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WELSH STATUTORY INSTRUMENTS

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**2000 No. 1925**

**The Genetically Modified and Novel Foods  
(Labelling) (Wales) Regulations 2000**

**Interpretation**

2.—(1) In these Regulations —

“the Act” (“*y Ddeddf*”) means the Food Safety Act 1990;

“biscuits” (“*bisgedi*”) includes wafers, rusks, oatcakes and matzos;

“confectionery product” (“*cynnyrch cyffeithiol*”) means any item of chocolate confectionery or sugar confectionery;

“Directive 79/112” (“*Cyfarwyddeb 79/112*”) means Council Directive 79/112/EEC(1) on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs, as amended (in so far as is relevant to these Regulations) by Council Directive 86/197/EEC(2) and Council Directive 89/395/EEC(3);

“edible ice” (“*iâ bwyriadwy*”) includes ice-cream, water ice and fruit ice, whether alone or in combination, and any similar food;

“fancy confectionery product” (“*cynnyrch cyffeithiol ffansi*”) means any confectionery product in the form of a figure, animal, cigarette or egg or in any other fancy form;

“flour confectionery” (“*cyffraith blawd*”) means any cooked food which is ready for consumption without further preparation (other than reheating), of which a characterising ingredient is ground cereal, including shortbread, sponges, crumpets, muffins, macaroons, ratafias, pastry and pastry cases, and also includes meringues, petits fours and uncooked pastry and pastry cases, but does not include bread, pizzas, biscuits, crispbread, extruded flat bread or any food containing a filling which has as an ingredient any cheese, meat, offal, fish, shellfish, vegetable protein material or microbial protein material;

“the GMO particulars” (“*manyllion GMO*”) means the additional specific labelling particulars required by Article 2(3) of Regulation 1139/98 and Articles 2 and 4 of Regulation 50/2000;

“novel food”, “novel food ingredient” and “place on the market” have the same meaning in these Regulations as they have in Regulation 258/97;

“prepacked for direct sale” (“*wedi'i ragbacio i'w werthu'n uniongyrchol*”) means —

- (a) in relation to a food other than flour confectionery, bread and edible ices, prepacked by a retailer for sale by that retailer on the premises where the food is packed or from a vehicle or stall used by that retailer, and
- (b) in relation to flour confectionery, bread and edible ices, prepacked by a retailer for sale as in sub-paragraph (a) of this definition, or prepacked by the producer of the food for sale by that producer either on the premises where the food is produced or on other premises from which that producer conducts business under the same name as the business conducted on the premises where the food is produced,

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(1) OJ No. L33, 8.2.79, p.1.

(2) OJ No. L144, 29.5.86, p.38.

(3) OJ No. L186, 30.6.89, p.17.

and in this definition “premises” include any ship or aircraft;

“preparation” (“*paratoi*”), in relation to food, includes manufacture and any form of processing or treatment, and “prepared” shall be construed accordingly;

“Regulation 258/97” (“*Rheoliad 258/97*”) means Regulation (EC) No. 258/97 of the European Parliament and of the Council<sup>(4)</sup> concerning novel foods and novel food ingredients;

“Regulation 1139/98” (“*Rheoliad 1139/98*”) means Council Regulation (EC) No. 1139/98<sup>(5)</sup> (as corrected<sup>(6)</sup> concerning the compulsory indication, on the labelling of certain foodstuffs produced from genetically modified organisms, of particulars other than those provided for in Directive 79/112/EEC, as amended by Commission Regulation (EC) No. 49/2000<sup>(7)</sup>);

“Regulation 50/2000” (“*Rheoliad 50/2000*”) means Commission Regulation (EC) No. 50/2000<sup>(8)</sup> on the labelling of foodstuffs and food ingredients containing additives and flavourings that have been genetically modified or have been produced from genetically modified organisms;

“sell” (“*gwerthu*”) includes offer or expose for sale and have in possession for sale, and “sale” (“*gwerthu*”) shall be construed accordingly.

(2) Other expressions used both in these Regulations and in Regulation 1139/98 or Regulation 50/2000 have the same meaning in these regulations as they have in the Regulation concerned.

(3) Food shall be regarded as prepacked for the purposes of these Regulations if —

(a) it is ready for sale to the final consumer or to a mass caterer, and

(b) it is

(i) put into packaging before being offered for sale in such a way that the food, whether wholly or only partly enclosed, cannot be altered without opening or changing the packaging, or

(ii) wholly enclosed in packaging before being offered for sale and the food is intended to be cooked without opening the packaging, but food shall not be regarded as prepacked for the purposes of these Regulations if it comprises an individually wrapped sweet or chocolate which is not enclosed in any further packaging and which is not intended for sale as an individual item.

(4) Any reference in these Regulations to a numbered regulation shall, unless the context otherwise requires, be construed as a reference to the regulation so numbered in these Regulations.

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(4) OJ No. L43, 14.2.97, p.1.

(5) OJ No. L159, 3.6.98, p.4.

(6) OJ No. L190, 4.7.98, p.86.

(7) OJ No. L6, 11.1.2000, p.13.

(8) O.J No. L6, 11.1.2000, p15.