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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1581**

The Food and Feed Hygiene and Safety  
(Miscellaneous Amendments and Saving  
Provision) (Wales) (EU Exit) Regulations 2020

PART 3

Amendment of Welsh subordinate legislation

**The Genetically Modified Food (Wales) Regulations 2004**

- 5.—(1) The Genetically Modified Food (Wales) Regulations 2004(1) are amended as follows.
- (2) In the Schedule, in Part 2, in the table—
- (a) omit the entry for Article 8.6;
  - (b) in the entry for Article 9.3, in the second column, for “Commission”, substitute “Food Safety Authority”.

**The General Food Regulations 2004**

- 6.—(1) The General Food Regulations 2004(2) are amended as follows.
- (2) In regulation 4 (requirements under Regulation (EC) No.178/2002: offences), for paragraph (a) substitute—
- “(a) Article 12 (food and feed exported from Great Britain) in so far as it relates to food;”.

**The Fishery Products (Official Controls Charges) (Wales) Regulations 2007**

- 7.—(1) The Fishery Products (Official Controls Charges) (Wales) Regulations 2007(3) are amended as follows.
- (2) In regulation 2(1), for the definition of “third country” substitute—
- ““third country” (“*trydedd wlad*”), except in the expression “third country import” means any country or territory other than the British Islands;”.
- (3) For regulation 4 substitute—

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(1) [S.I. 2004/3220 \(W. 276\)](#), amended by [S.I. 2018/806](#); there are other amending instruments but none is relevant to these Regulations. It was amended prospectively by [S.I. 2019/425 \(W. 99\)](#) but that amendment is omitted by regulation 2(2) of these Regulations.

(2) [S.I. 2004/3279](#), amended by [S.I. 2005/3254 \(W. 247\)](#) and [2011/1043](#); there are other amending instruments but none is relevant to these Regulations. It was amended prospectively by [S.I. 2019/1046 \(W. 185\)](#) but that amendment is omitted by regulation 4(2) of these Regulations.

(3) [S.I. 2007/3462 \(W. 307\)](#), amended by [S.I. 2011/1043](#), [2018/806 \(W. 162\)](#) and [2019/1481 \(W. 265\)](#); there is another amending instrument but it is not relevant to these Regulations. It was amended prospectively by [S.I. 2019/1046 \(W. 185\)](#) but that amendment is omitted by regulation 5(4) of these Regulations.

**“Sterling equivalents of Euro**

4. Any reference in these Regulations to a specified number of Euros (“EUR”) is to be read as that sum converted into pounds sterling (“GBP”) using the exchange rate of GBP1 = EUR1.1413.”

(4) For the heading to the Schedule, substitute—

*“DEFINITIONS OF LEGISLATION”.*

**The Food Irradiation (Wales) Regulations 2009**

8.—(1) The Food Irradiation (Wales) Regulations 2009(4) are amended as follows.

(2) In regulation 3(1)—

- (a) in the definition of “import”, for “another Member State or from a country outside the European Union” substitute “outside the United Kingdom”;
- (b) in the definition of “official reference number”, for “the reference number allocated by the Member State in connection with its approval as an irradiation facility (being the number shown for it in the list in Schedule 3)” substitute “the number shown for it in the list in Schedule 3”.

(3) In regulation 5(1)—

(a) for sub-paragraph (b) substitute—

“(b) it has been irradiated in one of the facilities listed in the Table in Schedule 3 or Schedule 4;”;

(b) in sub-paragraph (d), for “another” substitute “a”.

(4) For the heading to Schedule 3, substitute—

*“LIST OF FACILITIES IN EU MEMBER STATES AND IN THE UNITED KINGDOM”.*

**The Meat (Official Controls Charges) (Wales) Regulations 2009**

9. In the Meat (Official Controls Charges) (Wales) Regulations 2009(5), for the heading to Schedule 1, substitute—

*“DEFINITIONS OF LEGISLATION”.*

**The Official Feed and Food Controls (Wales) Regulations 2009**

10.—(1) The Official Feed and Food Controls (Wales) Regulations 2009(6) are amended as follows.

(2) In regulation 2(1)—

(a) after the definition of “relevant feed law”, omit the “and”;

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(4) [S.I. 2009/1795 \(W. 162\)](#), amended by [S.I. 2011/10432018/806 \(W. 162\)](#); there is another amending instrument but it is not relevant to these Regulations.

(5) [S.I. 2009/1557 \(W. 152\)](#), amended by [S.I. 2011/1043, 2019/1480 \(W. 264\)](#); there are other amending instruments but none is relevant to these Regulations. It was amended prospectively by [S.I. 2019/434 \(W. 102\)](#) but that amendment is omitted by regulation 3(3) of these Regulations.

(6) [S.I. 2009/3376 \(W. 298\)](#), amended by [S.I. 2011/1043, 2019/1482 \(W. 266\)](#); there are other amending instruments but none is relevant to these Regulations. It was amended prospectively by [S.I. 2019/434 \(W. 102\)](#) and [2019/1046 \(W. 185\)](#) but those amendments are omitted by, respectively, regulations 3(3) and 5(4) of these Regulations.

- (b) at the appropriate place, insert—
  - ““third country” (“*trydedd wlad*”) means any country or territory other than the British Islands.”
- (3) In regulation 4—
  - (a) in paragraph (1), for “member States” substitute “the Welsh Ministers”;
  - (b) in paragraph (4), for “EU legislation” substitute “any other applicable legislation”.
- (4) In regulation 5(1), for “member States” substitute “the Welsh Ministers”.
- (5) Omit regulations 14, 15 and 16.
- (6) In regulation 17—
  - (a) omit paragraph (3);
  - (b) in paragraph (5), omit sub-paragraphs (a) and (b).
- (7) In regulation 19(1)—
  - (a) in sub-paragraph (a), omit “14, 15 or”;
  - (b) in sub-paragraph (b)—
    - (i) omit “14, 15 or”;
    - (ii) for “those regulations” substitute “that regulation”.
- (8) In regulation 20(2), for “, regulation 11 or regulation 16” substitute “or regulation 11”.
- (9) In regulation 22, omit the definition of “the relevant territories” and the “and” after it.
- (10) In regulation 28(1), omit sub-paragraphs (b) and (d).
- (11) Omit regulation 35(7).
- (12) In regulation 41—
  - (a) in paragraph 1(b), omit “or paragraph (4) or (5) of regulation 35”;
  - (b) after paragraph 1(e) insert—
    - “(f) contravenes or fails to comply with the provisions of any instrument made under Article 53 of Regulation 178/2002.”
- (13) In Schedule 6, in the entry relating to Article 5(1)(b) of Regulation 2019/1602, in the second column, for “IMSOC” substitute “appropriate computerised information management system”.

### **The Food Safety (Sampling and Qualifications) (Wales) Regulations 2013**

**11.**—(1) The Food Safety (Sampling and Qualifications) (Wales) Regulations 2013<sup>(8)</sup> are amended as follows.

- (2) In Schedule 2—
  - (a) in Part 1, in paragraph 6, for “another Member State” substitute “a member State of the European Union”;
  - (b) in Part 2—
    - (i) in paragraph 2, for “another Member State” substitute “a member State of the European Union”;
    - (ii) in paragraph 4, for “another Member State” substitute “a member State of the European Union”.

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(7) See regulation 16 of these Regulations for provision saving declarations made under regulation 35 of the Official Feed and Food Controls (Wales) Regulations 2009 that are in force immediately before implementation period completion day.

(8) [S.I. 2013/479 \(W. 55\)](#), to which there are amendments not relevant to these Regulations.

### **The Contaminants in Food (Wales) Regulations 2013**

**12.**—(1) The Contaminants in Food (Wales) Regulations 2013<sup>(9)</sup> are amended as follows.

(2) In regulation 5—

- (a) in paragraph (1), for “EU provisions” substitute “retained EU law provisions”;
- (b) in paragraph (2), for “EU provisions” substitute “retained EU law provisions”.

(3) In regulation 8(2) (application of various sections of the Food Safety Act 1990), in the text of the modified section 9, for “the EU requirements”, in each place it occurs, substitute “the retained EU law requirements”.

### **The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013**

**13.**—(1) The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013<sup>(10)</sup> are amended as follows.

(2) In regulation 10(b), for “the European Union” substitute “Great Britain”.

(3) In regulation 14(1)(d), for “territory of the EU” substitute “United Kingdom”.

(4) Omit regulation 15.

(5) In Schedule 1—

- (a) in Table 1, in the entry for Article 26.1, in the second column, for “Commission” substitute “Authority”;
- (b) In Table 2—

- (i) in the entry for Article 21.1 (as read with Article 22), in the second column, for “a language easily understandable to purchasers” substitute “English, or in English and Welsh”;

- (ii) in the entry for Article 26.2, in the second column, for “Commission” substitute “Authority”.

(6) In Schedule 2, in Table 1—

- (a) in the entry for Article 10, in the second column, for “Union” substitute “domestic”;
- (b) in the entry for Article 19.2, in the second column, for “Commission” substitute “Authority”;
- (c) in the entry for Article 19.3, in the second column, for “Commission” substitute “Authority”.

(7) In Schedule 3, in Table 1, in the entry for Article 9.5, in the second column, for “Commission” substitute “Authority”.

(8) In Schedule 4, in Table 1—

- (a) in the entry for Article 4, in the second column, for “Union” substitute “domestic”;
- (b) in the entry for Article 14.1, in the second column, for “Commission” substitute “Authority”;
- (c) in the entry for Article 14.2, in the second column, for “Commission” substitute “Authority”.

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<sup>(9)</sup> S.I. 2013/2493 (W. 242), amended by S.I. 2018/806 (W. 162).

<sup>(10)</sup> S.I. 2013/2591 (W. 255), to which there are amendments not relevant to these Regulations. It was amended prospectively by S.I. 2019/425 (W. 99) and 2019/1046 (W. 185) but those amendments are omitted by, respectively, regulations 2(4) and 5(4) of these Regulations.

### **The Honey (Wales) Regulations 2015**

**14.**—(1) The Honey (Wales) Regulations 2015<sup>(11)</sup> are amended as follows.

(2) In regulation 17—

(a) in paragraph (1)—

(i) omit “member State or third”;

(ii) for the words from “one of the following” to the end, substitute “the indication “blend of honeys from more than one country” or wording in English with equivalent meaning.”;

(b) in paragraph (6), for the words from “following indications” to the end, substitute “indication “cyfuniad o felau o fwy nag un wlad” or wording in Welsh with equivalent meaning may be included.”

### **The Caseins and Caseinates (Wales) Regulations 2016**

**15.**—(1) The Caseins and Caseinates (Wales) Regulations 2016<sup>(12)</sup> are amended as follows.

(2) In regulation 6—

(a) in paragraph (1)—

(i) in sub-paragraph (d), for “the European Union, the importer into the European Union market” substitute “the United Kingdom, the importer into the United Kingdom”;

(ii) in sub-paragraph (e), for “countries outside the European Union” substitute “a third country”;

(b) after paragraph (8) insert—

“(9) In this regulation, “third country” means any country other than the British Islands.”

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<sup>(11)</sup> S.I. 2015/1507 (W. 174), to which there are amendments not relevant to these Regulations.

<sup>(12)</sup> S.I. 2016/1130 (W. 270).