

WELSH STATUTORY INSTRUMENTS

2012 No. 2705

**The Materials and Articles in Contact
with Food (Wales) Regulations 2012**

PART 2

General Requirements for Materials and Articles

Offences of contravening specified provisions of Regulation 1935/2004

4.—(1) No person may place on the market or use, in the course of a business in connection with the storage, preparation, packaging, sale or service of food any material or article that does not comply with the requirements of Article 3(1) (general requirements) or Article 4(1), (2), (3) or (4) (special requirements for active and intelligent materials and articles).

(2) No person may place on the market any material or article that does not comply with the requirements of Article 3(2), 4(5) or (6) or 15(1), (3), (4), (7) or (8) as read with Article 15(2) (labelling).

(3) Any person who contravenes paragraph (1) or (2) or Article 11(4) or (5) (^{F1}... authorisation) or 17(2) (traceability) is guilty of an offence.

(4) In this regulation a reference to a numbered Article is a reference to that Article in Regulation 1935/2004.

Textual Amendments

F1 Word in [reg. 4\(3\)](#) omitted (31.12.2020) by virtue of S.I. 2019/425, reg. 3(2A) (as inserted by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments and Saving Provision\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1581\)](#), regs. 1(2), **2(3)(a)**)

Offence of contravening Article 4 of Regulation 2023/2006

5. Any person who fails to comply with the requirements of Article 4 (conformity with good manufacturing practice) of Regulation 2023/2006 is guilty of an offence.

Competent authorities for the purposes of Regulation 1935/2004 and Regulation 2023/2006

6.—(1) The following bodies are designated as the competent authorities for the purposes of the provisions of Regulation 1935/2004 specified below—

^{F2}(a)

(b) in respect of Articles [^{F3}16] (declaration of compliance) and 17(2) (traceability), the Food Standards Agency, each food authority in its area and each port health authority in its district.

(2) The competent authority for the purposes of Article 6(2) (quality control system) and 7(3) (documentation) of Regulation 2023/2006 is each food authority in its area.

Textual Amendments

- F2** Reg. 6(1)(a) omitted (31.12.2020) by virtue of S.I. 2019/425, reg. 3(2B)(a) (as inserted by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments and Saving Provision\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1581\)](#), regs. 1(2), **2(3)(a)**)
- F3** Word in reg. 6(1)(b) substituted (31.12.2020) by S.I. 2019/425, reg. 3(2B)(b) (as inserted by [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments and Saving Provision\) \(Wales\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1581\)](#), regs. 1(2), **2(3)(a)**)

Changes to legislation:

There are currently no known outstanding effects for the The Materials and Articles in Contact with Food (Wales) Regulations 2012, PART 2 .