
STATUTORY INSTRUMENTS

2000 No. 1738 (W.121)

FOOD, WALES

**The Dairy Products (Hygiene) (Charges)
(Amendment) (Wales) Regulations 2000**

Made - - - - *19th May 2000*
Coming into force - - *20th May 2000*

The National Assembly for Wales in exercise of the powers conferred by sections 45 and 48(1)(b) of the Food Safety Act 1990(1), after having regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) and (4B) of that Act, makes the following Regulations:

Title, commencement and application

1.—(1) These Regulations may be cited as the Dairy Products (Hygiene) (Charges) (Amendment) (Wales) Regulations 2000 and shall come into force on 20th May 2000.

(2) These Regulations apply to Wales.

Amendment of the Dairy Products (Hygiene) (Charges) Regulations 1995

2. — The Dairy Products (Hygiene) (Charges) Regulations 1995(2) shall be amended (in so far as they apply to Wales) in accordance with regulations 3 to 5 below.

3. — In regulation 2 (interpretation) —

(a) the definition of “dairy farm visit” and the associated definitions of “sampling dairy farm visit” and “general dairy farm visit” shall be omitted;

(b) the following definition shall be inserted after the definition of “registered production holding” —

““sampling dairy farm visit” means a visit to a registered production holding by an inspector for the purpose of taking samples of milk for analysis and examination to ascertain whether paragraph 2(b) of Part I of Schedule 4 (as read with regulation 9(1)(d) and (2)(a)) to the principal Regulations is being complied with;”.

4. — In regulation 3 (liability to charges) —

(1) 1990 c. 16. Section 48 was amended by paragraph 21 of Schedule 5 to the Food Standards Act 1999 (c. 28). Functions vested in Ministers of the Crown were, in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(2) S.I. 1995/1122, to which there are amendments not relevant to these Regulations.

(a) in paragraph (1) there shall be substituted the following paragraph.

“—

(1) For the purposes of carrying out any sampling, analysis and examination of raw cow's milk which is drinking milk in pursuance of regulation 16(3) of the principal Regulations and subject to paragraph (2) below, there shall be due from a specified producer to the Agency in respect of any sampling dairy farm visit a charge of £63.”;

(b) in paragraph (2) sub-paragraph (a) shall be omitted.

5. The Schedule shall be omitted.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3).

19th May 2000

Dafydd Elis Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note does not form part of the Regulations.)

These Regulations amend the Dairy Products (Hygiene) (Charges) Regulations 1995, as amended, (“the 1995 Regulations”) in relation to Wales.

Charges are payable by producers of milk from registered holdings under the 1995 Regulations in respect of dairy farm visits carried out for the purpose of ascertaining whether the provisions of the Dairy Products (Hygiene) Regulations 1995 (S.I. [1995/1086](#), as amended by S.I. [1995/1763](#), [1996/1499](#), [1996/1699](#), [1997/1729](#), [1998/2424](#) and [2000/656](#)) are being met. These Regulations remove liability to such charges, except in respect of visits for the purpose of taking samples of drinking milk which is raw cows' milk for analysis and examination to check compliance with provisions in those Regulations relating to microbiological criteria. The charge in that case remains at £63 (regulations 2 to 5).

A regulatory appraisal pursuant to section 65 of the Government of Wales Act 1998 has been prepared. Copies may be obtained from the Food Standards Agency - Wales, 1st Floor, Southgate House, Wood Street, Cardiff, CF10 1EN.