

SCHEDULES

SCHEDULE 1

Regulation 2(1)

DEFINITIONS OF COMMUNITY LEGISLATION

“Regulation 178/2002” (“*Rheoliad 178/2002*”) means 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⁽¹⁾ as last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council amending Regulation (EC) No. 178/2002 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⁽²⁾;

“Regulation 852/2004” (“*Rheoliad 852/2004*”) means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs⁽³⁾;

“Regulation 853/2004” (“*Rheoliad 853/2004*”) means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin⁽⁴⁾ as read with Directive 2004/41;

“Regulation 882/2004” (“*Rheoliad 882/2004*”) means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules⁽⁵⁾; and

“Directive 2004/41” (“*Cyfarwyddeb 2004/41*”) means Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC⁽⁶⁾.

SCHEDULE 2

Regulation 2(1)

DEFINITION OF RELEVANT FEED LAW

“relevant feed law” (“*cyfraith bwyd anifeiliaid berthnasol*”) means —

(a) Part IV of the Agriculture Act 1970⁽⁷⁾ in so far as it applies in relation to feeding stuffs;

(1) OJ No. L31, 1.2.2002, p.1.

(2) OJ No. L245, 29.9.2003, p.4.

(3) OJ No. L139, 30.4.2004, p.1. The revised text of Regulation (EC) No. 852/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.3).

(4) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22).

(5) OJ No. L165, 30.4.2004, p.1. The revised text of Regulation 882/2004 is now set out in a Corrigendum (OJ No. L191, 28.5.2004, p.1).

(6) OJ No. L157, 30.4.2004, p.33. The revised text of Directive 2004/41/EC is now set out in a Corrigendum (OJ No. L195, 2.6.2004, p.12).

(7) 1970 c. 40.

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- (b) the Feeding Stuffs (Sampling and Analysis) Regulations 1999(8);
- (c) the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999(9);
- (d) the Feeding Stuffs (Enforcement) Regulations 1999(10) except in so far as they involve the checking of products for compliance with any Community provision covered by the first indent of Article 2.1(a) of Directive 95/53/EC fixing the principles governing the organisation of official inspections in the field of animal nutrition(11) as last amended by Directive 2001/46/EC(12), in so far as that Community provision is implemented in the Feedingstuffs (Zootechnical Products) Regulations 1999(13);
- (e) the Feeding Stuffs (Wales) Regulations 2001(14);
- (f) the Genetically Modified Animal Feed (Wales) Regulations 2004(15);
- (g) the Feeding Stuffs (Safety Requirements for Feed for Food-Producing Animals) Regulations 2000(16)); and
- (h) the Food Hygiene (Wales) Regulations 2005 in so far as they apply in relation to feed.

SCHEDULE 3

Regulation 2(1)

DEFINITION OF RELEVANT FOOD LAW

“relevant food law” (“*cyfraith bwyd berthnasol*”) means —

- (a) food law in so far as it applies in relation to food, except in so far as it involves —
 - (i) the regulation of residues of veterinary medicines and other substances under the Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997(17),
 - (ii) the regulation of residues of pesticides under the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) Regulations 1999(18),
 - (iii) the application of the rules laid down for the protection of designations of origin and geographical indications of agricultural products and foodstuffs in Council Regulation (EEC) No. 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs(19) as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic

(8) S.I. 1999/1663, amended by S.I. 1999/1871, S.I. 2001/2253 (W.163), S.I. 2002/1797 (W.172), S.I. 2003/1677 (W.180), S.I. 2003/1850 (W.200), S.I. 2003/3119 (W.297), S.I. 2004/1749 (W.186) and S.I. 2004/3091 (W.265).

(9) S.I. 1999/1872, amended by S.I. 2000/656, S.I. 2001/2253 (W.163), S.I. 2002/1797 (W.172), S.I. 2003/989 (W.138), S.I. 2003/1677 (W.180) and S.I. 2005/1393 (W.107).

(10) S.I. 1999/2325, amended by S.I. 2000/656, S.I. 2000/2481, S.I. 2001/2253 (W.163), S.I. 2001/3461 (W.280), S.I. 2002/1797 (W.172), S.I. 2003/989 (W.138), S.I. 2003/1677 (W.180), S.I. 2003/1850 (W.200), S.I. 2003/3119 (W.297), S.I. 2004/1749 (W.186) and S.I. 2004/3091 (W.265).

(11) OJ No. L265, 8.11.95, p.17.

(12) OJ No. L234, 1.9.2001, p.55.

(13) S.I. 1999/1871.

(14) S.I. 2001/343 (W.15), amended by S.I. 2001/2253 (W.163), S.I. 2001/3461 (W.280), S.I. 2002/1797 (W.172), S.I. 2003/1677 (W.180), S.I. 2003/1850 (W.200), S.I. 2003/3119 (W.297), S.I. 2004/1749 (W.186) and S.I. 2004/3091 (W.265).

(15) S.I. 2004/3221 (W.277).

(16) S.I. 2004/3254.

(17) S.I. 1997/1729, amended by S.I. 2001/3590 and S.I. 2004/147.

(18) S.I. 1999/3483, amended by S.I. 2001/1113, S.I. 2001/2420, S.I. 2001/3834, S.I. 2002/1767, S.I. 2002/2723, 2003/661, 2003/2591, 2004/676, 2004/1393, 2004/2559, 2005/432 and 2005/1725.

(19) OJ No. L208, 24.7.92, p.1.

- of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded⁽²⁰⁾,
- (iv) the application of the rules laid down for Community certificates of specific character which may be obtained for certain agricultural products and foodstuffs in Council Regulation (EEC) No. 2082/92 on certificates of specific character for agricultural products and foodstuffs⁽²¹⁾ as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded,
 - (v) the regulation of organic products under the Organic Products (Imports from Third Countries) Regulations 2003⁽²²⁾ and the Organic Products Regulations 2004⁽²³⁾,
 - (vi) the regulation of beef labelling under the Beef Labelling (Enforcement) (Wales) Regulations 2001⁽²⁴⁾, and
 - (vii) the regulation of the import of and trade in products of animal origin —
 - (aa) under the Products of Animal Origin (Import and Export) Regulations 1996⁽²⁵⁾, with the exception of the execution and enforcement of regulation 3 thereof by the Agency, and
 - (bb) under the Products of Animal Origin (Third Country Imports) (Wales) Regulations 2005⁽²⁶⁾, with the exception of the execution and enforcement of regulation 5 thereof by the Agency;
 - (b) food law in so far as it applies in relation to materials and articles in contact with food except in so far as it involves the regulation of food contact materials under the Ceramic Ware (Safety) Regulations 1988⁽²⁷⁾; and
 - (c) food law in so far as it involves the regulation of primary production and those associated operations listed in paragraph 1 of Part AI of Annex I to Regulation 852/2004 under the Food Hygiene (Wales) Regulations 2005.

⁽²⁰⁾ OJ No. L236, 23.9.2003, p.346.

⁽²¹⁾ OJ No. L208, 24.7.92, p.9.

⁽²²⁾ S.I. 2003/2821.

⁽²³⁾ S.I. 2004/1604, amended by S.I. 2005/2003.

⁽²⁴⁾ S.I. 2001/1360 (W.88).

⁽²⁵⁾ 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. 2002/129 (W.17), S.I. 2003/3229 (W.309) and S.I. 2004/1430 (W.144).

⁽²⁶⁾ S.I. 2005/666 (W.56).

⁽²⁷⁾ S.I. 1988/1647.

Status: This is the original version (as it was originally made).

SCHEDULE 4

Regulation 3(1)

COMPETENT AUTHORITIES FOR THE PURPOSES OF
CERTAIN PROVISIONS OF REGULATION 882/2004 IN SO FAR
AS THEY APPLY IN RELATION TO RELEVANT FEED LAW

<i>Column 1 Item</i>	<i>Column 2 Competent authority</i>	<i>Column 3 Provisions of Regulation 882/2004</i>
1.	The Agency	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 12 19(1), (2) and (3)24, 31(1) and (2)(f), 34, 35(3) and (4), 36, 37(1), 38, 39, 40(2) and (4), 52 and 54
2.	The feed authority	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 15(1) to (4), 16(1) and (2), 18, 19(1) and (2), 20, 21, 22, 24, 31, 34, 35(3), 36, 37(1), 38, 39, 40(2) and (4) and 54

SCHEDULE 5

Regulation 3(3)

COMPETENT AUTHORITIES FOR THE PURPOSES OF
CERTAIN PROVISIONS OF REGULATION 882/2004 IN SO FAR
AS THEY APPLY IN RELATION TO RELEVANT FOOD LAW

<i>Column 1 Item</i>	<i>Column 2 Competent authority</i>	<i>Column 3 Provisions of Regulation 882/2004</i>
1.	The Agency	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 12, 14, 19(1), (2) and (3), 24, 31(1) and (2), 34, 35(3) and (4), 36, 37(1), 38, 39, 40(2) and (4), 52(1) and 54
2.	The food authority	Articles 3(6), 4(2) to (6), 5(1) to (3), 6, 7, 8(1) and (3), 9, 10, 11(1) to (3) and (5) to (7), 15(1) to (4), 18, 19(1) and (2), 20, 21, 22, 24, 31, 34, 35(3), 36, 37(1), 38, 39, 40(2) and (4) and 54

SCHEDULE 6

Regulation 48

REVOCATIONS

PART 1 —

REVOCATION OF INSTRUMENTS THAT APPLY IN RELATION
TO WALES AND OTHER PARTS OF GREAT BRITAIN

<i>Column 1 Instruments</i>	<i>Column 2 Reference</i>	<i>Column 3 Extent of revocation</i>
The Arsenic in Food Regulations 1959	S.I. 1959/831	Regulation 6(a)
The Mineral Hydrocarbons in Food Regulations 1966	S.I. 1966/1073	Regulation 10(a)
The Erucic Acid in Food Regulations 1977	S.I. 1977/691	Regulation 6(a)
The Chloroform in Food Regulations 1980	S.I. 1980/36	Regulation 7(a)
The Imported Food Regulations 1984	S.I. 1984/1918	The whole Regulations
The Caseins and Caseinates Regulations 1985	S.I. 1985/2026	Regulation 11(a)
The Food (Control of Irradiation) Regulations 1990	S.I. 1990/2490	Regulation 8
The Food Safety (Exports) Regulations 1991	S.I. 1991/1476	The whole Regulations
The Flavourings in Food Regulations 1992	S.I. 1992/1971	Regulation 8
The Food Additives Labelling Regulations 1992	S.I. 1992/1978	Regulation 6
The Extraction Solvents in Food Regulations 1993	S.I. 1993/1658	Regulation 6
The Infant Formula and Follow-on Formula Regulations 1995	S.I. 1995/77	Regulations 5(2) and 6(2)
The Sweeteners in Food Regulations 1995	S.I. 1995/3123	Regulation 8
The Colours in Food Regulations 1995	S.I. 1995/3124	Regulation 10
The Miscellaneous Food Additives Regulations 1995	S.I. 1995/3187	Regulation 8

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<i>Column 1 Instruments</i>	<i>Column 2 Reference</i>	<i>Column 3 Extent of revocation</i>
The Food Labelling Regulations 1996	S.I. 1996/1499	Regulation 47
The Animals and Animal Products (Examination for Residues and Maximum Residue Limits) Regulations 1997	S.I. 1997/1729	Regulation 29
The Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997	S.I. 1997/2182	Regulation 8
The Imported Food Regulations 1997	S.I. 1997/2537	The whole Regulations
The Bread and Flour Regulations 1998	S.I. 1998/141	Regulation 9
The Plastic Materials and Articles in Contact with Food Regulations 1998	S.I. 1998/1376	Regulation 3(2)
The Drinking Milk Regulations 1998	S.I. 1998/2424	Regulation 7
The Natural Mineral Water, Spring Water and Bottled Drinking Water Regulations 1999	S.I. 1999/1540	Regulation 18(1) and (3)

PART 2 —

REVOCATION OF INSTRUMENTS THAT APPLY IN RELATION TO WALES

<i>Column 1 Instruments</i>	<i>Column 2 Reference</i>	<i>Column 3 Extent of revocation</i>
The Medical Food (Wales) Regulations 2000	S.I. 2000/1866 (W.125)	Regulation 6
The Spreadable Fats (Marketing Standards) (Wales) Regulations 2001	S.I. 2001/1361 (W.89)	Regulation 7
The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001	S.I. 2001/1440 (W.102)	Regulation 9
The Food For Particular Nutritional Uses (Addition of Substances for Specific	S.I. 2002/2939 (W.280)	Regulation 8

<i>Column 1</i> <i>Instruments</i>	<i>Column 2</i> <i>Reference</i>	<i>Column 3</i> <i>Extent of revocation</i>
Nutritional Purposes) (Wales) Regulations 2002		
The Food Supplements (Wales) Regulations 2003	S.I. 2003/1719 (W.186)	Regulation 10
The Cocoa and Chocolate Products (Wales) Regulations 2003	S.I. 2003/3037 (W.285)	Regulation 9
The Fruit Juices and Fruit Nectars (Wales) Regulations 2003	S.I. 2003/3041 (W.286)	Regulation 8
The Honey (Wales) Regulations 2003	S.I. 2003/3044 (W.288)	Regulation 8
The Specified Sugar Products (Wales) Regulations 2003	S.I. 2003/3047 (W.290)	Regulation 8
The Condensed Milk and Dried Milk (Wales) Regulations 2003	S.I. 2003/3053 (W.291)	Regulation 8
The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004	S.I. 2004/314 (W.32)	Regulation 11
The Jam and Similar Products (Wales) Regulations 2004	S.I. 2004/553 (W.56)	Regulation 8
The Meat Products (Wales) Regulations 2004	S.I. 2004/1396 (W.141)	Regulation 10(b)
The Contaminants in Food (Wales) Regulations 2005	S.I. 2005/364 (W.31)	Regulation 6
The Food with Added Phytosterols or Phytosterols (Labelling) (Wales) Regulations 2005	S.I. 2005/1224 (W.82)	Regulation 9
The Materials and Articles in Contact with Food (Wales) Regulations 2005	S.I. 2005/1647 (W.128)	Regulation 10(3)