

## SCHEDULE 1

Regulation 2(1)

### DEFINITIONS OF COMMUNITY LEGISLATION

“Directive 2004/41” (“*Cyfarwyddeb 2004/41*”) means Directive [2004/41/EC](#) of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives [89/662/EEC](#) and [92/118/EEC](#) and Council Decision [95/408/EC\(1\)](#);

“Regulation 178/2002” (“*Rheoliad 178/2002*”) means 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;

“Regulation 852/2004” (“*Rheoliad 852/2004*”) means Regulation [\(EC\) No. 852/2004](#) of the European Parliament and of the Council on the hygiene of foodstuffs(2) as read with Regulation 2073/2005;

“Regulation 853/2004” (“*Rheoliad 853/2004*”) means Regulation [\(EC\) No. 853/2004](#) of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(3) as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and Regulation 2076/2005;

“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(4) as read with Regulation 2074/2005 and Regulation 2076/2005;

“Regulation 1688/2005” (“*Rheoliad 1688/2005*”) means Commission Regulation [\(EC\) No. 1688/2005](#) implementing Regulation [\(EC\) No. 853/2004](#) of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs(5);

“Regulation 2073/2005” (“*Rheoliad 2073/2005*”) means Commission Regulation [\(EC\) No. 2073/2005](#) on microbiological criteria for foodstuffs(6);

“Regulation 2074/2005” (“*Rheoliad 2074/2005*”) means Commission Regulation [\(EC\) No. 2074/2005](#) laying down implementing measures for certain products under Regulation [\(EC\) No. 853/2004](#) of the European Parliament and of the Council and for the organisation of official controls under Regulation [\(EC\) No. 854/2004](#) of the European Parliament and of the Council and Regulation [\(EC\) No. 882/2004](#) of the European Parliament and of the Council, derogating from Regulation [\(EC\) No. 852/2004](#) of the European Parliament and of the Council and amending Regulations [\(EC\) No. 853/2004](#) and [\(EC\) No. 854/2004\(7\)](#); and

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- (1) OJ No. L157, 30.4.2004, p.33. The revised text of Directive [2004/41/EC](#) is now set out in a Corrigendum (OJ No. L195, 2.6.2004, p.12).
  - (2) OJ No. L139, 30.4.2004, p.1. The revised text of Regulation [\(EC\) No. 852/2004](#) is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.3).
  - (3) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation [\(EC\) No. 853/2004](#) is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22), which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.26). Regulation [\(EC\) No. 853/2004](#) was last amended by Commission Regulation [\(EC\) No. 1243/2007](#) amending Annex III to Regulation [\(EC\) No. 853/2004](#) of the European Parliament and the Council laying down specific hygiene rules for food of animal origin (OJ No. L281, 25.10.2007, p.8).
  - (4) OJ No. L165, 30.4.2004, p.1. The revised text of Regulation [\(EC\) No. 882/2004](#) is now set out in a Corrigendum (OJ No. L191, 28.5.2004, p.1.). Regulation [\(EC\) No. 882/2004](#) was last amended by Council Regulation [\(EC\) No. 1791/2006](#).
  - (5) OJ No. L271, 15.10.2005, p.17.
  - (6) OJ No. L338, 22.12.2005, p.1, as read with the corrigenda at OJ No. L278, 10.10.2006, p.32 and OJ No. L283, 14.10.2006, p.62.
  - (7) OJ No. L338, 22.12.2005, p.27, as last amended by Commission Regulation [\(EC\) No. 1244/2007](#) amending Regulation [\(EC\) No. 2074/2005](#) as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures (OJ No. L281, 25.10.2007, p.12).

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“Regulation 2076/2005” (“*Rheoliad 2076/2005*”) means Commission Regulation (EC) No. 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004<sup>(8)</sup>.

## SCHEDULE 2

Regulation 2(1)

### DEFINITION OF RELEVANT FEED LAW

“relevant feed law” means —

- (a) Part IV of the Agriculture Act 1970<sup>(9)</sup> in so far as it applies in relation to feeding stuffs;
- (b) the Feeding Stuff (Sampling and Analysis) Regulations 1999<sup>(10)</sup>;
- (c) the Genetically Modified Animal Feed (Wales) Regulations 2004<sup>(11)</sup>;
- (d) the Food Hygiene (Wales) Regulations 2006 in so far as they apply in relation to feed;
- (e) the Feed (Hygiene and Enforcement) (Wales) Regulations 2005<sup>(12)</sup>; and
- (f) the Feeding Stuff (Wales) Regulations 2006 <sup>(13)</sup>.

## SCHEDULE 3

Regulation 2(1)

### DEFINITION OF RELEVANT FOOD LAW

“relevant food law” means —

- (g) food law in so far as it applies in relation to food, except in so far as it involves —
  - (i) the regulation of residues of veterinary medicines and other substances under the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997<sup>(14)</sup>,
  - (ii) the regulation of residues of pesticides under the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 2005<sup>(15)</sup>,
  - (iii) the application of the rules under which a traditional speciality guaranteed may be recognised for certain agricultural products and foodstuffs laid down in Council Regulation (EC) No. 509/2006 on agricultural products and foodstuffs as traditional specialities guaranteed<sup>(16)</sup>,
  - (iv) the application of the rules on the protection of designations of origin and geographical indications of certain agricultural products and foodstuffs laid down

<sup>(8)</sup> OJ No. L338, 22.12.2005, p.83, as last amended by Commission Regulation (EC) No. 1246/2007 amending Regulation (EC) No. 2076/2005 as regards the extension of the transitional period granted to food business operators importing fish oil intended for human consumption (OJ No. L281, 25.10.2007, p.21).

<sup>(9)</sup> 1970 c. 40.

<sup>(10)</sup> S.I.1999/1663, amended by S.I. 1999/1871, S.I. 2001/2253 (W.163), S.I. 2002/1797 (W.172), S.I. 2003/1677 (W.180), S.I. 2003/1850 (W.200), S.I. 2003/3119 (W.297), S.I. 2004/1749 (W.186), S.I. 2004/3091 (W.265), S.I. 2006/116 (W.14) and S.I. 2006/617 (W.69) and S.I. 2007/3173 (W.278).

<sup>(11)</sup> S.I. 2004/3221 (W.277), amended by S.I. 2005/1323 (W.97).

<sup>(12)</sup> S.I. 2005/3368 (W.265), amended by S.I. 2006/3256 (W.296).

<sup>(13)</sup> S.I. 2006/116 (W.14), amended by S.I. 2006/590 (W.66), S.I. 2006/617 (W.69), S.I. 2006/2928 (W.263) and S.I. 2006/3256 (W.296).

<sup>(14)</sup> S.I. 1997/1729, amended by S.I. 2001/3590, S.I. 2004/147, S.I. 2005/3254 (W.247) and S.I. 2006/755.

<sup>(15)</sup> S.I. 2005/3286, amended by S.I. 2006/985, S.I. 2006/1742, S.I. 2006/2922, S.I. 2007/971 and S.I. 2007/2083.

<sup>(16)</sup> OJ No. L93, 31.3.2006, p.1.

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- in Council Regulation (EC) No. 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (17),
- (v) the regulation of organic products under the Organic Products (Imports from Third Countries) Regulations 2003(18) and the Organic Products Regulations 2004(19),
- (vi) the regulation of beef labelling under the Beef Labelling (Enforcement) (Wales) Regulations 2001(20),
- (vii) the regulation of the import of and trade in products of animal origin —
  - (aa) under the Products of Animal Origin (Import and Export) Regulations 1996(21), with the exception of the execution and enforcement of regulation 3 thereof by the Agency,
  - (bb) under the Products of Animal Origin (Third Country Imports) (Wales) Regulations 2005(22), with the exception of the execution and enforcement of regulation 5 thereof by the Agency; and
- (viii) the matters regulated under Schedule 2 to the Transmissible Spongiform Encephalopathies (Wales) Regulations 2006(23) in so far as that Schedule applies in relation to animals slaughtered for human consumption, together with the matters covered under point 2 of Part II of Chapter A of Annex III to 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(24) in so far as that point applies in relation to animals slaughtered for human consumption;
- (h) food law in so far as it applies in relation to materials and articles in contact with food; and
- (i) food law in so far as it involves the regulation of primary production and those associated operations listed in paragraph 1 of Part AI of Annex I to Regulation 852/2004 under the Food Hygiene (Wales) Regulations 2006.

#### SCHEDULE 4

Regulation 3(1)

#### COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 882/2004 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FEED LAW

<i>Column 1</i> <i>Competent authority</i>	<i>Column 2</i> <i>Provisions of Regulation 882/2004</i>
The Agency	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 12, 19(1), (2) and (3), 24, 27, 28, 31(1) and (2)(f),

(17) OJ No. L93, 31.3.2006, p.12.

(18) S.I. 2003/2821.

(19) S.I. 2004/1604, amended by S.I. 2005/2003 and S.I. 2006/2075.

(20) S.I. 2001/1360.

(21) S.I. 1996/3124, amended by S.I. 1997/3023, S.I. 1998/994, S.I. 1999/683, S.I. 2000/656, S.I. 2000/1885 (W.131), S.I. 2000/2257 (W.150), S.I. 2001/1660 (W.119), S.I. 2001/2198 (W.158), S.I. 2001/2219 (W.159), S.I. 2002/47 (W.6), S.I. 2002/129 (W.17), S.I. 2003/3229 (W.309) and S.I. 2004/1430 (W.144) S.I. 2005/1310 (W.92) and S.I. 2006/2407.

(22) S.I. 2007/376 (W.36).

(23) S.I. 2006/1226 (W.117).

(24) OJ No. L147, 31.5.2001, p.1, as last amended as at the making of this instrument by Regulation (EC) No. 1923/2006 of the European Parliament and of the Council amending Regulation (EC) No. 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ No. L404, 30.12.2006, p.1).

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<i>Column 1</i> <i>Competent authority</i>	<i>Column 2</i> <i>Provisions of Regulation 882/2004</i>
The feed authority	34, 35(3) and (4), 36, 37(1), 38, 39, 40(2) and (4), 52(1) and 54  Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 15(1) to (4), 16(1) and (2), 18, 19(1) and (2), 20, 21, 22, 24, 27, 28, 31, 34, 35(3), 36, 37(1), 38, 39, 40(2) and (4) and 54

SCHEDULE 5

Regulation 3(3)

COMPETENT AUTHORITIES FOR THE PURPOSES OF CERTAIN PROVISIONS OF REGULATION 882/2004 IN SO FAR AS THEY APPLY IN RELATION TO RELEVANT FOOD LAW

<i>Column 1</i> <i>Competent authority</i>	<i>Column 2</i> <i>Provisions of Regulation 882/2004</i>
The Agency	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 12, 14, 19(1), (2) and (3), 24, 27, 28, 31, 34, 35(3) and (4), 36, 37(1), 38, 39, 40(2) and (4), 52(1) and 54
The food authority	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 15(1) to (4), 16(1) and (2), 18, 19(1) and (2), 20, 21, 22, 24, 27, 28, 31, 34, 35(3), 36, 37(1), 38, 39, 40(2) and (4) and 54