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WELSH STATUTORY INSTRUMENTS

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**2002 No. 820**

**The Food (Peanuts from China) (Emergency Control) (Wales) Regulations 2002**

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Food Safety Act 1990<sup>(1)</sup> and, save where otherwise indicated and subject to paragraph (2), any expression used both in these Regulations and in the Act has the meaning it bears in the Act;

“the Commission Decision” means Commission Decision [2002/79/EC](#) imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from China<sup>(2)</sup> as amended by Commission Decision [2002/233/EC](#)<sup>(3)</sup>;

“Chinese peanuts” means—

- (a) peanuts falling within CN code 1202 10 90 or within CN code 1202 20 00;
- (b) roasted peanuts falling within CN code 2008 11 92 (in immediate packs of a net content exceeding 1 kg) or roasted peanuts falling within CN code 2008 11 96 (in immediate packs of a net content not exceeding 1 kg); and
- (c) peanuts falling within CN code 2008 11 94 (in immediate packs of a net content exceeding 1kg) or peanuts falling within CN code 2008 11 98 (in immediate packs of a net content not exceeding 1 kg),

originating in, or consigned from, China;

“controlled Chinese peanuts” means Chinese peanuts which are intended for human consumption or to be used as an ingredient in foodstuffs;

“Directive [95/53/EC](#)” means Commission Directive [98/53/EC](#) laying down the sampling methods and the methods of analysis for the official control of the levels for certain contaminants in foodstuffs<sup>(4)</sup>;

“food authority” does not include a port health authority;

“free circulation” has the same meaning as in Article 23.2, as read with Article 24, of the Treaty establishing the European Community; and

“port health authority” means a port health authority for a port health district constituted under section 2(4) of the Public Health (Control of Disease) Act 1984<sup>(5)</sup>.

(2) Any term used in the definition of “Chinese peanuts” or “controlled Chinese peanuts” in paragraph (1) has the same meaning as in the Commission Decision.

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(1) [1990 \(c. 16\)](#).

(2) [OJNo. L34, 5.2.2002, p.21](#).

(3) [OJ No. L78, 21.3.2002, p.14](#).

(4) [OJ No. L201, 17.7.1998, p.93](#).

(5) [1984 \(c. 22\)](#).