November 2017, promoting and supporting best practice in managing acrylamide as a food safety hazard throughout the food chain. The Regulation will apply from 11 April 2018 and will supplement Regulation EC No 852/2004 on food hygiene by prescribing additional factors to which FBOs must have regard in carrying on their business.
11. Commission Regulation (EU) 2017/2158 is directly applicable and will automatically become part of the law in force in Wales. It will be enforced in Wales by the Food Hygiene (Wales) Regulations 2006. However, although this enforcement measure is already in place, we recommend making a small amendment to the Food Hygiene (Wales) Regulations 2006 to draw attention to the additional factors to which food businesses must have regard in order to comply with Regulation 852/2004.

General amendment

12. The purpose of the amendments is to ensure that the domestic regulations provide for the enforcement of any charges that are made to the specified provisions of EU law between now and EU exit without having to amend the domestic regulations.
13. It is proposed to take the opportunity to make further miscellaneous amendments to various SIs to:
 - I. fix or remove out of date references to domestic and EU legislation;
 - II. update references to EU legislation that has been amended since the domestic legislation was made and where no ambulatory references are in place;
 - III. insert ambulatory references where necessary and appropriate;
 - IV. revoke expired transitional measures;
 - V. revoke redundant provisions and whole SIs where necessary; and
 - VI. correct other minor errors.
14. In relation to point III. above (ambulatory references), it is proposed to amend:
 - one of the footnotes in the Schedule to the Specified Sugar Products (Wales) Regulations 2003 to insert ambulatory references to Annex I to Directive 2009/32 and the Annexes to Regulation (EC) 1333/2008;
 - Schedule 3 to the Food Hygiene (Wales) Regulations 2006 to insert an ambulatory reference to Regulation (EU) 579/2014;
 - The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007 to insert an ambulatory reference to Annexes I and II to Regulation (EC) 1925/2006;
 - The Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011 to insert an ambulatory reference to Annex I to Regulation (EU) 10/2011.
15. The purpose of the amendments is to ensure that the domestic regulations provide for the enforcement of any charges that are made to the specified

provisions of EU law between now and EU exit without having to amend the domestic regulations.

16. In relation to point IV. above (revoking expired transitional provisions) the proposed Regulations revoke numerous provisions that set out that a particular act carried out before a specified date, which would otherwise constitute the commission of an offence, is not an offence provided that the person concerned had complied with the requirements of the regulations previously in force. Attention is drawn in particular to the removal of transitional periods in relation to the Coffee Extracts and Chicory Extracts (Wales) Regulations 2001, the Cocoa and Chocolate Products (Wales) Regulations 2003, the Specified Sugar Products (Wales) Regulations 2003, and the Fruit Juices and Fruit Nectars (Wales) Regulations 2013, which all relate to products labelled before various dates between 2001 and 2004 and which may be marketed until stocks run out.

Consultation Process

17. An eight-week consultation is being launched to provide interested parties with the opportunity to comment on these proposals.
18. We are particularly keen to hear from Small and Medium Enterprises (SMEs) on any likely impact and would encourage them to comment on all aspects of the proposal.
19. Any responses received as part of this consultation will be given careful consideration and a summary of the responses received will be published on our website within three months of publication of the regulation.

Questions asked in this consultation:

We are not conducting an Impact Assessment as we don't believe there will be an impact on businesses or local authorities. We would like to request that any businesses or local authorities who feel they may be impacted by the change in regulations please respond to the consultation.

Q1: Do you consider that the policy/Regulations will have an effect on opportunities for use of the Welsh language?

Q2: We would like to know your views on the effects that the Food and Feed (Miscellaneous Amendments and Revocations) (Wales) Regulations 2018 would have on the Welsh language,

specifically on:

- i) opportunities for people to use Welsh and**
- ii) on treating the Welsh language no less favourably than English.**

Q3: What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Q4: Do you agree that the transitional provisions are no longer required for:

- Specified Sugar Products (Wales) Regulations 2003;
- Cocoa and Chocolate Products (Wales) Regulations 2003;
- Coffee Extracts and Chicory Extracts (Wales) Regulations 2001; and
- Fruit Juices and Fruit Nectars (Wales) Regulations 2013

as all stocks are now exhausted.

Q5: Do you agree with the inclusion of ambulatory references as described in paragraph 14.

Responses

19. Responses are required by close [30 April 2018](#). Please state, in your response, whether you are responding as a private individual or on behalf of an organisation/company (including details of any stakeholders your organisation represents).

Thank you on behalf of the Food Standards Agency for participating in this public consultation.

Yours,

Kerys James-Palmer
Regulatory Policy Team
Food Standards Agency

Enclosed

Annex A: Standard Consultation Information

Annex B: Draft Statutory Instrument

Annex C: Interested Parties list

Publication of personal data and confidentiality of responses

1. In accordance with the FSA principle of openness we shall keep a copy of the completed consultation and responses, to be made available to the public on receipt of a request to the [FSA Consultation Coordinator](tel:02072768308) (020 7276 8308). The FSA will publish a summary of responses, which may include your full name. Disclosure of any other personal data would be made only upon request for the full consultation responses. If you do not want this information to be released, please complete and return the Publication of Personal Data form, which is on the website at <http://www.food.gov.uk/multimedia/worddocs/dataprotection.doc> Return of this form does not mean that we will treat your response to the consultation as confidential, just your personal data.
3. In accordance with the provisions of Freedom of Information Act 2000/Environmental Information Regulations 2004, all information contained in your response may be subject to publication or disclosure. If you consider that some of the information provided in your response should not be disclosed, you should indicate the information concerned, request that it is not disclosed and explain what harm you consider would result from disclosure. The final decision on whether the information should be withheld rests with the FSA. However, we will take into account your views when making this decision.
4. Any automatic confidentiality disclaimer generated by your IT system will not be considered as such a request unless you specifically include a request, with an explanation, in the main text of your response.

Further information

5. A list of interested parties to whom this letter is being sent appears in Annex C. Please feel free to pass this document to any other interested parties, or send us their full contact details and we will arrange for a copy to be sent to them direct.
6. A Welsh version of the consultation package can be found at www.food.gov.uk
7. Please contact us if you require this consultation in an alternative format such as Braille or large print.
8. This consultation has been prepared in accordance with HM Government consultation principles¹.

¹ <http://www.bis.gov.uk/policies/bre/consultation-guidance>

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2018 No. (W.)

FOOD, WALES

AGRICULTURE, WALES

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

2018 No. (W.)

FOOD, WALES

AGRICULTURE, WALES

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

Made ***

Laid before the National Assembly for Wales

Coming into force ***

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

- (a) except so far as relating to regulation 4 and regulation 27, to the extent that regulation 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")⁽¹⁾;
- (b) so far as relating to regulations 8(4)(b), 10(6)(a), 12(2) and 20, paragraph 1A of Schedule 2 to the 1972 Act⁽²⁾;
- (c) so far as relating to regulation 4 and regulation 27, to the extent that regulation 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⁽³⁾.

⁽¹⁾ 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). The functions conferred on the Minister of the Crown under section 2(2) of the 1972 Act, so far as within the legislative competence of the National Assembly for Wales, are conferred on the Welsh Ministers by virtue of section 58B of the Government of Wales Act 2006 (c. 32).

⁽²⁾ 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.

⁽³⁾ 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).

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 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⁽¹⁾;
- (b) the Annexes to Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives⁽²⁾;
- (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)⁽³⁾;
- (d) Annex I to Commission Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food⁽⁴⁾;
- (e) the Annex to Commission Regulation (EU) No 579/2014⁽⁵⁾.

So far as these Regulations are made in exercise of powers under the Food Safety Act 1990, in accordance with section 48(4A)⁽⁶⁾ 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

⁽¹⁾ 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).

⁽²⁾ OJ No L 354, 31.12.2008, p 16, as last amended by Commission Regulation (EU) 2017/1399 (OJ No L 199, 29.7.2017, p 8).

⁽³⁾ 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).

⁽⁴⁾ OJ No L 12, 15.1.2011, p 1, as last amended by Commission Regulation (EU) 2018/79 (OJ No L 14, 19.1.2018, p 31).

⁽⁵⁾ 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).

⁽⁶⁾ Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the Food Standards Act 1999.

principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾.

PART 1

Introduction

Title, application and commencement

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 XXXX.

PART 2

Amendments to food and feed-related subordinate legislation

The Food (Lot Marking) Regulations 1996

2. In regulation 4 of the Food (Lot Marking) Regulations 1996⁽²⁾, omit paragraph (f).

The Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997

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

The Bread and Flour Regulations 1998

4.—(1) The Bread and Flour Regulations 1998⁽⁴⁾ 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

⁽¹⁾ OJ No L 31, 1.2.2002, p 1, last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council (OJ No L 189, 27.6.2014, p 1).

⁽²⁾ S.I. 1996/1502, to which there are amendments not relevant to these Regulations.

⁽³⁾ S.I. 1997/2182, amended by S.I. 2016/639 (W. 175); there are other amending instruments but none is relevant to these Regulations.

⁽⁴⁾ 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.

1995” substitute “Article 3(2)(a) of Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives⁽¹⁾”.

The Medical Food (Wales) Regulations 2000

5.—(1) The Medical Food (Wales) Regulations 2000⁽²⁾ are amended as follows.

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

““the Directive” (“y Gyfarwydddeb”) means Commission Directive 1999/21/EC on dietary foods for special medical purposes ⁽³⁾, as last amended by Commission Directive 2013/26/EU⁽⁴⁾;”.

(3) Omit regulation 8.

The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001

6.—(1) The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001⁽⁵⁾ 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⁽⁶⁾”.

(3) Omit regulation 8.

The Cocoa and Chocolate Products (Wales) Regulations 2003

7.—(1) The Cocoa and Chocolate Products (Wales) Regulations 2003⁽⁷⁾ are amended as follows.

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

⁽¹⁾ OJ No L 354, 31.12.2008, p 16, as last amended by Commission Regulation (EU) 2017/1399 (OJ No L 199, 29.7.2017, p 8).

⁽²⁾ 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.

⁽³⁾ OJ No L 91, 7.4.1999, p 29.

⁽⁴⁾ OJ No L 158, 10.6.2013, p 376.

⁽⁵⁾ S.I. 2001/1440 (W. 102), to which there are amendments not relevant to these Regulations.

⁽⁶⁾ OJ No L 165, 30.4.2004, p 1, as last amended by Commission Regulation (EU) 2018/192 (OJ No L 36, 9.2.2018, p 15).

⁽⁷⁾ S.I. 2003/3037 (W. 285), amended by S.I. 2005/3254 (W. 247) and S.I. 2014/2303 (W. 227).

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

(4) Omit regulation 12.

The Specified Sugar Products (Wales) Regulations 2003

8.—(1) The Specified Sugar Products (Wales) Regulations 2003⁽²⁾ 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⁽³⁾”;

(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

⁽¹⁾ 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 Corrigendum set out in OJ No L 266, 30.9.2016, p 7.

⁽²⁾ 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.

⁽³⁾ 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).

which are amended from time to time⁽¹⁾”.

The Genetically Modified Food (Wales) Regulations 2004

9. In the Genetically Modified Food (Wales) Regulations 2004⁽²⁾, omit regulation 9.

The Food Hygiene (Wales) Regulations 2006

10.—(1) The Food Hygiene (Wales) Regulations 2006⁽³⁾ are amended as follows.

(2) In regulation 2(1), omit “, “Regulation 702/2013” (*“Rheoliad 702/2013”*) and “Regulation 1079/2013” (*“Rheoliad 1079/2013”*)”.

(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) at the end of the definition of “Regulation 852/2004” add the words “and with Commission Regulation (EU) No 2017/2158 establishing mitigation measures and benchmark levels for the reduction of the presence of acrylamide in food⁽⁴⁾”;
- (b) in the definition of “Regulation 853/2004”, omit “and Regulation 1079/2103 (*Rheoliad 1079/2013*)”;
- (c) in the definition of “Regulation 854/2004”, omit “and Regulation 1079/2103 (*Rheoliad 1079/2013*)”;
- (d) in the definition of “Regulation 882/2004”, omit “and Regulation 702/2013 (*Rheoliad 702/2013*)”;
- (e) omit the definitions of “Regulation 702/2013” and “Regulation 1079/2013”.

⁽¹⁾ OJ No L 354, 31.12.2008, p 16, as last amended by Commission Regulation (EU) 2017/1399 (OJ No L 199, 29.7.2017, p 8).

⁽²⁾ S.I. 2004/3220 (W. 276), to which there are amendments not relevant to these Regulations.

⁽³⁾ 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.

⁽⁴⁾ OJ No L 304, 21.11.2017, p 24.

(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⁽¹⁾ 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⁽²⁾ 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⁽³⁾ 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, as last amended by Commission Regulation (EU) 2017/893⁽⁴⁾.”

(8) In Schedule 4—

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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).

⁽⁴⁾ 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.

- (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 for the definitions of “Regulation 1906/90” and “Regulation 1907/90” substitute—
 - ““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⁽¹⁾;
 - “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⁽²⁾;
 - “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⁽³⁾”.

(9) Omit Schedule 7.

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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

11.—(1) The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007⁽¹⁾ 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⁽²⁾,”

(ii) in the definition of “Regulation 882/2004”, omit sub-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⁽³⁾”.

(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.

The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007

12.—(1) The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007⁽⁴⁾ 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

⁽¹⁾ S.I. 2007/196 (W. 15), to which there are amendments not relevant to these Regulations.

⁽²⁾ S.I. 2009/3376 (W. 298).

⁽³⁾ S.I. 2013/2033.

⁽⁴⁾ 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.

Annex I or II to that Regulation may be amended from time to time⁽¹⁾.”

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

The Fishery Products (Official Controls Charges) (Wales) Regulations 2007

13.—(1) The Fishery Products (Official Controls Charges) (Wales) Regulations 2007⁽²⁾ are amended as follows.

(2) In regulation 2—

(a) in paragraph (1)—

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

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

(iii) 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⁽³⁾ applies”;

(b) in paragraph (2)(a), omit “or 7”.

(3) In the Schedule—

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

(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⁽⁴⁾ as read with Directive 2004/41, Regulation 2074/2005 and Regulation 2015/1375;”

⁽¹⁾ 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).

⁽²⁾ S.I. 2007/3462 (W. 307), to which there are amendments not relevant to these Regulations.

⁽³⁾ S.I. 2011/2379 (W. 252).

⁽⁴⁾ 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).

- (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⁽¹⁾.”
- (e) omit the definition of “Regulation 2076/2005”.

The Quick-frozen Foodstuffs (Wales) Regulations 2007

14.—(1) The Quick-frozen Foodstuffs (Wales) Regulations 2007⁽²⁾ 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⁽³⁾.”
 - (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) omit sub-paragraph (c).
- (3) In regulation 9, omit paragraph (3).
- (4) Omit Schedule 3.

⁽¹⁾ OJ No L 212, 11.8.2015, p 7.

⁽²⁾ S.I. 2007/389 (W. 40), to which there are amendments not relevant to these Regulations.

⁽³⁾ 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

15. In the Specified Products from China (Restriction on First Placing on the Market) (Wales) Regulations 2008⁽¹⁾, omit regulation 8.

The Products of Animal Origin (Disease Control) (Wales) Regulations 2008

16.—(1) The Products of Animal Origin (Disease Control) (Wales) Regulations 2008⁽²⁾ are amended as follows.

(2) In Schedule 3—

- (a) in paragraph 1, omit the words from “or article 4” to “and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004”;
- (b) in paragraph 3, omit sub-paragraph (a).

The Official Feed and Food Controls (Wales) Regulations 2009

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

(2) In regulation 2(1), omit “and “Regulation 702/2013” (*“Rheoliad 702/2013”*)”.

(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⁽⁴⁾”.

(4) In Schedule 1—

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

(5) In Schedule 3—

⁽¹⁾ 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.

⁽²⁾ S.I. 2008/1275 (W. 132), to which there are amendments not relevant to these Regulations.

⁽³⁾ 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.

⁽⁴⁾ 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).

- (a) in sub-paragraph (a)(iii), for “Council Regulation (EC) No. 509/2006 on agricultural products and foodstuffs as traditional specialties guaranteed” substitute “Regulation (EU) No. 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs⁽¹⁾”;
- (b) in sub-paragraph (a)(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 (a)(vi) substitute—
“(vi) the regulation of beef and veal labelling under the Beef and Veal Labelling (Wales) Regulations 2011⁽²⁾, ”;
- (d) for sub-paragraph (a)(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⁽³⁾, with the exception of the execution and enforcement of regulation 32(3)(b) of those Regulations by the Agency,”.

The Meat (Official Controls Charges) (Wales) Regulations 2009

18.—(1) The Meat (Official Controls Charges) (Wales) Regulations 2009⁽⁴⁾ are amended as follows.

(2) In regulation 2(1)—

- (a) for “, “Regulation 2075/2005” (*“Rheoliad 2075/2005”*)” substitute “and “Regulation 2015/1375” (*“Rheoliad 2015/1375”*)”;
- (b) omit “and “Regulation 2076/2005” (*“Rheoliad 2076/2005”*)”.

(3) In Schedule 1—

⁽¹⁾ 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.

⁽²⁾ S.I. 2011/991 (W. 145), to which there are amendments not relevant to these Regulations.

⁽³⁾ S.I. 2011/2379 (W. 252), to which there are amendments not relevant to these Regulations.

⁽⁴⁾ 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.

- (a) in the definition of “Regulation 853/2004”, omit “and Regulation 2076/2005”;
- (b) in the definition of “Regulation 854/2004”—
 - (i) for “, “Regulation 2075/2005” (“*Rheoliad 2075/2005*”)” substitute “and “Regulation 2015/1375” (“*Rheoliad 2015/1375*”)”;
 - (ii) omit “and “Regulation 2076/2005” (“*Rheoliad 2076/2005*”)”;
- (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⁽¹⁾.”
- (e) omit the definition of “Regulation 2076/2005”.

The Food Irradiation (Wales) Regulations 2009

19.—(1) The Food Irradiation (Wales) Regulations 2009⁽²⁾ 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.

The Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011

20. In regulation 8(2)(d)(ii) of the Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011⁽³⁾, 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⁽⁴⁾ as Annex I to which is amended from time to time”.

⁽¹⁾ OJ No L 212, 11.8.2015, p 7.

⁽²⁾ 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.

⁽³⁾ S.I. 2011/1605 (W. 186).

⁽⁴⁾ OJ No L 12, 15.1.2011, p 1, as last amended by Commission Regulation (EU) 2018/79 (OJ No L 14, 19.1.2018, p 31).

The Materials and Articles in Contact with Food (Wales) Regulations 2012

21.—(1) The Materials and Articles in Contact with Food (Wales) Regulations 2012⁽¹⁾ are amended as follows.

(2) In regulation 13(1), 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⁽²⁾, Article 2 of Commission Regulation (EU) No 1183/2012⁽³⁾, Article 2 of Commission Regulation (EU) No 202/2014⁽⁴⁾, Article 2 of Commission Regulation (EU) 2015/174⁽⁵⁾, Article 2 of Commission Regulation (EU)

⁽¹⁾ S.I. 2012/2705 (W. 291), to which there are amendments not relevant to these Regulations.

⁽²⁾ 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.

⁽³⁾ 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.

⁽⁴⁾ 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.

⁽⁵⁾ 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

2016/1416⁽¹⁾, Article 2 of Commission Regulation (EU) 2017/752⁽²⁾ and Article 2 of Commission Regulation (EU) 2018/79⁽³⁾,”.

(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.

The Contaminants in Food (Wales) Regulations 2013

22.—(1) The Contaminants in Food (Wales) Regulations 2013⁽⁴⁾ 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,”;

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.

⁽¹⁾ 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.

⁽²⁾ 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.

⁽³⁾ 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.

⁽⁴⁾ S.I. 2013/2493 (W. 242), to which there are amendments not relevant to these Regulations.

- (ii) omit “the 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⁽¹⁾.”
- (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 the application and modification of section 9 of the Food Safety Act 1990, omit “4(1) or”.

The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013

23. In regulation 8(1)(b) of the Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013⁽²⁾, for “(1), (3) or (4)” substitute “(1)”.

The Fruit Juices and Fruit Nectars (Wales) Regulations 2013

24.—(1) The Fruit Juices and Fruit Nectars (Wales) Regulations 2013⁽³⁾ are amended as follows.

- (2) Omit regulation 22.
- (3) In Schedule 7—

⁽¹⁾ OJ No L 113, 1.5.2015, p 29.

⁽²⁾ S.I. 2013/2591 (W. 255), to which there is an amendment not relevant to these Regulations.

⁽³⁾ S.I. 2013/2750 (W. 267), to which there is an amendment not relevant to these Regulations.

- (a) in paragraph 1, for “juice” substitute “product”;
 - (b) in paragraph 2, 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.”

The Animal Feed (Composition, Marketing and Use) (Wales) Regulations 2016

25. In regulation 12 of the Animal Feed (Composition, Marketing and Use) (Wales) Regulations 2016⁽¹⁾, for “Subject to the transitional provisions contained in Article 32, a” substitute “A”.

The Animal Feed (Hygiene, Sampling etc. and Enforcement) (Wales) Regulations 2016

26.—(1) The Animal Feed (Hygiene, Sampling etc. and Enforcement) (Wales) Regulations 2016⁽²⁾ are amended as follows.

(2) In regulation 2—

- (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⁽³⁾;

- (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

⁽¹⁾ S.I. 2016/386 (W. 120).

⁽²⁾ S.I. 2016/387 (W. 121), to which there is an amendment not relevant to these Regulations.

⁽³⁾ OJ No L 165, 30.4.2004, p 1, as last amended by Commission Regulation (EU) 2018/192 (OJ No L 36, 9.2.2018, p 15).

82/471/EEC, 83/228/EEC, 93/74/EEC,
93/113/EC and 96/25/EC and Commission
Decision 2004/217/EC⁽¹⁾”.

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

PART 3

Revocations

27. The Regulations listed in Schedule 3 are
revoked.

Name

Title of Minister, one of the Welsh Ministers

Date

⁽¹⁾ 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).

SCHEDULE 1 Regulation 19(2)
SCHEDULE SUBSTITUTED FOR
SCHEDULE 3 TO THE FOOD
IRRADIATION (WALES)
REGULATIONS 2009

“**SCHEDULE 3** 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 Zoning Industriel 6220 Fleurus Belgium
01/23.05.2008	Bulgamma, Sopharma Ltd Iliensko Shosse 16 Sofia Bulgaria
2/26.10.2010	GITAVA Ltd ‘Kalina’ Town of Stamboliyski Hristo Botev str. Municipality Stamboliyski Plovdiv district Bulgaria
IR-02-CZ	Bioster a.s. Tejny 621 664 71 Veverská Bítýška Czech Republic
SN 01	Synergy Health Radeberg GmbH Juri—Gagarin Strasse 15 01454 Radeberg Germany
BY FS 01/2001	Synergy Health Allershausen GmbH Kesselbodenstrasse 7 85391 Allershausen Germany
NRW-GM 01 and NRW- GM 02	BGS Beta-Gamma- Service GmbH & Co. KG

	Fritz-Kotz-Str.16 51674 Wiehl Germany
D-BW-X-01	Beta-Gamma-Service GmbH & Co. KG John-Deere-Strasse 3 76646 Bruchsal Germany
2835	Scandinavian Clinics Estonia OÜ Kurvi tee 406a, Alliku kula, 76403 Saue vald, Harjumaa Estonia
5.00001/CU	Ionmed Esterilización, SA C/Rocinante, Parc.50 (Polg. Ind. Tarancón) 16400 Tarancón (Cuenca) Spain
5.00002/B	Aerogamma S.L. Carretera Granollers a Cardeneu, Km. 3.5 08520 Les Franqueses del Vallés (Barcelona) Spain
5.00005/SO	Mevion Technology, S.L. Avda. De España, 1 Pol. Industrial Emiliano Revilla, 42110 Ólvega (Soria) Spain
13055 F	Synergy Health Rue Jean Queillau Marché des Arnavaux 13014 Marseille Cedex 14 France
72 264 F	Ionisos SA Zone industrielle de l'Aubrée 72300 Sablé-sur-Sarthe France
85 182 F	Ionisos SA Zone industrielle Montifaud 85700 Pouzauges France
01 142 F	Ionisos SA Zone Industrielle les Chartinières 01120 Dagneux

	France
10 093 F	Ionisos SA Zone Industrielle 10500 Chaumesnil France
541-02/03-IRB16-1	Institut Ruder Bošković, Bijenička 54, 10 000 Zagreb, Croatia
EU-AIF-04-2002	AGROSTER Besugárzó Zártkörűen Működő Részvénytársaság Budapest Jászberényi út 5 1106 Hungary
RAD 1/04 IT	Gammarad Italia SPA Via Marzabotto 4 Minerbio (BO) Italy
GZB/VVB-991393 Ede	Synergy Health Morsestraat 3 6716AH Ede Netherlands
GZB/VVB-991393 Etten- Leur	Synergy Health Soevereinsestraat 2 4879 NN Etten-Leur Netherlands
GIS-HZ-4434-W.- 2/MR/03	Institute of Applied Radiation Chemistry Technical University of Lodz 15 Wróblewskiego Str. 39-590 Łódź Poland
GIS-HZ-4434-W.- 3/MR/03	Institute of Nuclear Chemistry and Technology 16 Dorodna Str. 03-195 Warsaw Poland
RG016/2008	Multipurpose Irradiation Facility IRASM Technological Irradiations Department Horia Hulubei National Institute for Research and Development of Physics and Nuclear Engineering Atomistilor Str. No. 407 PO Box MG-6 Măgurele. Ilfov County

	Romania
EW/04	Synergy Health Moray Road Elgin Industrial Estate Swindon Wiltshire SN2 8XS United Kingdom”.

SCHEDULE 2 Regulation 19(3)
SCHEDULE SUBSTITUTED FOR
SCHEDULE 4 TO THE FOOD
IRRADIATION (WALES)
REGULATIONS 2009

“**SCHEDULE 4** 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 6 Ferrule Avenue Montague Gardens Milnerton 7441 Western Cape Republic of South Africa
EU-AIF 02-2002	Gammaster South Africa (Pty) Ltd PO Box 3219 5 Waterpas Street Isando Extension 3 Kempton Park 1620 Johannesburg Republic of South Africa
EU-AIF 03-2002	Gamwave (Pty) Ltd PO Box 26406 Isipingo Beach Durban 4115 Kwazulu-Natal Republic of South Africa
EU-AIF 05-2004	Gamma-Pak As Yünsa Yolu N: 4 0SB Cercezköy/TEKIRDAG TR-59500 Turkey
EU-AIF 06-2004	Studer Agg Werk Hard Hogenweidstrasse 2 Däniken CH-4658 Switzerland
EU-AIF 07-2006	Thai Irradiation Centre Thailand Institute of Nuclear Technology (Public Organisation) 37 Moo 3, TECHNOLIS

	Klong 5, Klong Luang Pathumthani 12120 Thailand
EU-AIF 08-2006	Synergy Health (Thailand) Ltd 700/465 Amata Nakorn Industrial Moo 7, Tambon Donhuaroh, Amphur Muang, Chonburi 20000 Thailand
EU-AIF 09-2010	Board of Radiation and Isotope Technology Department of Atomic Energy BRIT/BARC Vashi Complex Sector 20, Vashi Navi Mumbai – 400 705 (Maharashtra) India
EU-AIF 10-2010	Board of Radiation and Isotope Technology ISOMED Bhabha Atomic Research Centre South Site Gate, Refinery Road Next to TATA Power Station, Trombay Mumbai – 400 085 (Maharashtra) India
EU-AIF 11-2010	Microtrol Sterilisation Services Pvt. Ltd Plot No. 14 Bommasandra- Jigani Link Road Industrial Area KIADB, Off Hosur Road Hennagarra Post Bengalooru – 562 106 (Karnataka) India”.

SCHEDULE 3^{Regulation 27}

REGULATIONS REVOKED

<i>Title</i>	<i>SI Number</i>
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)
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	2002/47

Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2002	(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) (Wales) Regulations 2004	2004/245 (W. 24)
The Infant Formula and Follow-on Formula (Amendment) (Wales) Regulations 2004	2004/313 (W. 31)
The Miscellaneous Food Additives (Amendment) (Wales) Regulations 2004	2004/554 (W. 57)
The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Wales) (Amendment) Regulations 2004	2004/1012 (W. 109)
The Food (Jelly Confectionery) (Emergency Control) (Wales) (Amendment) Regulations 2004	2004/1262 (W. 134)
The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Wales) Regulations 2004	2004/1509 (W. 158)
The Food (Emergency Control) (Wales) (Miscellaneous Amendments) (No. 2) Regulations 2004	2004/1804 (W. 192)
The Miscellaneous Food Additives	2005/259

(Amendment) (Wales) Regulations 2005	(W. 25)
The Food Safety (General Food Hygiene) (Amendment) (Wales) Regulations 2005	2005/363 (W. 30)
The Sweeteners in Food (Amendment) (Wales) Regulations 2005	2005/1156 (W. 73)
The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2005	2005/1310 (W. 92)
The Miscellaneous Food Additives (Amendment) (No.2) (Wales) Regulations 2005	2005/1311 (W. 93)
The Colours in Food (Amendment) (Wales) Regulations 2005	2005/1628 (W. 122)
The Food Labelling (Amendment) (Wales) (No. 2) (Amendment) Regulations 2005	2005/3236 (W. 241)
The Products of Animal Origin (Third Country Imports) (Wales) (Amendment) Regulations 2006	2006/767 (W. 74)
The Animals and Animal Products (Import and Export) (Wales) (Amendment) Regulations 2006	2006/2128 (W. 198)
The Rice Products (Restriction on First Placing on the Market) (Wales) (Amendment) Regulations 2006	2006/2969 (W. 268)
The Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (Wales) (Amendment) Regulations 2007	2007/116 (W. 7)
The Colours in Food (Amendment) (Wales) Regulations 2007	2007/579 (W. 51)
The Products of Animal Origin (Third Country Imports) (Wales) (Amendment) Regulations 2007	2007/1710 (W. 148)
The Bovine Products (Restriction on Placing on the Market) (Wales) (No. 2) (Amendment) Regulations 2007	2007/1835 (W. 159)
The Miscellaneous Food Additives and the Sweeteners in Food (Amendment) (Wales) Regulations 2008	2008/138 (W. 20)
The Animals and Animal Products (Import and Export) (Wales) (Amendment) Regulations 2009	2009/390 (W. 40)
The Products of Animal Origin (Third Country Imports) (Wales) (Amendment) Regulations 2009	2009/392 (W. 41)
The Products of Animal Origin (Third Country Imports) (Wales) (Amendment) (No. 2) Regulations 2009	2009/1088 (W. 96)
The Purity Criteria for Colours, Sweeteners and Miscellaneous Food Additives (Wales) Regulations 2009	2009/1092 (W. 97)
The Purity Criteria for Colours, Sweeteners and Miscellaneous Food	2009/2201 (W. 186)

Additives (Wales) (Amendment) Regulations 2009	
The Materials and Articles in Contact with Food (Wales) (Amendment) Regulations 2009	2009/3105 (W. 271)
The Contaminants in Food (Wales) (Amendment) Regulations 2009	2009/2939 (W. 256)
The Food Additives (Wales) Regulations 2009	2009/3378 (W. 300)
The Food Labelling (Nutrition Information) (Wales) (Amendment) Regulations 2010	2010/1069 (W. 100)
The Flavourings in Food (Wales) Regulations 2010	2010/2922 (W. 243)

INTERESTED PARTIES LIST

Abergavenny Consultancy Ltd
Aberystwyth University
Avana Bakeries limited
Braces Bakery Ltd
British Institute for Allergy & Environmental Therapy
British Institute for Allergy & Environmental Therapy
British Medical Association
British Sandwich Association
British Specialist Nutrition Association
Burger Manufacturing Company Limited
Cardiff Metropolitan University
Castell Howell Foods Ltd
CDSC, National Public Health Service for Wales
Celtic Oriental Ltd
Chuckling Goat
Cig Oen Caron
Dailycer Ltd
Dunbia (Wales)
EuroCaps Ltd
Farm Assured Welsh Livestock
Farmers For Action
Farmers Guardian
Farmers Union of Wales
Food Centre Wales
Food Consultancy
FoodChain Europ Ltd
GRH Food Company Ltd
Gwaun Valley Meats
Hybu Cig Cymru - Meat Promotion Wales
Iceland Foods Limited
James Hall & Co Ltd
Lewis Fine Foods Ltd
Llanwenog Sheep Society
Lower Bank Farm
Menter a Busnes
Minton, Treharne & Davies Limited
Mirandas Preserves
Mitchells & Butlers plc
National Farmers Union Cymru
National Federation of Meat and Food Traders
National Sheep Association Cymru Wales
Natural Resources Wales
Ocean
OP Chocolate Ltd
Otley Brewing Company Ltd
Peters Food Service Ltd
Rachel's Dairy Limited

Royal Welsh Agricultural Society
Selectfood
Shoda Sauces Europe Company Limited
Tate and Lyle Food Systems
The Food Technology Centre
The Patchwork Traditional Food Company
The Preselli Gold Sausage Co
Tillery Valley Foods Ltd
Ty Nant Spring Water Limited
Uren Food Group Ltd
Welsh Government
Welsh Hills Bakery
Welsh Lamb and Beef Producers Ltd
WLGA

