

WELSH STATUTORY INSTRUMENTS

2015 No. 1519

The Country of Origin of Certain Meats (Wales) Regulations 2015

Title, commencement and application

1.—(1) The title of these Regulations is the Country of Origin of Certain Meats (Wales) Regulations 2015.

(2) These Regulations come into force on 10 August 2015 and apply in relation to Wales.

Commencement Information

I1 Reg. 1 in force at 10.8.2015, see [reg. 1\(2\)](#)

Interpretation

2.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Food Safety Act 1990;

“authorised officer” (“*swyddog awdurdodedig*”) means a person authorised by an enforcement authority (within the meaning of the Act) for the purposes of these Regulations;

“Commission Regulation” (“*Rheoliad y Comisiwn*”) means Commission Implementing Regulation (EU) No 1337/2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry;

“food authority” (“*awdurdod bwyd*”) means a county council or a county borough council;

“food business operator” (“*gweithredydd y busnes bwyd*”) has the meaning given in point 3 of Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council.

(2) Except as otherwise provided, any reference in these Regulations to an Article is a reference to an Article of the Commission Regulation.

(3) Any reference in these Regulations to an Article of the Commission Regulation is a reference to that Article as amended from time to time.

Commencement Information

I2 Reg. 2 in force at 10.8.2015, see [reg. 1\(2\)](#)

Competent authority

3. Each food authority in its area is the competent authority for the purposes of—

(a) the third sub-paragraph of Article 5(1) (labelling of meat where specified rearing period not attained in any [^{F1}single] country); and

(b) Article 5(2) (labelling of meat where “origin” indicated on the label).

F1 Word in [reg. 3\(a\)](#) substituted (31.12.2020) by [The Food Standards and Labelling \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/435\)](#), regs. 1(3), 7; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I3 Reg. 3 in force at 10.8.2015, see [reg. 1\(2\)](#)

Enforcement authorities

4.—(1) These Regulations are enforced by each food authority within its area and by each port health authority within its district.

(2) In this regulation “port health authority” (“*awdurdod iechyd porthladd*”) means, in relation to any port health district constituted by order under section 2(3) of the Public Health (Control of Diseases) Act 1984⁽¹⁾, the port health authority for that district constituted by order under section 2(4) of that Act.

Commencement Information

I4 Reg. 4 in force at 10.8.2015, see [reg. 1\(2\)](#)

Records

5.—(1) A food business operator must keep a record of information under the identification and registration system required by Article 3 (traceability).

(2) A food business operator must retain each record for a period of 12 months from the end of the calendar year to which the record relates.

Commencement Information

I5 Reg. 5 in force at 10.8.2015, see [reg. 1\(2\)](#)

Application of provisions of the Act

6.—(1) Section 10(1) and (2) of the Act (improvement notices) applies with the modification (in the case of section 10(1)) specified in Part 1 of the Schedule to these Regulations for the purposes of—

- (a) enabling an improvement notice to be served on a person requiring the person to comply with—
 - (i) any of Articles 3 to 6 and 8; or
 - (ii) regulation 5; and
- (b) making the failure to comply with a notice referred to in sub-paragraph (a) an offence.

(2) Section 32 of the Act (powers of entry)⁽²⁾ applies, with the modifications specified in Part 2 of the Schedule to these Regulations, for the purposes of enabling an authorised officer—

(1) 1984 c. 22.

(2) Section 32(5) and (6) were amended by section 70 of, and paragraph 18 of Schedule 2 to, the Criminal Justice and Police Act 2001 (c. 16).

- (a) to exercise a power of entry to ascertain whether there is, or has been, any contravention of any of Articles 3 to 6 and 8;
- (b) to exercise a power of entry to ascertain whether there is any evidence of any contravention of such a provision; and
- (c) when exercising a power of entry under the provisions of section 32 as applied by this paragraph, to exercise the powers in subsections (5) and (6) relating to records.

(3) Section 37(1) and (6) of the Act (appeals) applies with the modifications specified in Part 3 of the Schedule to these Regulations for the purpose of enabling a decision to serve a notice referred to in paragraph (1)(a) to be appealed.

(4) Section 39 of the Act (appeals against improvement notices) applies with the modifications specified in Part 4 of the Schedule to these Regulations for the purpose of dealing with appeals against a decision to serve a notice referred to in paragraph (1)(a).

(5) The provisions of the Act specified in the first column of the table in Part 5 of the Schedule to these Regulations apply with the modifications specified in the second column of that table for the purposes of these Regulations.

Commencement Information

I6 Reg. 6 in force at 10.8.2015, see [reg. 1\(2\)](#)

[^{F2}Transitional provision: withdrawal from the EU

7.—(1) An authorised officer must not serve on a person an improvement notice relating to a failure to comply with the second subparagraph of Article 5(1), Article 6 or Article 7 if—

- (a) the improvement notice would relate to a product that was placed on the market before IP completion day; and
- (b) the matter constituting the alleged failure to comply would not have constituted a failure to comply with those provisions as they had effect immediately before IP completion day.

(2) An authorised officer must not serve on a person an improvement notice relating to a failure to comply with the second subparagraph of Article 5(1), Article 6 or Article 7 if—

- (a) the improvement notice would relate to a product placed on the market [^{F3}before 1 January 2024];
- (b) the product bears one of the indications provided for in those provisions as they had effect immediately before IP completion day; and
- (c) the use of the indication would not constitute a failure to comply with those provisions as they had effect immediately before IP completion day.

(3) In this regulation, “improvement notice” (“*hysbysiad gwella*”) means an improvement notice pursuant to regulation 6(1) as read with Part 1 of the Schedule to these Regulations.]

F2 [Reg. 7](#) inserted (23.8.2021) by [The Food and Drink \(Transitional Provisions\) \(Wales\) \(EU Exit\) Regulations 2021 \(S.I. 2021/911\)](#), [regs. 1\(2\)](#), [3](#)

F3 Words in [reg. 7\(2\)\(a\)](#) substituted (30.9.2022) by [The Food Information \(Amendment of Transitional Provisions\) \(Wales\) Regulations 2022 \(S.I. 2022/939\)](#), [regs. 1\(2\)](#), [9](#)

Changes to legislation: There are currently no known outstanding effects for the The Country of Origin of Certain Meats (Wales) Regulations 2015. (See end of Document for details)

Vaughan Gething
Deputy Minister for Health, one of the Welsh
Ministers

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