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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1310 (W.92)**

**FOOD, WALES**

**The Poultry Meat, Farmed Game Bird Meat  
and Rabbit Meat (Hygiene and Inspection)  
(Amendment) (Wales) Regulations 2005**

*Made* - - - - *10 May 2005*  
*Coming into force* - - *20 May 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 including the primary production of food, in exercise of the powers conferred by that section; and after consultation as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>(3)</sup>, makes the following Regulations:

**Title, commencement and application**

1. These Regulations are called the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2005, come into force on 20 May 2005 and apply in relation to Wales.

**Amendment to the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995**

2.—(1) In so far as they apply to Wales, the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995<sup>(4)</sup> are amended in accordance with paragraphs (2) and (3).

(2) For sub-paragraph (2)(b) of regulation 14 (general conditions) substitute the following sub-paragraph —

“(b) poultry meat which —

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(1) S.I. 2003/2901.

(2) 1972 c. 68.

(3) OJ No. L31, 1.2.2001, p.1.

(4) S.I. 1995/540. Amended by S.I. 1995/1763, S.I. 1995/2148, S.I. 1995/2200, S.I. 1997/1729, S.I. 2000/656, S.I. 2000/2257 (W.150), S.I. 2001/2198 (W.158), S.I. 2002/47 (W.6) and S.I. 2002/1476 (W.148).

- (i) has not been eviscerated or has been obtained from the body of any bird which has not been eviscerated,
- (ii) has been treated with an agent used to promote water retention, or has been obtained in technologically similar conditions and is likely as a result to present the same risk; or”.

(3) For paragraph (9) of regulation 14 substitute the following paragraph —

“(9) Paragraph 2(b)(i) shall not apply to partially eviscerated poultry (“effilé”).”.

### **Consequential amendment**

**3.** Insofar as the Products of Animal Origin (Import and Export) Regulations 1996<sup>(5)</sup> apply in relation to Wales, paragraph 7 of Schedule 2 to those Regulations (regulations relevant to intra-Community trade) is amended by substituting the following references for the phrase “The Meat (Hazard Analysis and Critical Control Point) (Wales) Regulations 2002”<sup>(6)</sup> —

“S.I.2002/1476 (W.148);

The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2005;”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(7)</sup>.

10 May 2005

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

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<sup>(5)</sup> S.I. 1996/3124, amended by S.I. 1997/3023, S.I. 1998/994, S.I. 1999/683, S.I. 2000/656, S.I. 2000/1885 (W.131), S.I. 2000/2257 (W.150), S.I. 2001/1660 (W.119), S.I. 2001/2198 (W.158), S.I. 2001/2219 (W.159), S.I. 2002/47 (W.6), S.I. 2002/1476 (W.148), S.I. 2003/3229 (W.309) and S.I. 2004/1430 (W.144). By virtue of S.I. 2004/1430 (W.144), S.I. 1996/3124 now applies in relation to intra-Community trade only.

<sup>(6)</sup> S.I. 2002/1476 (W.148).

<sup>(7)</sup> 1998 c. 38.

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## EXPLANATORY NOTE

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

1. These Regulations, which apply in relation to Wales, further amend the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995 (S.I. [1995/540](#), as already amended, which extend to the whole of Great Britain) and implement that part of Article 5(1)(b) of Council Directive [71/118/EEC](#) on health problems affecting the production and placing on the market of fresh poultrymeat (a consolidated text of which is annexed to Council Directive [92/116/EEC](#) (OJNo. L62, 15.3.93, p.1)) that prohibits poultrymeat from being placed on the market for human consumption if it has been treated with water retention agents or obtained under technologically similar conditions and likely as a result to present the same risk.

2. The above prohibition is implemented by making an appropriate amendment to regulation 14(2) of S.I. [1995/540](#) (regulation 2(2)).

3. These Regulations also make consequential changes to regulation 14(9) of S.I. [1995/540](#) (regulation 2(3)) and to Schedule 2 to the Products of Animal Origin (Import and Export) Regulations 1996 (S.I. [1996/3124](#), as already amended) (regulation 3).

4. A regulatory appraisal has been prepared for these Regulations and has been placed in the Library of the National Assembly for Wales, together with a transposition note setting out how the prohibition referred to in paragraph 1 is transposed in these Regulations. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Cardiff, CF10 1EW.