

## SCHEDULE 1

Regulation 2(3)

Provisions of these Regulations that contain ambulatory references to FIC by virtue of regulation 2(3)

Regulation 2(1) except for the definition of “FIC”

Regulation 3

Regulation 4(1) and (3)

Regulation 5(1), (3), (5) and (6)

Regulation 6(1)

Regulation 7(1) and (4)

Regulation 8(4)(b)

Regulation 10

Paragraph 3 of Part 2 of Schedule 2

Schedule 5

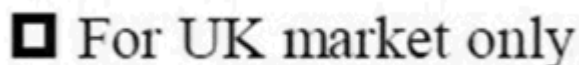
## SCHEDULE 2

Regulation 4

National mark for derogation relating to minced meat

### PART 1

The national mark



□ For UK market only

### PART 2

Specifications for the national mark

1. Any type of font may be used for the national mark so long as it is clearly legible.
2. Any colour font may be used for the national mark so long as it is easily visible.
3. In the case of prepacked food, the font size used for the national mark must not be smaller than—
  - (a) in the case of a package or container of a size to which Article 13(3) applies, the font size required for mandatory particulars under Article 13(3), and
  - (b) in the case of any other package or container, the font size required for mandatory particulars under Article 13(2).
4. The national mark may include the Welsh text “Ar gyfer marchnad y DU yn unig” in addition to the English text in Part 1.

## SCHEDULE 3

Regulation 7

## Foods to which regulation 7 does not apply

1. Raw meat to which no ingredient other than proteolytic enzymes has been added.
2. Frozen and quick-frozen chicken to which Article 15 of [Commission Regulation \(EC\) No 543/2008](#) laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat<sup>(1)</sup> applies and the water content of which does not exceed the technically unavoidable values determined as provided for in that Article.
3. Fresh, frozen and quick-frozen poultry-cuts to which Article 20 of [Commission Regulation \(EC\) No 543/2008](#) applies and the water content of which does not exceed the technically unavoidable values determined as provided for in that Article.
4. Sandwiches, filled rolls and filled products of a similar nature to sandwiches and filled rolls, which are ready for consumption without further processing, except for products containing meat which are sold under the name (whether or not qualified by other words) “burger”, “economy burger” or “hamburger”.
5. Pizzas and similar topped products.
6. Any food for which the name is “broth”, “gravy” or “soup”, whether or not qualified by other words.
7. A food consisting of an assemblage of two or more ingredients that has not been subjected to any processing or treatment once it has been assembled, and which is sold to the final consumer as an individual portion intended to be consumed without further processing or treatment.

## SCHEDULE 4

Regulation 12

## Application and modification of provisions of the Act

## PART 1

## Modification of section 10(1)

1. For section 10(1) (improvement notices) substitute—
  - “(1) If an authorised officer of an enforcement authority has reasonable grounds for believing that a person is failing to comply with a provision specified in subsection (1A), the authorised officer may, by a notice served on that person (in this Act referred to as an “improvement notice”)—
    - (a) state the officer’s grounds for believing that the person is failing to comply with the relevant provision;
    - (b) specify the matters which constitute the person’s failure so to comply;
    - (c) specify the measures which, in the officer’s opinion, the person must take in order to secure compliance; and
    - (d) require the person to take those measures, or measures that are at least equivalent to them, within such period as may be specified in the notice.

(1) OJ No L 157, 17.6.2008, p 46, last amended by Regulation (EU) No 1308/2013 of the European Parliament and of the Council (OJ No L 347, 20.12.2013, p 671).

- (1A) The provisions are—
- (a) a provision of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers<sup>(2)</sup> specified in entry 1, 3, 5 to 11, 23 to 27, 29, 31 or 66 of the table in Part 2 of Schedule 5 to the Food Information (Wales) Regulations 2014 (as read with regulation 2(3) of, and Schedule 1 to, those Regulations), except to the extent that the provision applies to the mandatory particular relating to net quantity required by Article 9(1)(e) of Regulation (EU) No 1169/2011, as read with Article 23 of, and Annex IX to, that Regulation;
  - (b) a provision of Regulation (EU) No 1169/2011 of the European Parliament and of the Council specified in entry 2, 67 or 68 of the table in Part 2 of Schedule 5 to the Food Information (Wales) Regulations 2014 (as read with regulation 2(3) of, and Schedule 1 to, those Regulations), except to the extent that the provision applies to food information relating to quantity;
  - (c) any other provision of Regulation (EU) No 1169/2011 of the European Parliament and of the Council specified in Schedule 5 to the Food Information (Wales) Regulations 2014 (as read with regulation 2(3) of, and Schedule 1 to, those Regulations); or
  - (d) any of the following provisions of the Food Information (Wales) Regulations 2014—
    - (i) regulation 5(3), (4) or (5);
    - (ii) regulation 6(1) or (4);
    - (iii) regulation 7(1), (4) or (5); or
    - (iv) regulation 8(1) or (3).”

## PART 2

### Modification of section 32(1)

2. For paragraphs (a) to (c) of section 32(1) (powers of entry) substitute—
- “(a) to enter any premises within the authority’s area for the purpose of ascertaining whether there is or has been on the premises any contravention of—
- (i) a provision of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers specified in entry 1, 3, 5 to 11, 23 to 27, 29, 31 or 66 of the table in Part 2 of Schedule 5 to the Food Information (Wales) Regulations 2014 (as read with regulation 2(3) of, and Schedule 1 to, those Regulations), except to the extent that the provision applies to the mandatory particular relating to net quantity required by Article 9(1)(e) of Regulation (EU) No 1169/2011, as read with Article 23 of, and Annex IX to, that Regulation;
  - (ii) a provision of Regulation (EU) No 1169/2011 of the European Parliament and of the Council specified in entry 2, 67 or 68 of the table in Part 2 of Schedule 5 to the Food Information (Wales) Regulations 2014 (as read with regulation 2(3) of, and Schedule 1 to, those Regulations), except to the extent that the provision applies to food information relating to quantity; and

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(2) OJ No L 304, 22.11.2011, p 18, last amended by Commission Delegated Regulation (EU) No 78/2014 (OJ No L 27, 30.1.2014, p 7).

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- (iii) any other provision of Regulation (EU) No 1169/2011 of the European Parliament and of the Council specified in Schedule 5 to the Food Information (Wales) Regulations 2014 (as read with regulation 2(3) of, and Schedule 1 to, those Regulations); and
- (b) to enter any business premises, whether within or outside of the authority’s area, for the purpose of ascertaining whether there is on the premises any evidence of any contravention within that area of any such provisions;”.

### PART 3

#### Modification of section 37(1) and (6)

3. For section 37(1) (appeals) substitute—
  - “(1) Any person who is aggrieved by a decision of an authorised officer of an enforcement authority to serve an improvement notice under section 10(1), as applied and modified by regulation 12(1) of, and Part 1 of Schedule 4 to, the Food Information (Wales) Regulations 2014, may appeal to the magistrates’ court.”
4. In section 37(6)—
  - (a) for “(3) or (4)” substitute “(1)”, and
  - (b) in paragraph (a), omit “or to the sheriff”.

### PART 4

#### Modification of section 39(1) and (3)

5. For section 39(1) (appeals against improvement notices) substitute—
  - “(1) On an appeal against an improvement notice served under section 10(1), as applied and modified by regulation 12(1) of, and Part 1 of Schedule 4 to, the Food Information (Wales) Regulations 2014, the court may either cancel or affirm the notice and, if it affirms it, may do so either in its original form or with such modifications as the court may in the circumstances think fit.”
6. In section 39(3) omit “for want of prosecution”.

### PART 5

#### Application and modification of other provisions of the Act

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Act</i>	<i>Modifications</i>
Section 3 (presumptions that food intended for human consumption)	In subsection (1), for “this Act” substitute “the Food Information (Wales) Regulations 2014”
Section 20 (offences due to fault of another person)	For “any of the preceding provisions of this Part” substitute “section 10(2), as applied by regulation 12(1) of the Food

<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Act</i>	<i>Modifications</i>
Section 21(3) (defence of due diligence)	<p>Information (Wales) Regulations 2014, or regulation 10 of those Regulations”</p> <p>In subsection (1), for “any of the preceding provisions of this Part” substitute “section 10(2), as applied by regulation 12(1) of the Food Information (Wales) Regulations 2014, or regulation 10 of those Regulations”</p> <p>In subsection (2), for “section 14 or 15 above” substitute “regulation 10 of the Food Information (Wales) Regulations 2014”</p>
Section 22 (defence of publication in the course of business)	For “any of the preceding provisions of this Part” substitute “regulation 10 of the Food Information (Wales) Regulations 2014”
Section 29 (procurement of samples)	In paragraph (b)(ii), after “under section 32 below”, insert “, including under section 32 as applied and modified by regulation 12(2) of, and Part 2 of Schedule 4 to, the Food Information (Wales) Regulations 2014”
Section 30(8) (which relates to evidence of certificates given by a food analyst or examiner)	For “this Act” substitute “the Food Information (Wales) Regulations 2014”
Section 33 (obstruction etc. of officers)	In subsection (1), for “this Act” (in each place occurring) substitute “the Food Information (Wales) Regulations 2014”
Section 35(1)(4) and (2) (punishment of offences)	<p>In subsection (1), after “section 33(1) above”, insert “, as applied and modified by regulation 12(5) of, and Part 5 of Schedule 4 to, the Food Information (Wales) Regulations 2014.”</p> <p>After subsection (1), insert—</p> <p>“(1A) A person guilty of an offence under section 10(2), as applied by regulation 12(1) of the Food Information (Wales) Regulations 2014, shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.”</p> <p>In subsection (2)—</p>

(3) Section 21(2) was amended by S.I. 2004/3279.

(4) Section 35(1) is amended by paragraph 42 of Schedule 26 to the Criminal Justice Act 2003 (c. 44) from a date to be appointed.

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<i>Column 1</i>	<i>Column 2</i>
<i>Provision of the Act</i>	<i>Modifications</i>
	(a) for “any other offence under this Act” substitute “an offence under section 33(2), as applied by regulation 12(5) of, and Part 5 of Schedule 4 to, the Food Information (Wales) Regulations 2014,”; and
	(b) in paragraph (b), for “relevant amount” substitute “statutory maximum”
Section 36 (offences by body corporate)	In subsection (1), for “this Act” substitute “section 10(2), as applied by regulation 12(1) of the Food Information (Wales) Regulations 2014, or regulation 10 of those Regulations,”
Section 36A(5) (offences by Scottish partnerships)	For “this Act” substitute “section 10(2), as applied by regulation 12(1) of the Food Information (Wales) Regulations 2014, or regulation 10 of those Regulations,”
Section 44 (protection of officers acting in good faith)	For “this Act” (in each place occurring) substitute “the Food Information (Wales) Regulations 2014”

## SCHEDULE 5

Regulation 12

### Improvement notices - specified FIC provisions

## PART 1

### FIC provision in relation to which an improvement notice may be served on and from 19 September 2014

<i>Provision of FIC</i>	<i>Provisions to be read with the provision of FIC</i>
Article 17(5) so far as it applies to the requirements in Part B of Annex VI concerning the designation “minced meat” (requirements concerning the designation “minced meat” and the particulars that must accompany it)	Articles 1(3) and 6 and the third sub-paragraph of Article 54(1), the second sub-paragraph of Article 55, Part B of Annex VI, regulation 4 and Schedule 2

(5) Section 36A was inserted by paragraph 16 of Schedule 5 to the Food Standards Act 1999 (c. 28).

## PART 2

FIC provisions in relation to which an improvement  
notice may be served on and from 13 December 2014

No.	<i>Provision of FIC</i>	<i>Provisions to be read with the provisions of FIC</i>
1.	Article 6 (basic requirement for food information to accompany food)	Articles 1(3) and 30(2) and (3), the first sub-paragraph of Article 54(1) and the other Articles of FIC listed in column 1, as appropriate
2.	Article 7(1) (prohibition on misleading information)	Articles 1(3), 6 and 7(4) and the first sub-paragraph of Article 54(1)
3.	Article 7(2) (requirement for accurate, clear and easy to understand information)	Articles 1(3), 6 and 7(4) and the first sub-paragraph of Article 54(1)
4.	Article 7(3) (prohibition on food information attributing health benefits to any food subject to certain derogations)	Articles 1(3), 6 and 7(4) and the first sub-paragraph of Article 54(1)
5.	Article 8(2) (requirement for a food business operator to ensure the presence and accuracy of food information)	Articles 1(3), 6 and 8(1) and the first sub-paragraph of Article 54(1)
6.	Article 8(3) (requirement for a food business operator not to supply non-compliant food)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
7.	Article 8(4) (restrictions on the modification of information accompanying a food)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
8.	Article 8(5) (obligation to ensure and verify compliance with food information law etc.)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
9.	Article 8(6) (requirement to transmit information relating to non-prepacked foods)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
10.	Article 8(7) (requirement relating to the mandatory particulars required by Articles 9 and 10)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
11.	Article 8(8) (requirement for a food business operator to provide sufficient information to other food business operators)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
12.	Article 9(1)(a) (mandatory indication relating to the name of the food)	Articles 1(3), 6, 9(2), 16(1) and (2), 17, 22(1)(a) and 40, the first sub-paragraph of Article 54(1), Annex VI and regulation 3
13.	Article 9(1)(b) (mandatory indication relating to the list of ingredients)	Articles 1(3), 6, 9(2), 11 and 16(1) and (2), the first sub-paragraph of Article 16(4), Articles 18, 19(1), 20 and 40, the first sub-paragraph of Article 54(1), Annexes VI and VII and regulation 3
14.	Article 9(1)(c) (mandatory indication relating to ingredients and processing aids causing allergies or intolerances)	Articles 1(3), 6, 9(2), 11, 16(1) and (2), 18(1), 21(1) and 40, the first sub-

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No.	Provision of FIC	Provisions to be read with the provisions of FIC
		paragraph of Article 54(1), Annex II and regulation 3
15.	Article 9(1)(d) (mandatory indication relating to the quantity of certain ingredients or categories of ingredients)	Articles 1(3), 6, 9(2), 11, 16(1) and (2), 22 and 40, the first sub-paragraph of Article 54(1), Annex VIII and regulation 3
16.	Article 9(1)(f) (mandatory indication relating to date of minimum durability or the “use by” date)	Articles 1(3), 6, 9(2), 16(1) and (2), 24 and 40, the first sub-paragraph of Article 54(1), points 1 and 2 of Annex X and regulation 3
17.	Article 9(1)(g) (mandatory indication relating to any special storage conditions, the conditions of use, or both)	Articles 1(3), 6, 9(2), 16(1) and (2), 25 and 40, the first sub-paragraph of Article 54(1) and regulation 3
18.	Article 9(1)(h) (mandatory indication relating to the name or business name and address of the food business operator)	Articles 1(3), 6, 8(1), 9(2), 16(1) and (2) and 40, the first sub-paragraph of Article 54(1) and regulation 3
19.	Article 9(1)(i) (mandatory indication relating to country of origin or place of provenance)	Articles 1(3), 6, 9(2), 16(1) and (2), 26(1) and (2) and 40, the first sub-paragraph of Article 54(1) and regulation 3
20.	Article 9(1)(j) (mandatory indication relating to instructions for use)	Articles 1(3), 6, 9(2), 16(1) and (2), 27 and 40, the first sub-paragraph of Article 54(1) and regulation 3
21.	Article 9(1)(k) (mandatory indication relating to the actual alcoholic strength of beverages containing more than 1.2% by volume of alcohol)	Articles 1(3), 6, 9(2), 11, 16(1) and (2) and 28, the first sub-paragraph of Article 54(1) and Annex XII
22.	Article 10(1) (additional mandatory particulars for specific types of food)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Annex III
23.	Article 12(1) (availability and placement of mandatory food information)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Article 12(2) for pre-packed foods, Articles 12(5) and 44 for non-prepacked foods and Articles 14 and 44 for foods offered for sale by means of distance communication
24.	Article 12(2) (general requirement for mandatory food information to appear directly on the package or on a label attached to prepacked food)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1)
25.	Article 13(1) (general requirement for the presentation of mandatory particulars)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and, in the case of foods that are not prepacked etc. containing an allergenic substance or product etc., regulation 5
26.	Article 13(2) (requirement relating to the presentation of mandatory particulars referred to in Article 9(1)(a) to (l))	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Annex IV, and, in relation to Article 13(2) as it applies to the presentation of a mandatory



No.	Provision of FIC	Provisions to be read with the provisions of FIC
		nutrition declaration, the second sub-paragraph of Article 55
27.	Article 13(3) (font size of mandatory particulars on smaller packages)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
28.	Article 13(5) (field of vision requirements)	Articles 1(3), 6, 13(6) and 16(1) and (2) and the first sub-paragraph of Article 54(1)
29.	Article 14(1) (distance selling of prepacked foods)	Articles 1(3), 6, 9 and 14(3) and the first sub-paragraph of Article 54(1)
30.	Article 14(2) (distance selling of non-prepacked foods)	Articles 1(3), 6, 14(1) and 42 and the first sub-paragraph of Article 54(1)
31.	Article 15(1) (language requirements)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
32.	Article 17(1) (name of food)	Articles 1(3), 6 and 9(1), the first sub-paragraph of Article 54(1), regulation 4 and Schedule 2
33.	Article 17(2) (use of the name used for food in Member State of production in another Member State: need for other descriptive information in addition to the name of the food in certain cases)	Articles 1(3), 6, 9(1) and 17(1) and the first sub-paragraph of Article 54(1)
34.	Article 17(3) (prohibition in certain exceptional cases of the use of a name used for a food in a Member State of production when marketing that food in another Member State)	Articles 1(3), 6, 9(1) and 17(1) and (2) and the first sub-paragraph of Article 54(1)
35.	Article 17(4) (prohibition against replacing the name of a food with another name)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
36.	Article 17(5) (requirements on the name of a food and particulars that must accompany it) except so far as it applies to the specific requirements in Part B of Annex VI concerning the designation “minced meat”	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Annex VI
37.	Article 18(1) (list of ingredient requirements)	Articles 1(3), 6, 18(4), 19(1) and 20, the first sub-paragraph of Article 54(1), Annex VII, regulation 8 and the first sub-paragraph of paragraph 5 of Article 3 of Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption <sup>(6)</sup>
38.	Article 18(2) (requirement to designate ingredients by their specific name)	Articles 1(3), 6, 17, 18(4) and 19(1), the first sub-paragraph of Article 54(1) and Annexes VI and VII

(6) OJ No L 10, 12.1.2002, p 58, last amended by Directive 2012/12/EU of the European Parliament and of the Council (OJ No L 115, 27.4.2012, p 1).

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No.	<i>Provision of FIC</i>	<i>Provisions to be read with the provisions of FIC</i>
39.	Article 18(3) (requirement relating to nanomaterial ingredients)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
40.	Article 21(1) (requirements relating to certain substances or products that cause an allergy or intolerance)	Articles 1(3), 6, 9(1)(c) and 18(1), the first sub-paragraph of Article 54(1), Annex II and, in the case of foods that are not prepacked etc. containing an allergenic substance or product etc., regulation 5
41.	Article 22(1) (requirement relating to the need to provide a quantitative indication of an ingredient)	Articles 1(3), 6 and 22(2), the first sub-paragraph of Article 54(1) and Annex VIII
42.	Article 22(2) (technical rules for quantitative indication of ingredients)	Articles 1(3), 6 and 22(1), the first sub-paragraph of Article 54(1) and Annex VIII
43.	Article 24(1), first sentence (requirement relating to “use by” dates)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
44.	Article 24(2) (requirement to express minimum durability date, “use by” date and date of freezing in a particular way)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Annex X
45.	Article 25(1) (requirement for special storage conditions or conditions for use, or both, to be indicated on food)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
46.	Article 25(2) (requirement to indicate appropriate storage conditions or time within which food should be consumed after the packaging containing the food is opened or both)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
47.	Article 26(2)(a) (requirement for a mandatory indication relating to country of origin or place of provenance in certain cases)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Annex XI
48.	Article 27(1) (instructions for use indication)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
49.	Article 28(2) (alcoholic strength by volume indication for beverages containing more than 1.2% volume of alcohol)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Annex XII
50.	Article 30(1) (content of mandatory nutrition declaration)	Articles 1(3), 6, 29, 31(1) (as read with Annex XIV) and 31(3), the first sub-paragraph of Article 31(4), Articles 32(1) (as read with Annex XV), 32(2), 33(1) and 35(1) and the first sub-paragraph of Article 54(1)
51.	Article 31(1) (conversion factors to be used for calculation of energy value)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Annex XIV
52.	Article 31(3), first sub-paragraph (requirement for energy value and amounts of nutrients to be	Articles 1(3), 6 and 30(1) to (5) and the first sub-paragraph of Article 54(1)

No.	Provision of FIC	Provisions to be read with the provisions of FIC
	those of the foods as sold except as provided for in the second sub-paragraph of Article 31(3))	
53.	Article 31(4), first sub-paragraph (requirement for declared values to be average values based on a methodology set out in the first sub-paragraph of Article 31(4))	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
54.	Article 32(1) (requirement to use the measurement units listed in Annex XV for energy value and amount of nutrients)	Articles 1(3) and 6, the first sub-paragraph of Article 54(1) and Annex XV
55.	Article 32(2) (energy value and amount of nutrients to be expressed per 100 grams or per 100 millilitres)	Articles 1(3), 6, 33(1), (2) and (3), the first sub-paragraph of Article 54(1) and Part B of Annex XIII
56.	Article 32(3) (declaration relating to vitamins and minerals also to be expressed as a percentage of reference intakes)	Articles 1(3), 6 and 30(2)(f), the first sub-paragraph of Article 54(1) and Part A of Annex XIII
57.	Article 32(5) (requirement for additional statement relating to the reference intake of an average adult)	Articles 1(3), 6 and 32(4) (as read with Part B of Annex XIII) and the first sub-paragraph of Article 54(1)
58.	Article 33(1) (requirements in cases where energy value and amount of nutrients may be expressed per portion, per consumption unit, or both per portion and per consumption unit, in addition to, or instead of, per 100 grams or per 100 millilitres)	Articles 1(3), 6 and 32(2), (3) and (4) and the first sub-paragraph of Article 54(1)
59.	Article 33(2), second sub-paragraph (requirement for energy value to be expressed both per 100 grams or per 100 millilitres and per portion or consumption unit where information on energy, fat, saturates, sugars and salt is repeated voluntarily in the principal field of vision, and the amounts of the nutrients are expressed on a per portion or per consumption unit basis only)	Articles 1(3), 6, 30(3)(b) and 32(2), the first sub-paragraph of Article 33(2) and the first sub-paragraph of Article 54(1)
60.	Article 33(4) (requirement for the portion or unit used to be in close proximity to the nutrition declaration)	Articles 1(3), 6 and 33(1) and the first sub-paragraph of Article 54(1)
61.	Article 34(1) (presentation of mandatory nutrition declaration and any supplementary information provided in accordance with Article 30(2) – field of vision, format and order of presentation)	Articles 1(3), 6 and 30(1) and (2), the first sub-paragraph of Article 54(1) and Annex XV
62.	Article 34(2) (presentation of mandatory nutrition declaration and any supplementary information provided in accordance with Article 30(2) – format and alignment of numbers)	Articles 1(3), 6, and 30(1) and (2), the second sub-paragraph of Article 34(3), Article 34(4) and the first sub-paragraph of Article 54(1)

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<i>No.</i>	<i>Provision of FIC</i>	<i>Provisions to be read with the provisions of FIC</i>
63.	Article 34(3), first sub-paragraph (presentation of nutrition information in a case where certain mandatory nutrition information is repeated (on a voluntary basis) in accordance with Article 30(3))	Articles 1(3), 6 and 30(3), the second sub-paragraph of Article 34(3) and the first sub-paragraph of Article 54(1)
64.	Article 34(5), first sub-paragraph (requirement for indication of negligible energy value or amount of nutrients, where used, to be in close proximity to the nutrition declaration, when present)	Articles 1(3), 6 and 30(1) to (5) and the first sub-paragraph of Article 54(1)
65.	Article 35(1) (requirements where additional forms of expression and presentation relating to energy value and the amount of nutrients are used)	Articles 1(3), 6, 7, 30(1) to (5), 32(2) and (4), 33 and 34(2), the first sub-paragraph of Article 54(1) and Annex VIII
66.	Article 36(1) (requirements that voluntary information must comply with)	Articles 1(3) and 6, sections 2 and 3 of Chapter IV and the first sub-paragraph of Article 54(1)
67.	Article 36(2) (additional requirements that voluntary information must comply with)	Articles 1(3), 6 and 7 and the first sub-paragraph of Article 54(1)
68.	Article 37 (presentation of voluntary food information – space availability)	Articles 1(3) and 6 and the first sub-paragraph of Article 54(1)
69.	Article 44(1)(a) (provision of allergen information for non-prepacked food)	Articles 1(3), 6 and 9(1)(c), the first sub-paragraph of Article 54(1) and regulation 5
70.	Article 54(2) (requirement to comply with provisions relating to content, calculation, expression and presentation when nutrition information is provided on a voluntary basis during the period on and from 13 December 2014 to and including 12 December 2016)	Articles 1(3), 6 and 29 to 35

### PART 3

FIC provision in relation to which an improvement notice may be served on and from 13 December 2016

<i>Provision of FIC</i>	<i>Provisions to be read with the provision of FIC</i>
Article 9(1)(l) (mandatory nutrition declaration)	Articles 1(3), 6, 9(2), 11 and 16, section 3 of Chapter IV, Article 40, the second sub-paragraph of Article 54(1), the second sub-paragraph of Article 55, Annex V and regulation 3

## SCHEDULE 6

Regulation 13

## Revocations

## PART 1

## Revocations coming into force on 13 December 2014

<i>No.</i>	<i>Statutory Instruments revoked</i>	<i>References</i>	<i>Extent of revocation</i>
1.	The Food Labelling Regulations 1996	S.I. 1996/1499(7)	<p>The whole Regulations except for—</p> <p>(a) regulation 43;</p> <p>(b) in Schedule 8—</p> <p>(i) the entries in Part I of Schedule 8 relating to the descriptions “alcohol-free”, “dealcoholised”, “low alcohol” (or any other word or description which implies that the drink being described is low in alcohol) and “non-alcoholic”;</p> <p>(ii) Part II; and</p> <p>(iii) Part III; and</p> <p>(c) the remainder of the Regulations for the purposes of the provisions specified in sub-paragraphs (a) and (b), including—</p> <p>(i) in regulation 2(1), the definitions of “the Act”, “advertisement”, “cheese”, “clotted cream”, “cream”, “ingredient”, “labelling”, “milk”, “sell”, “semi-skimmed milk”, “skimmed milk” and “wine”;</p> <p>(ii) regulation 3(1) and (3);</p> <p>(iii) regulation 42;</p> <p>(iv) regulation 44(1)(b);</p> <p>(v) regulation 45;</p> <p>(vi) regulation 48; and</p> <p>(vii) regulation 50(1).</p>
2.	The Bread and Flour Regulations 1998	S.I. 1998/141(8)	Regulations 5(3) and 11

(7) Relevant amending instruments are S.I. 1998/141, 1398, 1999/747, 1136, 1483, 1603, 2000/1925 (W. 134), 2001/1232 (W. 66), 1440 (W. 102), 2003/832 (W. 104), 1635 (W. 177), 3037 (W. 285), 3044 (W. 288), 3047 (W. 290), 3053 (W. 291), 2004/249 (W. 26), 553 (W. 56), 1396 (W. 141), 2558 (W. 229), 2731 (W. 238), 3022 (W. 261), 2005/1309 (W. 91), 2006/31 (W. 5), 2007/2611 (W. 222), 2008/1268 (W. 128), 2009/2705 (W. 224), 3377 (W. 299), 2010/363 (W. 45), 1492 (W. 135), 2288 (W. 200), 2922 (W. 243), 2011/465 (W. 70), 1043, 2936, 2012/1809, 2705 (W. 291), 2013/545 (W. 58), 2750 (W. 267), 2591 (W. 255), 3235. S.I. 1996/1499 is amended on 19 September 2014 by paragraphs 1 to 3 of Schedule 7 to these Regulations.

(8) There are amendments to S.I. 1998/141 not relevant to this revocation.

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

<i>No.</i>	<i>Statutory Instruments revoked</i>	<i>References</i>	<i>Extent of revocation</i>
3.	The Food Labelling (Amendment) Regulations 1998	<a href="#">S.I. 1998/1398</a> <b>(9)</b>	The whole Regulations except for regulations 2 and 11
4.	The Food Labelling (Amendment) Regulations 1999	<a href="#">S.I. 1999/747</a> <b>(10)</b>	The whole Regulations except for regulations 2 and 11
5.	The Miscellaneous Food Additives (Amendment) Regulations 1999	<a href="#">S.I. 1999/1136</a> <b>(11)</b>	In regulation 14(1), the words “the Food Labelling Regulations 1996” and the whole of regulation 14(3)
6.	The Food Labelling (Amendment) (No. 2) Regulations 1999	<a href="#">S.I. 1999/1483</a>	The whole Regulations
7.	The Contaminants in Food (Amendment) Regulations 1999	<a href="#">S.I. 1999/1603</a> <b>(12)</b>	The whole Regulations
8.	The Food Irradiation Provisions (Wales) Regulations 2001	<a href="#">S.I. 2001/1232</a> (W. <a href="#">66</a> ) <b>(13)</b>	The whole Regulations
9.	The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001	<a href="#">S.I. 2001/1440</a> (W. <a href="#">102</a> ) <b>(14)</b>	Regulations 6 and 11(1) and (2)(g)
10.	The Colours in Food (Amendment) (Wales) Regulations 2001	<a href="#">S.I. 2001/3909</a> (W. <a href="#">321</a> )	The whole Regulations
11.	The Food Labelling (Amendment) (Wales) Regulations 2003	<a href="#">S.I. 2003/832</a> (W. <a href="#">104</a> )	The whole Regulations
12.	The Cocoa and Chocolate Products (Wales) Regulations 2003	<a href="#">S.I. 2003/3037</a> (W. <a href="#">285</a> ) <b>(15)</b>	Regulations 7(1) and 11(1) and (2)(f)
13.	The Honey (Wales) Regulations 2003	<a href="#">S.I. 2003/3044</a> (W. <a href="#">288</a> ) <b>(16)</b>	Regulations 6 and 10(2)(g) and (4)
14.	The Specified Sugar Products (Wales) Regulations 2003	<a href="#">S.I. 2003/3047</a> (W. <a href="#">290</a> ) <b>(17)</b>	Regulations 6 and 10(2)

(9) There are amendments to [S.I. 1998/1398](#) not relevant to this revocation.

(10) There are amendments to [S.I. 1999/747](#) not relevant to this revocation.

(11) There are amendments to [S.I. 1999/1136](#) not relevant to these Regulations.

(12) There are amendments to [S.I. 1999/1603](#) not relevant to these Regulations.

(13) [S.I. 2001/1232](#) (W. [66](#)) was amended by [S.I. 2009/1795](#) (W. [162](#)).

(14) There are amendments to [S.I. 2001/1440](#) (W. [102](#)) not relevant to this revocation.

(15) There are amendments to [S.I. 2003/3037](#) (W. [285](#)) not relevant to these Regulations.

(16) There are amendments to [S.I. 2003/3044](#) (W. [288](#)) not relevant to these Regulations.

(17) There are amendments to [S.I. 2003/3047](#) (W. [290](#)) not relevant to these Regulations.

No.	Statutory Instruments	References	Extent of revocation
15.	The Food (Provisions relating to Labelling) (Wales) Regulations 2004	S.I. 2004/249 (W. 26)(18)	The whole Regulations
16.	The Food Labelling (Amendment) (Wales) Regulations 2004	S.I. 2004/2558 (W. 229)	The whole Regulations
17.	The Food Labelling (Amendment) (No. 2) (Wales) Regulations 2004	S.I. 2004/3022 (W. 261)(19)	The whole Regulations
18.	The Food with Added Phytosterols or Phytosterols (Labelling) (Wales) Regulations 2005	S.I. 2005/1224 (W. 82)(20)	The whole Regulations
19.	The Food Labelling (Amendment) (Wales) Regulations 2005	S.I. 2005/1309 (W. 91)	The whole Regulations
20.	The Food Hygiene (Wales) Regulations 2006	S.I. 2006/31 (W. 5)(21)	In Schedule 7, paragraphs 12 to 14.
21.	The Nutrition and Health Claims (Wales) Regulations 2007	S.I. 2007/2611 (W. 222)(22)	Regulation 8
22.	The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007	S.I. 2007/3165 (W. 276)(23)	Regulation 22(2) and (3)
23.	The Food Labelling (Declaration of Allergens) (Wales) Regulations 2008	S.I. 2008/1268 (W. 128)(24)	The whole Regulations
24.	The Food Labelling (Nutrition Information) (Wales) Regulations 2009	S.I. 2009/2705 (W. 224)(25)	The whole Regulations

(18) S.I. 2004/249 (W. 26) was amended by S.I. 2004/3220 (W. 276).

(19) S.I. 2004/3022 (W. 261) was amended by S.I. 2008/1268 (W. 128).

(20) S.I. 2005/1224 (W. 82) was amended by S.I. 2005/3254 (W. 247), 2014/440 (W. 49).

(21) There are amendments to S.I. 2006/31 (W. 5) not relevant to these Regulations.

(22) There are amendments to S.I. 2007/2611 (W. 222) not relevant to this revocation.

(23) There are amendments to S.I. 2007/3165 (W. 276) not relevant to these Regulations.

(24) S.I. 2008/1268 (W. 128) was amended by S.I. 2009/2880 (W. 253).

(25) S.I. 2009/2705 (W. 224) was amended by S.I. 2010/1069 (W. 100).

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

<i>No.</i>	<i>Statutory Instruments revoked</i>	<i>References</i>	<i>Extent of revocation</i>
25.	The Food Enzymes Regulations 2009 (Wales)	S.I. 2009/3377 (W. 299)(26)	Regulation 7
26.	The Drinking Milk Regulations 2010 (Wales)	S.I. 2010/1492 (W. 135)(27)	Regulation 9
27.	The Flavourings in Food Regulations 2010 (Wales)	S.I. 2010/2922 (W. 243)(28)	Regulation 7
28.	The Food Labelling (Declaration of Allergens) Regulations 2011 (Wales)	S.I. 2011/465 (W. 70)	The whole Regulations
29.	The Food (Miscellaneous Amendment and Revocation) Regulations 2013 (Wales)	S.I. 2013/545 (W. 58)	The whole Regulations
30.	The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations 2013 (Wales)	S.I. 2013/2591 (W. 255)	Regulation 20
31.	The Fruit Juices and Fruit Nectars Regulations 2013 (Wales)	2013/2750 (W. 267)	Paragraph 1 of Schedule 15

## PART 2

### Revocations coming into force on 13 December 2018

<i>No.</i>	<i>Statutory Instruments revoked</i>	<i>References</i>	<i>Extent of revocation</i>
1.	The Food Labelling Regulations 1996	S.I. 1996/1499(29)	The whole Regulations

(26) S.I. 2009/3377 (W. 299) was amended by S.I. 2013/2591 (W. 255).

(27) There are amendments to S.I. 2010/1492 (W. 135) not relevant to these Regulations.

(28) There are amendments to S.I. 2010/2922 (W. 243) not relevant to these Regulations.

(29) Relevant amending instruments are S.I. 1998/141, 1398, 1999/747, 1136, 1483, 1603, 2000/1925 (W. 134), 2001/1232 (W. 66), 1440 (W. 102), 2003/832 (W. 104), 1635 (W. 177), 3037 (W. 285), 3044 (W. 288), 3047 (W. 290), 3053 (W. 291), 2004/249 (W. 26), 553 (W. 56), 1396 (W. 141), 2558 (W. 229), 2731 (W. 238), 3022 (W. 261), 2005/1309 (W. 91), 2006/31 (W. 5), 2007/2611 (W. 222), 2008/1268 (W. 128), 2009/2705 (W. 224), 3377 (W. 299), 2010/363 (W. 45), 1492 (W. 135), 2288 (W. 200), 2922 (W. 243), 2011/465 (W. 70), 1043, 2936, 2012/1809, 2705 (W. 291), 2013/545 (W. 58), 2750 (W. 267), 2591 (W. 255), 3235. S.I. 1996/1499 is amended on 19 September 2014 by paragraphs 1 to 3 of Schedule 7 to these Regulations and on 13 December 2014 by paragraphs 10 to 13 of that Schedule. S.I. 1996/1499 is revoked on 13 December 2018 by entry 1 of the table in Part 2 of Schedule 6 to these Regulations to the extent that it is not already revoked on 13 December 2014 by entry 1 of the table in Part 1 of that Schedule.



<i>No.</i>	<i>Statutory Instruments</i>	<i>References</i>	<i>Extent of revocation</i>
	<i>revoked</i>		
2.	The Food Labelling (Amendment) Regulations 1998	<a href="#">S.I. 1998/1398</a> (30)	The whole Regulations
3.	The Food Labelling (Amendment) Regulations 1999	<a href="#">S.I. 1999/747</a> (31)	The whole Regulations

## SCHEDULE 7

Regulation 14

## Consequential and other minor amendments to statutory instruments

## PART 1

## Consequential and other minor amendments coming into force on 19 September 2014

**The Food Labelling Regulations 1996**

1. The Food Labelling Regulations 1996(32) are amended as follows.

2. In regulation 4(2) (scope of Part II), in each of sub-paragraphs (h), (i) and (j), for “[Commission Regulation \(EC\) No 607/2009](#)” to the end substitute “[Commission Regulation \(EC\) No 607/2009](#) laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products(33);”.

3. For regulation 41(4) (supplementary provisions relating to nutrition labelling) substitute—

“(4) Where nutrition labelling not being prescribed nutrition labelling is given, it must be given in the manner specified in paragraph (4A) or (4B).

(4A) The nutrition labelling must be given in all respects as if it were prescribed nutrition labelling except that in applying the requirements for prescribed nutrition labelling described in Schedule 7, Part II of that Schedule is to be read as if—

- (a) in paragraph 1, the words “or that is labelled as provided for in regulation 41(4B)” were inserted after the words “paragraph 2 below applies”,
- (b) in paragraph 1(a)(ii), the words from “provided that” to the end of that paragraph were omitted, and
- (c) paragraph 1(d) were omitted.

(30) [S.I. 1998/1398](#) is revoked on 13 December 2018 by entry 2 of the table in Part 2 of Schedule 6 to these Regulations to the extent that it is not already revoked on 13 December 2014 by entry 3 of the table in Part 1 of that Schedule; there are other instruments amending [S.I. 1998/1398](#) but none is relevant.

(31) [S.I. 1999/747](#) is revoked on 13 December 2018 by entry 3 of the table in Part 2 of Schedule 6 to these Regulations to the extent that it is not already revoked on 13 December 2014 by entry 4 of the table in Part 1 of that Schedule; there are other instruments amending [S.I. 1999/747](#) but none is relevant.

(32) [S.I. 1996/1499](#), amended by [S.I. 2011/2936](#); there are other amending instruments but none is relevant to the amendments made by paragraphs 1 to 3.

(33) OJ No L 193, 24.7.2009, p 60, last amended by Commission Implementing Regulation (EU) No 753/2013 (OJ No L 210, 6.8.2013, p 21).

(4B) The nutrition labelling must be given in accordance with Articles 29 to 35 of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004.”

### **The Food (Lot Marking) Regulations 1996**

4. The Food (Lot Marking) Regulations 1996(34) are amended as follows.

5. In regulation 2 (interpretation), in the definition of “first seller established within the European Union”, for “Council Directive 89/396/EEC(35)” substitute “Directive 2011/91/EU of the European Parliament and of the Council on indications or marks identifying the lot to which a foodstuff belongs(36)”.

### **The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007**

6. The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007(37) are amended as follows.

7. In regulation 4(2)(e) (offences and penalties), after “have been added”, insert “, as read with the first sub-paragraph of Article 54(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004(38)”.

### **The Nutrition and Health Claims (Wales) Regulations 2007**

8. The Nutrition and Health Claims (Wales) Regulations 2007(39) are amended as follows.

9. In regulation 5(2)(d) (offences and penalties), after “(requirements for nutrition information)”, insert “, as read with the first sub-paragraph of Article 54(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004”.

(34) S.I. 1996/1502, amended by S.I. 2011/1043.

(35) OJ No L 186, 30.6.1989, p 21, repealed by Directive 2011/91/EU of the European Parliament and of the Council (OJ No L 334, 16.12.2011, p 1).

(36) OJ No L 334, 16.12.2011, p 1.

(37) S.I. 2007/1984 (W. 165), to which there are amendments not relevant to the amendments made by paragraphs 6 and 7.

(38) OJ No L 304, 22.11.2011, p 18, last amended by Commission Delegated Regulation (EU) No 78/2014 (OJ No L 27, 30.1.2014, p 7).

(39) S.I. 2007/2611 (W. 222), to which there are amendments not relevant to the amendment made by paragraphs 8 and 9.

## PART 2

Consequential and other minor amendments coming into force on 13 December 2014

### The Food Labelling Regulations 1996

10. The Food Labelling Regulations 1996(40) are amended as follows.
11. In regulation 2(1) (interpretation), for the definition of “ingredient” substitute—

““ingredient” has the meaning given in Article 2(2)(e) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers as amended from time to time;”.
12. In regulation 3 (exemptions), for paragraph (1) substitute—

“(1) This regulation does not apply to a food that is brought into Wales from another part of the United Kingdom, an EEA State (other than the United Kingdom), a member State (other than the United Kingdom) or from the Republic of Turkey in which it was lawfully produced or marketed.”
13. In Schedule 8 (misleading descriptions), Part I—
  - (a) in the second column of entry relating to the description “alcohol-free”, for subparagraph (b) substitute—

“(b) the drink is marked or labelled with—

    - (i) an indication of its maximum alcoholic strength in a form comprising the words “not more than” followed by a figure to not more than one decimal place indicating its maximum alcoholic strength and the symbol “% vol.” (required form 1), “alcohol % vol.” (required form 2), or “alc. % vol.” (required form 3), or
    - (ii) in an appropriate case, an indication that it contains no alcohol.”
  - (b) in the second column of entry relating to the description “dealcoholized”, for subparagraph (b) substitute—

“(b) the drink is marked or labelled with—

    - (i) an indication of its maximum alcoholic strength in required form 1, 2 or 3, or
    - (ii) in an appropriate case, an indication that it contains no alcohol;” and
  - (c) in the second column of entry relating to the description “low alcohol” (or any other word or description which implies that the drink being described is low in alcohol), for subparagraph (b) substitute—

“(b) an indication of its maximum alcoholic strength in required form 1, 2 or 3.”

### The Food (Lot Marking) Regulations 1996

14. The Food (Lot Marking) Regulations 1996(41) are amended as follows.
15. For regulation 2 (interpretation) substitute—

“2. In these Regulations—

“the Act” means the Food Safety Act 1990;

(40) S.I. 1996/1499, relevant amending instruments are S.I. 1998/1398, 1999/747, 2011/1043. S.I. 1996/1499 is partially revoked on 13 December 2014 by entry 1 of the table in Part 1 of Schedule 6 to these Regulations.

(41) S.I. 1996/1502, amended by S.I. 2011/1043. S.I. 1996/1502 is amended on 19 September 2014 by paragraphs 4 and 5 of Schedule 7 to these Regulations.

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

“date of minimum durability” is to be construed taking into account the definition of “date of minimum durability of food” in Article 2(2)(r) of Regulation (EU) No 1169/2011;

“first seller established within the Community” has the same meaning as in Directive 2011/91/EU of the European Parliament and of the Council on indications or marks identifying the lot to which a foodstuff belongs;

“food” means food, within the meaning of the Act, intended for sale for human consumption;

“ice cream” has the same meaning as in Directive 2011/91/EU of the European Parliament and of the Council;

“lot” means a batch of sales units of food produced, manufactured or packaged under similar conditions;

“lot marking indication” means an indication which allows identification of the lot to which a sales unit of food belongs;

“prepacked food” has the meaning given in Article 2(2)(e) of Regulation (EU) No 1169/2011;

“prepacked for immediate sale” has the same meaning as “prepacked for direct sale” in Regulation (EU) No 1169/2011;

“Regulation (EU) No 1169/2011” means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004;

“sell” includes offer or expose for sale and have in possession for sale, and “sale” and “sold” are to be construed accordingly;

“ultimate consumer” has the same meaning as “final consumer” in point 18 of Article 3 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<sup>(42)</sup>;

“use by” date” has the same meaning as in Regulation (EU) No 1169/2011.”

16. In regulation 4 (exceptions for particular types of sale and sales units)—

(a) in sub-paragraph (e), for “edible ice” substitute “ice cream”; and

(b) in sub-paragraph (g)—

(i) for “an indication of minimum durability” substitute “the date of minimum durability”; and

(ii) for “the Food Labelling Regulations require” substitute “Regulation (EU) No 1169/2011 requires”.

## **The Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997**

17. The Foods Intended for Use in Energy Restricted Diets for Weight Reduction Regulations 1997<sup>(43)</sup> are amended as follows.

<sup>(42)</sup> OJ No L 31, 1.2.2002, p 1, last amended by Commission Regulation (EC) No 596/2009 (OJ No L 188, 18.7.2009, p 14).

<sup>(43)</sup> S.I. 1997/2182, to which there are amendments not relevant to these Regulations.

18. In regulation 3(b) (labelling requirements), for “Tables A and B of Part II of Schedule 6 to the Food Labelling Regulations 1996” substitute “point 1 of Part A of Annex XIII to Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers”.

### **The Bread and Flour Regulations 1998**

19. The Bread and Flour Regulations 1998(44) are amended as follows.

20. In regulation 2(1) (interpretation)—

- (a) in the definition of “ingredient”, for “the Food Labelling Regulations 1996” substitute “Article 2(2)(f) of Regulation (EU) No 1169/2011”;
- (b) in the definition of “labelling”, for “the Food Labelling Regulations 1996” substitute “Article 2(2)(j) of Regulation (EU) No 1169/2011”;
- (c) omit the definitions of “the labelling regulations” and “member State”; and
- (d) after the definition of “labelling”, insert—

“Regulation (EU) No 1169/2011” means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004;”.

### **The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001**

21. The Coffee Extracts and Chicory Extracts (Wales) Regulations 2001(45) are amended as follows.

22. In regulation 2(1) (interpretation)—

- (a) omit the definition of “the 1996 Regulations” (“*Rheoliadau 1996*”); and
- (b) after the definition of “designated product” (“*cynnyrch dynodedig*”), insert—

““Regulation (EU) No 1169/2011” (“*Rheoliad (EU) Rhif 1169/2011*”) means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004;”.

23. In regulation 5(1) (labelling and description of designated products)—

- (a) in the introductory wording, for “the 1996 Regulations” substitute “Regulation (EU) No 1169/2011”;
- (b) in sub-paragraph (a), for “regulation 6(1) of the 1996 Regulations” substitute “Article 17 of Regulation (EU) No 1169/2011”; and

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(44) S.I. 1998/141, amended by S.I. 2011/1043; there are other amending instruments but none is relevant.

(45) S.I. 2001/1440 (W. 102), amended by S.I. 2003/3047 (W. 290); there are other amending instruments but none is relevant.

- (c) in sub-paragraph (c), for “the 1996 Regulations” substitute “Article 17 of Regulation (EU) No 1169/2011”.

### **The Food Supplements (Wales) Regulations 2003**

- 24.** The Food Supplements (Wales) Regulations 2003<sup>(46)</sup> are amended as follows.
- 25.** In regulation 2(1) (interpretation)—
- (a) omit the definition of “Directive 90/496<sup>(47)</sup>” (“*Cyfarwyddeb 90/496*”); and
- (b) after the definition of “preparation” (“*paratoi*”), insert—
- ““Regulation (EU) No 1169/2011” (“*Rheoliad (EU) Rhif 1169/2011*”) means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004;”.
- 26.** In regulation 6 (restrictions on sale relating to labelling etc. of food supplements)—
- (a) in paragraph (2), for “the Food Labelling Regulations 1996” substitute “Regulation (EU) No 1169/2011”; and
- (b) in paragraph (3)(e)—
- (i) for “the Annex to Directive 90/496” substitute “point 1 of Part A of Annex XIII to Regulation (EU) No 1169/2011”; and
- (ii) for “relevant recommended daily allowance specified in that Annex” substitute “relevant reference value specified in that point”.
- 27.** In regulation 7(1) (manner of marking or labelling), for “regulation 5(a), (c) and (e) of the Food Labelling Regulations 1996” substitute “points (a), (f), (g) and (h) of Article 9(1) Regulation (EU) No 1169/2011”.

### **The Cocoa and Chocolate Products (Wales) Regulations 2003**

- 28.** The Cocoa and Chocolate Products (Wales) Regulations 2003<sup>(48)</sup> are amended as follows.
- 29.** In regulation 2(1) (interpretation)—
- (a) omit the definition of “the 1996 Regulations” (“*Rheoliadau 1996*”); and
- (b) after the definition of “preparation” (“*paratoi*”), insert—
- ““Regulation (EU) No 1169/2011” (“*Rheoliad (EU) Rhif 1169/2011*”) means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the

<sup>(46)</sup> S.I. 2003/1719 (W. 186), amended by S.I. 2009/3252 (W. 282); there are other amending instruments but none is relevant.

<sup>(47)</sup> OJ No L 276, 06.10.1990, p 40, repealed by Regulation (EU) No 1169/2011 of the European Parliament and of the Council (OJ No L 304, 22.11.2011, p 18).

<sup>(48)</sup> S.I. 2003/3037 (W. 285), to which there are amendments not relevant to these Regulations.

European Parliament and of the Council, Commission Directives [2002/67/EC](#) and [2008/5/EC](#) and [Commission Regulation \(EC\) No 608/2004\(49\)](#).”.

- 30.** In regulation 5 (reserved descriptions), for paragraphs (b) and (c) substitute—
- “(b) such description, derivative or word is used in such a context as to indicate explicitly or by clear implication that the substance to which it relates is only an ingredient of that food;
  - (c) such description, derivative or word is used in such a context as to indicate explicitly or by clear implication that such food is not and does not contain a designated product; or
  - (d) the use of such description, derivative or word to designate the food is in accordance with the customs applicable in the United Kingdom and the food cannot be confused with a product listed in column 1 of Schedule 1.”
- 31.** In regulation 6 (labelling and description of designated products)—
- (a) in paragraph (1), for “Part II of the 1996 Regulations” substitute “Regulation (EU) No 1169/2011”; and
  - (b) in paragraph (2)(b), for “the 1996 Regulations” substitute “Article 9(1)(b) of Regulation (EU) No 1169/2011”.

### **The Honey (Wales) Regulations 2003**

- 32.** The Honey (Wales) Regulations 2003(**50**) are amended as follows.
- 33.** In regulation 2(1) (interpretation)—
- (a) in the definition of “ingredient” (“*cynhwysyn*”), for “the 1996 Regulations” substitute “Article 2(2)(f) of Regulation (EU) No 1169/2011”;
  - (b) in the definition of “labelling” (“*labelu*”), for “the 1996 Regulations” substitute “Article 2(2)(j) of Regulation (EU) No 1169/2011”;
  - (c) omit the definition of “the 1996 Regulations” (“*Rheoliadau 1996*”); and
  - (d) after the definition of “preparation” (“*paratoi*”), insert—  
““Regulation (EU) No 1169/2011” (“*Rheoliad (EU) Rhif 1169/2011*”) means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and [Commission Regulation \(EC\) No 608/2004](#).”.
- 34.** In regulation 4(1) (labelling and description of specified honey products), for “Part II of the 1996 Regulations” substitute “Regulation (EU) No 1169/2011”.

### **The Specified Sugar Products (Wales) Regulations 2003**

- 35.** The Specified Sugar Products (Wales) Regulations 2003(**51**) are amended as follows.
- 36.** In regulation 2 (interpretation), omit the definition of “the 1996 Regulations” (“*Rheoliadau 1996*”).

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(49) OJ No L 304, 22.11.2011, p 18, last amended by Commission Delegated Regulation (EU) No 78/2014 (OJ No L 27, 30.1.2014, p 7).

(50) S.I. 2003/3044 (W. 288), to which there are amendments not relevant to these Regulations.

(51) S.I. 2003/3047 (W. 290), to which there are amendments not relevant to these Regulations.

37. In regulation 5 (labelling and description of specified sugar products), for “Part II of the 1996 Regulations” substitute “Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers”.

#### **The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004**

38. The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004(52) are amended as follows.

39. In regulation 8(1) (labelling), for “Part II of the Food Labelling Regulations 1996” substitute “Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers”.

#### **The Food Hygiene (Wales) Regulations 2006**

40. The Food Hygiene (Wales) Regulations 2006(53) are amended as follows.

41. In Schedule 4 (temperature control requirements), in paragraph 8 (interpretation), for subparagraphs (a) and (b) in the definition of “shelf life” (“*oes silff*”) substitute—

- “(a) in relation to food for which a date of minimum durability is required in accordance with Article 9(1)(f) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as read with Article 24(1) and (2) of that Regulation, the period up to and including the required date of minimum durability;
- (b) in relation to food for which a “use by” date is required in accordance with Article 9(1) (f) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council, as read with Article 24(1) and (2) of that Regulation, the period up to and including the required “use by” date; and”.

#### **The Quick-frozen Foodstuffs (Wales) Regulations 2007**

42. The Quick-frozen Foodstuffs (Wales) Regulations 2007(54) are amended as follows.

43. In regulation 2(1) (interpretation)—

- (a) omit the definition of “catering establishment” (“*sefydliad arlwyo*”);
- (b) in the definition of “local distribution” (“*dosbarthiad lleol*” and “*dosbarthu’n lleol*”), for “catering establishment” substitute “mass caterer”;
- (c) after the definition of “local distribution” (“*dosbarthiad lleol*” and “*dosbarthu’n lleol*”), insert—
  - ““mass caterer” (“*arlwywr mawr*”) has the meaning given by Article 2(2)(d) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers;”;
- (d) in the definition of “prepackaging” (“*rhagbecyn*”), for “the Food Labelling Regulations 1996” substitute “Article 2(2)(e) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers”; and
- (e) for the definition of “ultimate consumer” (“*defnyddiwr olaf*”) substitute—

(52) S.I. 2004/314 (W. 32), to which there are amendments not relevant to these Regulations.

(53) S.I. 2006/31 (W. 5), to which there are amendments not relevant to these Regulations.

(54) S.I. 2007/389 (W. 40), to which there are amendments not relevant to these Regulations.



““ultimate consumer” (“*defnyddiwr olaf*”) has the same meaning as “final consumer” in point 18 of Article 3 of Regulation 178/2002.”

44. In paragraphs (1) and (3) of regulation 5 (marketing or labelling of quick-frozen foodstuffs), for “catering establishment” substitute “mass caterer”.

#### **The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007**

45. The Addition of Vitamins, Minerals and Other Substances (Wales) Regulations 2007(55) are amended as follows.

46. In regulation 4(2) (offences and penalties), for sub-paragraph (e) substitute—

“(e) Article 7(1), (2) and (3)(56) (restrictions and conditions applying to labelling, presentation and advertising of foods to which vitamins or minerals have been added).”

#### **The Nutrition and Health Claims (Wales) Regulations 2007**

47. The Nutrition and Health Claims (Wales) Regulations 2007(57) are amended as follows.

48. In regulation 5(2) (offences and penalties), for sub-paragraph (d) substitute—

“(d) Article 7(58) (requirements for nutrition information);”.

#### **The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007**

49. The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007(59) are amended as follows.

50. In regulation 2(1) (interpretation), for the definition of “advertisement” (“*hysbyseb*”) and “advertise” (“*hysbysebu*”) substitute—

““advertisement” (“*hysbyseb*”) means a representation in any form in connection with a trade or business in order to promote the supply of goods and “advertise” (“*hysbysebu*”) is to be construed accordingly;”.

#### **The Eggs and Chicks (Wales) Regulations 2010**

51. The Eggs and Chicks (Wales) Regulations 2010(60) are amended as follows.

52. In regulation 3(1) (interpretation)—

- (a) omit the definition of “Directive 2000/13/EC” (“*Cyfarwyddeb 2000/13/EC*”);
- (b) for the definition of “Regulation (EC) No 2160/2003” (“*Rheoliad (EC) Rhif 2160/2003*”), substitute—

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(55) *S.I. 2007/1984 (W. 165)* is amended on 19 September 2014 by paragraphs 6 and 7 of Schedule 7 to these Regulations; there are other amending instruments but none is relevant.

(56) Article 7(3) of Regulation (EC) No 1925/2006 of the European Parliament and of the Council (OJ No L 404, 30.12.2006, p 26) was amended by Article 50 of Regulation (EU) No 1169/2011 of the European Parliament and of the Council; by virtue of the second sub-paragraph of Article 55 of Regulation (EU) No 1169/2011 that amendment applies from 13 December 2014.

(57) *S.I. 2007/2611 (W. 222)* is amended on 19 September 2014 by paragraphs 8 and 9 of Schedule 7 to these Regulations; there are other amending instruments but none is relevant.

(58) Article 7 of Regulation (EC) No 1924/2006 of the European Parliament and of the Council (OJ No L 404, 30.12.2006, p 9) was amended by Article 49 of Regulation (EU) No 1169/2011 of the European Parliament and of the Council; by virtue of the second sub-paragraph of Article 55 of Regulation (EU) No 1169/2011 that amendment applies from 13 December 2014.

(59) *S.I. 2007/3165 (W. 276)*, to which there are amendments not relevant to these Regulations.

(60) *S.I. 2010/1671 (W. 158)*, to which there are amendments not relevant to these Regulations.

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

“Regulation (EC) No 2160/2003” (“*Rheoliad (EC) Rhif 2160/2003*”) means Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents<sup>(61)</sup>;

“Regulation (EU) No 1169/2011” (“*Rheoliad (EU) Rhif 1169/2011*”) means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004;”.

**53.** In Part 2 of Schedule 2 (provisions of Commission Regulation (EC) No 589/2008 laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards for eggs<sup>(62)</sup> contravention of which is an offence)—

- (a) in the second column of the entry in the table relating to Article 4(2) of Commission Regulation (EC) No 589/2008, for “Directive 2000/13/EC” substitute “Regulation (EU) No 1169/2011”;
- (b) in the second column of the entry in the table relating to Article 6(3) of Commission Regulation (EC) No 589/2008, for “Article 9(2) of Directive 2000/13/EC” substitute “point 1(a) of Annex X to Regulation (EU) No 1169/2011”; and
- (c) in the second column of the entry in the table relating to Article 13 of Commission Regulation (EC) No 589/2008, for “Article 3(1)(5) of Directive 2000/13/EC” substitute “Article 9(1)(f) of Regulation (EU) No 1169/2011”.

### **The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013**

**54.** The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013<sup>(63)</sup> are amended as follows.

**55.** In regulation 2(1) (interpretation), for the definition of “meat” (“*cig*”) substitute—

““meat” (“*cig*”) means the skeletal muscles of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue but does not include mechanically separated meat (which has the meaning given in point 1.14 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin)<sup>(64)</sup>”.

<sup>(61)</sup> OJ No L 325, 12.12.2003, p 1, last amended by Council Regulation (EU) No 517/2013 (OJ No L 158, 10.06.2013, p 1).

<sup>(62)</sup> OJ No L 163, 24.6.2008, p 6, last amended by Commission Regulation (EU) No 519/2013 (OJ No L 158, 10.6.2013, p 74).

<sup>(63)</sup> S.I. 2013/1984 (W. 194), to which there are amendments not relevant to these Regulations.

<sup>(64)</sup> OJ No L 139, 30.4.2004, p 55, last amended by Commission Regulation (EU) No 633/2014 (OJ No L 175, 14.6.2014, p 6).