
WELSH STATUTORY INSTRUMENTS

2011 No. 465

The Food Labelling (Declaration of Allergens) (Wales) Regulations 2011

Title, application and commencement

1.—(1) The title of these Regulations is the Food Labelling (Declaration of Allergens) (Wales) Regulations 2011.

(2) These Regulations apply in relation to Wales and they come into force on 17 March 2011.

Amendment of the Food Labelling Regulations 1996

2.—(1) The Food Labelling Regulations 1996⁽¹⁾ are amended (in so far as they apply in relation to Wales) in accordance with paragraph (2).

(2) In regulation 50 (transitional provision), for paragraph (15) substitute the following—

“(15) In any proceedings for an offence under regulation 44(1)(a) it shall be a defence to prove that—

- (a) (i) in the case of wine in which lysozyme (produced from egg) is used, or in which albumin (produced from egg) or a milk (casein) product has been used as a fining agent, the food concerned was sold before 30 June 2012 or marked or labelled before that date, or
- (ii) in the case of any other food, the food concerned was sold before 31 May 2009 or marked or labelled before that date; and
- (b) the matters constituting the alleged offence would not have constituted an offence under these Regulations if the amendments made by regulation 2 of the Food Labelling (Declaration of Allergens) (Wales) Regulations 2011 had not been in operation when the food was sold.”.

Revocation

3. The Food Labelling (Declaration of Allergens) (Wales) Regulations 2009⁽²⁾ are revoked.

(1) S.I. 1996/1499, as last amended by S.I. 2010/2922 (W.243). Regulations 13(8)(c) and 34B and the associated Schedule AA1 were inserted by S.I. 2004/3022 (W.261). Regulation 34B was amended by S.I. 2005/2835 (W.200); Schedule AA1 was amended by S.I. 2008/1268 (W.128). Paragraph (13) of regulation 50 was inserted by S.I. 2005/1309 (W.91), paragraph (14) of that regulation by S.I. 2007/3379 (W.301) and paragraph (15) of that regulation was last amended by S.I. 2009/2880 (W.253).

(2) S.I. 2009/2880 (W.253).

20 February 2011

Gwenda Thomas
The Deputy Minister for Social Services, under
the authority of the Minister for Health and
Social Services, one of the Welsh Ministers