
WELSH STATUTORY INSTRUMENTS

2007 No. 579 (W.51)

FOOD, WALES

The Colours in Food (Amendment) (Wales) Regulations 2007

Made - - - - 27 February 2007

Coming into force - - 10 April 2007

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by sections 16(1) (a), 17(1), 26(1) and (3) and 48(1) of, and paragraph 1 of Schedule 1 to, the Food Safety Act 1990(1) and now vested in it(2).

In accordance with section 48 (4A) of that Act, it has had regard to relevant advice given by the Food Standards Agency.

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(3) there has been open and transparent public consultation during the preparation of the following Regulations.

Title, application and commencement

1. The title of these Regulations is the Colours in Food (Amendment) (Wales) Regulations 2007, which apply in relation to Wales and which come into force on 10 April 2007.

Amendment of the Colours in Food Regulations 1995

2.—(1) The Colours in Food Regulations 1995(4) are amended in so far as they apply in relation to Wales in accordance with paragraph (2).

(2) In paragraph (1) of regulation 2 (interpretation), for the definition of “Directive 95/45/EC” there is substituted the following definition —

(1) 1990 c. 16.

(2) Functions formerly exercisable by the “Secretary of State” so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as read with section 40(3) of the Food Standards Act 1999 (1999 c. 28).

(3) OJ No. L31, 1.2.2002, p.1, as last amended as at the making of this instrument by Commission Regulation (EC) No. 575/2006 amending Regulation (EC) No. 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority (OJ No. L100, 8.4.2006, p.3).

(4) S.I. 1995/3124, as amended.

““Directive 95/45/EC” means Commission Directive 95/45/EC laying down specific criteria of purity concerning colours for use in foodstuffs⁽⁵⁾ as amended by Directive 1999/75/EC⁽⁶⁾, Directive 2001/50/EC⁽⁷⁾, Directive 2004/47/EC⁽⁸⁾ and Directive 2006/33/EC⁽⁹⁾”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998⁽¹⁰⁾

27 February 2007

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

(5) OJ No. L226, 29.9.1995, p.1.
(6) OJ No. L206, 5.8.1999, p.19.
(7) OJ No. L190, 12.7.2001, p.14.
(8) OJ No. L113, 20.4.2004, p.24.
(9) OJ No. L82, 21.3.2006, p.10.
(10) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations, which apply in relation to Wales, implement Commission Directive [2006/33/EC](#) amending Directive [95/45/EC](#) as regards sunset yellow FCF (E110) and titanium dioxide (E171) (OJ No. L82, 21.3.2006, p.10).

2. They do so by updating the definition of “Directive [95/45/EC](#)” (Commission Directive [95/45/EC](#) laying down specific criteria of purity concerning colours for use in foodstuffs, OJ No. L226, 29.9.1995, p.1) that appears in regulation 2(1) of the Colours in Food Regulations 1995 (S.I. [1995/3124](#), as already amended) to reflect the amendments made to that Directive by Commission Directive [2006/33/EC](#) (*regulation 2*).

3. Commission Directive [2006/33/EC](#) amends Commission Directive [95/45/EC](#) by substituting revised purity criteria for the colours sunset yellow FCF (E110) and titanium dioxide (E171).

4. A full Regulatory Appraisal has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

5. A Transposition Note has been prepared and placed in the Library of the National Assembly for Wales, setting out how the main elements of the European legislation referred to above are transposed in these Regulations. Copies of this document may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF11 1EW.