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WELSH STATUTORY INSTRUMENTS

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**2005 No. 363 (W.30)**

**FOOD, WALES**

**The Food Safety (General Food Hygiene)  
(Amendment) (Wales) Regulations 2005**

*Made* - - - - 22 February 2005

*Coming into force* - - 1 March 2005

The National Assembly for Wales, being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to measures relating to food, in exercise of the powers conferred on it by that section, makes the following Regulations:

**Title, application and commencement**

1. These Regulations may be cited as the Food Safety (General Food Hygiene) (Amendment) (Wales) Regulations 2005, apply in relation to Wales only and come into force on 1 March 2005.

**Amendment to the Food Safety (General Food Hygiene) Regulations 1995**

2.—(1) The Food Safety (General Food Hygiene) Regulations 1995<sup>(3)</sup> are amended in accordance with paragraph (2) in so far as they apply in relation to Wales.

(2) In paragraph (1) of regulation 2 (interpretation), for the definition of “list of acceptable previous cargoes for liquid oils or fats” there is substituted the following definition -

““list of acceptable previous cargoes for liquid oils or fats” means the list set out in the Annex to Commission Directive [96/3/EC](#) granting a derogation from certain provisions of Council Directive [93/43/EEC](#) on the hygiene of foodstuffs as regards the transport of bulk liquid oils and fats by sea<sup>(4)</sup> as amended by Commission Directive [2004/4/EC](#) amending Directive [96/3/EC](#) granting a derogation from certain provisions of Council Directive [93/43/EEC](#) on the hygiene of foodstuffs as regards the transport of bulk liquid oils and fats by sea<sup>(5)</sup>”.

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(1) S.I. [2003/2901](#).

(2) [1972 c. 68](#).

(3) S.I. [1995/1763](#), amended by S.I. [1997/2537](#); there are other amending instruments but none is relevant.

(4) OJ No. L21, 27.1.96, p.42.

(5) OJ No. L15, 22.1.2004, p.25.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(6)</sup>.

22 February 2005

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

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<sup>(6)</sup> 1998 c. 38.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which apply in relation to Wales only, further amend the Food Safety (General Food Hygiene) Regulations 1995 (S.I.1995/1763 as already amended) which apply to the whole of Great Britain.

These Regulations implement Commission Directive 2004/4/EC amending Directive 96/3/EC granting a derogation from certain provisions of Council Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport of bulk liquid oils and fats by sea (OJNo. L15, 22.1.2004, p.25) by substituting a revised definition of the phrase “list of acceptable previous cargoes for liquid oils or fats” for the existing definition of that phrase in regulation 2(1) of the Food Safety (General Food Hygiene) Regulations 1995 (regulation 2(2)). The revised definition now refers to the list set out in the Annex to Commission Directive 96/3/EC (OJNo. L21, 27.1.96, p.42) as replaced by Commission Directive 2004/4/EC.

Chapter IV of Schedule 1 to the Food Safety (General Food Hygiene) Regulations 1995 provides that the bulk transport in sea-going vessels of liquid oils or fats which are to be processed and which are intended for or are likely to be used for human consumption is permitted in tanks that are not exclusively reserved for the transport of foodstuffs if a certain number of previous cargoes transported in the tanks were from the “list of acceptable previous cargoes for liquid oils or fats” as defined in regulation 2(1) of those Regulations.

A regulatory appraisal has been prepared for these Regulations and placed in the library of the National Assembly for Wales together with a Transposition Note. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.