
WELSH STATUTORY INSTRUMENTS

2019 No. 434 (W. 102)

EXITING THE EUROPEAN UNION, WALES
AGRICULTURE, WALES
FOOD, WALES

**The Food and Feed Hygiene and Safety (Miscellaneous
Amendments) (Wales) (EU Exit) Regulations 2019**

<i>Sift requirements satisfied</i>	<i>11 February 2019</i>
<i>Made</i> - - - -	<i>4 March 2019</i>
<i>Laid before the National Assembly for Wales</i> - -	<i>5 March 2019</i>
<i>Coming into force in accordance with regulation 1(3)</i>	

The Welsh Ministers make these Regulations in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21(b) of Schedule 7 to the European Union (Withdrawal) Act 2018 ^{F1}.

The requirements of paragraph 4(2) of Schedule 7 to that Act (relating to the appropriate National Assembly for Wales scrutiny procedure for these Regulations) have been satisfied.

As required by Article 9 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 ^{F2} there has been open and transparent public consultation during the preparation of these Regulations.

F1 [2018 c.16.](#)

F2 OJ No. L 31, 1.2.2002, p. 1, to which there are amendments not relevant to these Regulations.

Title, application and commencement

1.—(1) The title of these Regulations is the Food and Feed Hygiene and Safety (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on exit day.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Food and Feed Hygiene and Safety (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019. (See end of Document for details)

Commencement Information

- I1** Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

The General Food Regulations 2004

- 2.—(1) The General Food Regulations 2004 ^{F3} are amended as follows.
- (2) In regulation 2(1), at the appropriate place, insert—
- ““third country” means a country or state other than the United Kingdom.”.
- (3) In regulation 6A—
- (a) in paragraph (a), for “country that is not a member State” substitute “ third country ”;
 - (b) omit paragraph (b) and the “or” immediately preceding it.

- F3** [S.I. 2004/3279](#), amended by [S.I. 2005/3254](#) (W. 247) and [S.I. 2011/1043](#); there are other amending instruments but none is relevant to these Regulations.

Commencement Information

- I2** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

PROSPECTIVE

The Official Controls (Animals, Feed and Food) (Wales) Regulations 2007

^{F4}3.

- F4** Reg. 3 omitted (31.1.2020) by virtue of [The Official Controls \(Animals, Feed and Food, Plant Health Fees etc.\) \(Wales\) Regulations 2020 \(S.I. 2020/44\)](#), regs. 1(2), **30**

The Quick-frozen Foodstuffs (Wales) Regulations 2007

- 4.—(1) The Quick-frozen Foodstuffs (Wales) Regulations 2007 ^{F5} are amended as follows.
- (2) In regulation 2—
- (a) in paragraph (1), omit the definition of “Directive 89/108”;
 - (b) in paragraph (2), omit “Directive 89/108,” in both places it occurs.
- (3) In regulation 5—
- (a) in paragraph (2), in the words before sub-paragraph (a), for “any other description listed in Article 8.1(a) of Directive 89/108” substitute “ its equivalent in any other language ”;
 - (b) in paragraph (3), in the words before sub-paragraph (a), for “any other description listed in Article 8.1(a) of Directive 89/108” substitute “ its equivalent in any other language ”;
- [^{F6}(c) in paragraph (4)—
- (i) in the words before sub-paragraph (a), for “any other description listed in Article 8.1(a) of Directive 89/109” substitute “its equivalent in any other language”;

(ii) in sub-paragraph (b), for “European Union” substitute “United Kingdom”.]

- F5** [S.I. 2007/389](#) (W. 40), amended by [S.I. 2011/1043](#) and [S.I. 2018/806](#) (W. 162); there are other amending instruments but none is relevant to these Regulations.
- F6** Reg. 4(3)(c) substituted (31.12.2020 immediately before IP completion day) 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), **3(2)**

Commencement Information

- I3** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

PROSPECTIVE

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

^{F5}5.

- F7** Reg. 5 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments and Saving Provision\) \(Wales\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1581), regs. 1(2), **3(3)**

PROSPECTIVE

The Official Feed and Food Controls (Wales) Regulations 2009

^{F8}6.

- F8** Reg. 6 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Food and Feed Hygiene and Safety \(Miscellaneous Amendments and Saving Provision\) \(Wales\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1581), regs. 1(2), **3(3)**

The Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011

7.—(1) The Plastic Kitchenware (Conditions on Imports from China) (Wales) Regulations 2011 ^{F9} are amended as follows.

[^{F10}(2) In regulation 3(1), for “the European Union” substitute “Great Britain”]

[^{F11}(3) In regulation 8(3)(a)(i), for “the European Union” substitute “Great Britain”]

(4) Omit regulation 12(2).

- F9** [S.I. 2011/1605](#) (W. 186), to which there are amendments not relevant to these Regulations.
- F10** Reg. 7(2) substituted (31.12.2020 immediately before IP completion day) 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), **3(4)(a)**

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the *The Food and Feed Hygiene and Safety (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019*. (See end of Document for details)

- F11** Reg. 7(3) substituted (31.12.2020 immediately before IP completion day) 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), **3(4)(b)**

Commencement Information

- I4** Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)](#)

Vaughan Gething
Minister for Health and Social Services, one of
the Welsh Ministers

Status: *This version of this Instrument contains provisions that are prospective.*

Changes to legislation: *There are currently no known outstanding effects for the The Food and Feed Hygiene and Safety (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019. (See end of Document for details)*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred on the Welsh Ministers by paragraph 1(1) of Schedule 2 and paragraph 21(b) of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to subordinate legislation applying in Wales in the field of food and feed hygiene and safety.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

Status:

This version of this Instrument contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Food and Feed Hygiene and Safety (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.