
WELSH STATUTORY INSTRUMENTS

2003 No. 3053

The Condensed Milk and Dried Milk (Wales) Regulations 2003

Interpretation

2. In these Regulations —

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

“catering establishment” (“*sefydliad arlwyo*”) means a restaurant, canteen, club, public house, school, hospital or similar establishment (including a vehicle or a fixed or mobile stall) where, in the course of a business, food is prepared for delivery to the ultimate consumer and is ready for consumption without further preparation;

“designated product” (“*cynnyrch dynodedig*”) means any food specified in column 2 of Schedule 1 (as read with the Notes relating to that Schedule);

“Directive 79/1067/EEC” (“*Cyfarwyddeb 79/1067/EEC*”) means First Commission Directive [1979/1067/EEC\(1\)](#) laying down Community methods of analysis for testing certain partly or wholly dehydrated preserved milk for human consumption;

“Directive 87/524/EEC” (“*Cyfarwyddeb 87/524/EEC*”) means First Commission Directive [1987/524/EEC\(2\)](#) laying down Community methods of sampling for chemical analysis for the monitoring of preserved milk products;

“EEA Agreement” (“*Cytundeb AEE*”) means the Agreement on the European Economic Area(3) signed at Oporto on 2nd May 1992 as adjusted by the Protocol(4) signed at Brussels on 17th March 1993;

“EEA State” (“*Gwladwriaeth AEE*”) means a State which is a Contracting Party to the EEA Agreement;

“food authority” (“*awdurdod bwyd*”) has the same meaning as in section 5(1A) and (3)(a) and (b) of the Food Safety Act 1990;

“the 1996 Regulations” (“*Rheoliadau 1996*”) means the Food Labelling Regulations 1996(5);

“partly dehydrated milk” (“*llaeth wedi'i ddadhydradu'n rhannol*”) means the liquid product, whether or not sweetened, obtained directly by the partial removal of water from milk, from wholly or partly skimmed milk or from a mixture of these products and includes such a product to which cream or totally dehydrated milk have been added provided the addition of totally dehydrated milk does not exceed, in the finished product, 25% of total milk solids;

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

“reserved description”, (“*disgrifiad neilltuedig*”) as respects any designated product, means any description specified in relation to that product in column 1 of Schedule 1 or any alternative description permitted by Schedule 2;

(1) OJNo. L327, 24.12.1979, p.29.

(2) OJ No. L306, 28.10.1987, p.24.

(3) OJ No. L1, 3.1.94, p.1.

(4) OJ No. L1, 3.1.94, p.571.

(5) S.I.1996/1499; the relevant amending instrument is S.I. 1998/1398.

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

“totally dehydrated milk” (“*llaeth wedi'i ddadhydradu'n llwyr*”) means the solid product, where the water content does not exceed 5% by weight of the finished product, obtained directly by the removal of water from milk, from wholly or partly skimmed milk, from cream or from a mixture of these products;

“total milk solids” (“*cyfanswm y solidau llaeth*”) means all the constituents of milk other than water, including milk fat, the constituents other than milk fat being present in their natural proportions; and

“ultimate consumer” (“*defnyddiwr olaf*”) means any person who buys otherwise than —

- (a) for the purpose of resale,
- (b) for the purposes of a catering establishment, or
- (c) for the purposes of a manufacturing business.