
WELSH STATUTORY INSTRUMENTS

2020 No. 1487 (W. 317)

AGRICULTURE, WALES
FOOD, WALES

**The Official Feed and Food Controls (Miscellaneous
Amendments) (Wales) Regulations 2020**

<i>Made</i>	- - - -	<i>8 December 2020</i>
<i>Laid before Senedd Cymru</i>		<i>10 December 2020</i>
<i>Coming into force</i>	- -	<i>31 December 2020</i>

The Welsh Ministers, in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972⁽¹⁾, make the following Regulations.

The Welsh Ministers are designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to measures in respect of food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals⁽²⁾, measures in the veterinary and phytosanitary fields for the protection of public health⁽³⁾, and measures in relation to the common agricultural policy of the European Union⁽⁴⁾.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Welsh Ministers that it is expedient for references to EU instruments inserted into the statutory instruments amended by these Regulations to be construed as a references to those EU instruments as amended from time to time.

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- (1) [1972 c. 68](#). The European Communities Act 1972 (“the 1972 Act”) was repealed by section 1 of the European Union (Withdrawal) Act [2018 \(c. 16\)](#) (“the 2018 Act”) with effect from exit day. “Exit day” is defined in section 20 of the 2018 Act as 31 January 2020 at 11pm. Despite that repeal the 1972 Act continues to have effect with modifications until IP completion day, by virtue of section 1A of the 2018 Act. Section 1A was inserted by section 1 of the European Union (Withdrawal Agreement) Act [2020 \(c. 1\)](#) (“the 2020 Act”). “IP completion day” is defined in section 1A by reference to the meaning given in section 39 of the 2020 Act (31 December 2020 at 11pm). Section 2(2) of the 1972 Act was also previously amended by section 27(1) of the Legislative and Regulatory Reform Act [2006 \(c. 51\)](#) and by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act [2008 \(c. 7\)](#). Paragraph 1A of Schedule 2 to the 1972 Act was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 and amended by Part 1 of the Schedule to the European Union (Amendment) Act 2008 and [S.I. 2007/1388](#).
- (2) [S.I. 2005/1971](#), amended by [S.I. 2005/2766](#). The functions conferred on the National Assembly for Wales by this designation are transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 28 and 30 of Schedule 11 to, the Government of Wales Act [2006 \(c. 32\)](#). The designation does not extend to measures concerning feed containing medicinal products (including growth regulators) or medicinal products when destined for use in feed except stabilisers, or substances which favourably affect the environment. [S.I. 2005/1971](#) is prospectively revoked by [S.I. 2018/1011](#) from implementation period completion day.
- (3) [S.I. 2008/1792](#), which is prospectively revoked by [S.I. 2018/1011](#) from implementation period completion day.
- (4) [S.I. 2010/2690](#). The designation does not extend to making provision in respect of feed that contains medicinal products destined for use in feed, except provision concerning substances that favourably affect the environment, digestibility enhancers, or gut flora stabilisers. [S.I. 2010/2690](#) is prospectively revoked by [S.I. 2018/1011](#) from implementation period completion day.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

There has been open and transparent public consultation during the preparation of these Regulations in accordance with 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⁽⁵⁾.

(5) OJ No. L 31, 1.2.2002, p. 1, as last amended by Regulation (EU) 2019/1243 of the European Parliament and of the Council (OJ No. L 198, 25.7.2019, p. 241).