
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, provide for the enforcement and execution of certain specified provisions of Regulation (EC) No. 2065/2003 of the European Parliament and of the Council on smoke flavourings used or intended for use in or on foods (OJ No. L309, 26.11.2003, p.1.).

In particular these Regulations —

- (a) formally designate the Food Standards Agency as the national competent authority to receive applications for the authorisation of new primary smoke condensates and primary tar fractions for use as such in or on foods, or in the production of derived smoke flavourings for use in or on foods (regulation 3);
- (b) apply various provisions of the Food Safety Act 1990 with some modifications in their application for the purposes of these Regulations (regulations 4 and 6);
- (c) establish penalties for failing to comply with certain specified provisions of Regulation (EC) No. 2065/2003 (regulation 5 and the Schedule);
- (d) provide for certain food authorities to enforce the provisions of these Regulations and Regulation (EC) No. 2065/2003 (regulation 7).

A regulatory appraisal pursuant to section 65 of the Government of Wales Act 1998 has been prepared for these Regulations and placed in the Library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.