

EXPLANATORY MEMORANDUM

THE FOOD SAFETY (ACT OF ACCESSION CONCERNING THE CZECH REPUBLIC AND OTHER STATES) (CONSEQUENTIAL) (ENGLAND) REGULATIONS 2004 No.2145

FOOD, ENGLAND

1. This Explanatory Memorandum has been prepared by The Food Standards Agency and is laid before Parliament by Command of Her Majesty.

This Memorandum contains information for the Joint Committee on Statutory Instruments.

2. Description

- 2.1 This new S.I. transposes in relation to England provisions which are contained in Annex II to the 2003 Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (Official Journal of the EU L 238, 23.9.2003, "The Act") and which amend certain EU food laws.

3. Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 From 1 May 2004 administrative arrangements have been in place as a temporary measure until the S.I. comes into force.

4. Legislative Background

- 4.1 The S.I. reflects adjustments to the Treaties on which the European Union is founded set out in the Act. The changes prescribed in the Act cover all areas of Community law and include provisions amending certain EU food legislation. The effect of these provisions is that some UK legislation that implements that legislation needs to be amended. This S.I. accordingly amends six UK S.I.s, which are the responsibility of the Food Standards Agency, covering general food labelling issues, dried and concentrated milk, fish and shellfish hygiene, egg products, quick frozen foods and medical foods.

- 4.2 The amendments will allow terms the use of which (in the language of the existing Member States) was prescribed in the Directives now amended by the Act, to be added in the languages of the new Member States and thereby ensure that the UK complies with the requirements of the Act in that respect.

5. Extent

- 5.1 This instrument applies to England. Parallel legislation is being developed by the devolved administrations to cover Scotland, Wales and Northern Ireland.

6. Policy Background

- 6.1 The S.I. transposes the amendments specified in Annex II to the Act which fall within the remit of the Food Standards Agency. It will allow terms the use of which is prescribed in six existing food S.I.s to be added in the nine new Community languages. The areas covered by the S.I. are relatively unimportant in nature, since there are only likely to be small volumes of trade to which the amended S.I.s directly apply. Approximately 1600 stakeholders were consulted, and the consultation resulted in 12 responses, none of which objected to the making of the S.I. There has been no measurable public interest or media attention, and the change is not politically or legally important.

7. Impact

- 7.1 No Regulatory Impact Assessment has been prepared for this Instrument as it has no impact on business, charities or voluntary bodies.
- 7.2 The impact on the public sector is negligible.

8. Contact

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