
WELSH STATUTORY INSTRUMENTS

2007 No. 373 (W.33)

FOOD, WALES

The Food Hygiene (Wales) (Amendment) Regulations 2007

Made - - - - 13 February 2007

Coming into force - - 14 February 2007

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾.

The National Assembly for Wales has been designated⁽²⁾ for the purposes of that section in relation to measures relating to food (including drink) including the primary production of food.

As required by Article 9 of 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⁽³⁾ there has been open and transparent public consultation during the preparation of the following Regulations.

Title and commencement

1. The title of these Regulations is the Food Hygiene (Wales) (Amendment) Regulations 2007 and they come into force on 14 February 2007.

Amendments to the Food Hygiene (Wales) Regulations 2006

2.—(1) The Food Hygiene (Wales) Regulations 2006⁽⁴⁾ are amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1) of regulation 2 (interpretation) for the definitions of the Community instruments appearing immediately after the definition of “premises” there are substituted in the appropriate place in the alphabetical order the following definitions—

““Directive 2004/41” (“*Cyfarwyddeb 2004/41*”), “Regulation 178/2002” (“*Rheoliad 178/2002*”), “Regulation 852/2004” (“*Rheoliad 852/2004*”), “Regulation 853/2004” (“*Rheoliad 853/2004*”), “Regulation 854/2004” (“*Rheoliad 854/2004*”), “Regulation 882/2004” (“*Rheoliad 882/2004*”), “Regulation 1688/2005” (“*Rheoliad*

(1) 1972 c. 68.

(2) S.I. 2005/1971.

(3) OJ No. L31, 1.2.2002, p.1, as last amended by Commission Regulation (EC) No. 575/2006 amending Regulation (EC) No. 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority (OJ No. L100, 8.4.2006, p.3).

(4) S.I. 2006/31 (W.5) as amended by S.I. 2006/1534 (W.151).

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1688/2005”), “Regulation 2073/2005” (“*Rheoliad 2073/2005*”), “Regulation 2074/2005” (“*Rheoliad 2074/2005*”), “Regulation 2075/2005” (“*Rheoliad 2075/2005*”), “Regulation 2076/2005” (“*Rheoliad 2076/2005*”), “Regulation 575/2006” (“*Rheoliad 575/2006*”), “Regulation 776/2006” (“*Rheoliad 776/2006*”), “Regulation 1662/2006” (“*Rheoliad 1662/2006*”), “Regulation 1663/2006” (“*Rheoliad 1663/2006*”), “Regulation 1664/2006” (“*Rheoliad 1664/2006*”), “Regulation 1665/2006” (“*Rheoliad 1665/2006*”), “Regulation 1666/2006” (“*Rheoliad 1666/2006*”) and “Regulation 1791/2006” (“*Rheoliad 1791/2006*”) have the meanings respectively given to them in Schedule 1.”.

(3) For Schedule 1 (definitions of Community legislation) there is substituted the Schedule set out in the Schedule to these Regulations.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998⁽⁵⁾.

13 February 2007

D. Elis-Thomas
The Presiding Officer of the National Assembly

(5) 1998 c. 38.

SCHEDULE

Regulation 2(3)

SCHEDULE SUBSTITUTED FOR SCHEDULE 1 TO THE FOOD HYGIENE (WALES) REGULATIONS 2006

“SCHEDULE 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](#)(**6**);

“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(**7**) as last amended by Regulation [575/2006](#);

“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(**8**) 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(**9**) as amended by Regulation [2074/2005](#), Regulation [2076/2005](#), Regulation [1662/2006](#) and Regulation [1791/2006](#) and as read with Directive [2004/41](#), Regulation [1688/2005](#), Regulation [2074/2005](#) and Regulation [2076/2005](#);

“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(**10**) as amended by Regulation [882/2004](#), Regulation [2074/2005](#), Regulation [2076/2005](#), Regulation [1663/2006](#) and Regulation [1791/2006](#) and as read with Directive [2004/41](#), Regulation [2074/2005](#), Regulation [2075/2005](#) 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(**11**) as amended by Regulation [776/2006](#) and Regulation [1791/2006](#) and 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(**12**);

(6) 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).

(7) OJ No. L31, 1.2.2002, p.1.

(8) 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).

(9) 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).

(10) OJ No. L139, 30.4.2004, p.206. The revised text of Regulation (EC) No. [854/2004](#) is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.83).

(11) 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).

(12) OJ No. L271, 15.10.2005, p.17.

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“Regulation 2073/2005” (“*Rheoliad 2073/2005*”) means Commission Regulation (EC) No. 2073/2005 on microbiological criteria for foodstuffs(13);

“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(14) as amended by Regulation 1664/2006;

“Regulation 2075/2005” (“*Rheoliad 2075/2005*”) means Commission Regulation (EC) No. 2075/2005 laying down specific rules on official controls for Trichinella in meat(15) as amended by Regulation 1665/2006;

“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(16) as amended by Regulation 1666/2006;

“Regulation 575/2006” (“*Rheoliad 575/2006*”) means Commission Regulation (EC) No. 575/2006 amending Regulation (EC) No. 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority(17);

“Regulation 776/2006” (“*Rheoliad 776/2006*”) means Commission Regulation (EC) No. 776/2006 amending Annex VII to Regulation (EC) No. 882/2004 of the European Parliament and of the Council as regards Community reference laboratories(18);

“Regulation 1662/2006” (“*Rheoliad 1662/2006*”) means Commission Regulation (EC) No. 1662/2006 amending Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(19);

“Regulation 1663/2006” (“*Rheoliad 1663/2006*”) means Commission Regulation (EC) No. 1663/2006 amending 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(20);

“Regulation 1664/2006” (“*Rheoliad 1664/2006*”) means Commission Regulation 1664/2006 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(21);

“Regulation 1665/2006” (“*Rheoliad 1665/2006*”) means Commission Regulation (EC) No. 1665/2006 amending Regulation (EC) No. 2075/2005 laying down specific rules on official controls for Trichinella in meat(22); and

“Regulation 1666/2006” (“*Rheoliad 1666/2006*”) means Commission Regulation (EC) No. 1666/2006 amending Regulation (EC) No. 2076/2005 laying down transitional

(13) OJ No. L338, 22.12.2005, p.1, as read with the corrigenda at OJ No. L283, 14.10.2006, p.62.

(14) OJ No. L338, 22.12.2005, p.27.

(15) OJ No. L338, 22.12.2005, p.60.

(16) OJ No. L338, 22.12.2005, p.83.

(17) OJ No. L100, 8.4.2006, p.3.

(18) OJ No. L136, 24.5.2006, p.3.

(19) OJ No. L320, 18.11.2006, p.1.

(20) OJ No. L320, 18.11.2006, p.11.

(21) OJ No. L320, 18.11.2006, p.13.

(22) OJ No. L320, 18.11.2006, p.46.

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⁽²³⁾; and “Regulation 1791/2006” (“Rheoliad 1791/2006”) means Council Regulation (EC) No. 1791/2006 adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture (including veterinary and phytosanitary legislation), transport policy, taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romania⁽²⁴⁾.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Food Hygiene (Wales) Regulations 2006 (S.I.2006/31 (W.5)) by updating the definitions of certain Community instruments that are referred to in those Regulations.
2. The definitions are updated by—
 - (a) substituting definitions of certain Community instruments for the definitions of the Community instruments that currently appear after the definition of “premises” in paragraph (1) of regulation 2 (interpretation) (regulation 2(2)); and
 - (b) substituting a revised Schedule 1 (definitions of Community legislation) for the existing Schedule 1 (regulation 2(3)).
3. A full Regulatory Appraisal on the effect that these Regulations will have on the costs of business has been prepared and placed in the Library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.

⁽²³⁾ OJ No. L320, 18.11.2006, p.47.

⁽²⁴⁾ OJ No. L363, 20.12.2006, p.1.