WELSH STATUTORY INSTRUMENTS

2017 No. 1103

The Novel Foods (Wales) Regulations 2017

Application and modification of provisions of the Act

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

(a) enabling an improvement notice to be served on a person requiring that person to comply with a specified EU provision; and

(b) making the failure to comply with a notice referred to in sub-paragraph (a) an offence.

(2) Section 9 of the Act (inspection and seizure of suspected food) applies for the purposes of these Regulations with the modifications set out in Part 2 of Schedule 2 for the purposes of enabling an authorised officer of a food authority, if it appears to the authorised officer that Article 6(2) of Regulation (EU) 2015/2283 is being, or has been, contravened in relation to any food which has been placed on the market, to either—

(a) give notice to the person in charge of the food that it is not to be used for human consumption, and is not to be removed or is not to be removed except to some place specified in the notice, or

(b) seize the food and remove it in order to have it dealt with by a justice of the peace.

(3) The provisions of the Act specified in column 1 of the table in Part 3 of Schedule 2 apply, with the modifications (if any) specified in column 2 of that table, for the purposes of these Regulations.

(4) Paragraphs (1) to (3) are without prejudice to the application of the Act to these Regulations for purposes other than those specified in paragraphs (1) and (2).

Commencement Information

I1 Reg. 5 in force at 1.1.2018, see **reg. 1(3)**

Changes to legislation:
There are currently no known outstanding effects for the The Novel Foods (Wales) Regulations 2017, Section 5.