W E L S H
S T A T U T O R Y I N S T R U M E N T S

2007 No.3368 (W.297)

FOOD, WALES

The Contaminants in Food (Wales) (Amendment) Regulations 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations, which apply in relation to Wales only, amend the Contaminants in Food (Wales) Regulations 2007 (S.I. 2007/840) ("the 2007 Regulations"). They make provision for the execution and enforcement of Commission Regulation (EC) No. 1126/2007 amending Regulation (EC) No. 1881/2006 setting maximum levels for certain contaminants in foodstuffs as regards *Fusarium* toxins in maize and maize products (OJ No. L255,29.9.2007, p.14).

2. The Regulations amend the definition of the "the Commission Regulation" in the 2007 Regulations so as to include the amendments effected by Commission Regulation (EC) No.1126/2007 (*regulation 2*).

3. A full regulatory assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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S T A T U T O R Y I N S T R U M E N T S

2007 No.3368 (W. 297)

FOOD, WALES

The Contaminants in Food (Wales) (Amendment) Regulations 2007

Made *24 November 2007*

Laid before the National Assembly for Wales

27 November 2007

Coming into force *19 December 2007*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 16(1)(a), 17(2) and 48(1) of the Food Safety Act 1990(**1**).

In accordance with section 48(4A) of that Act, the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency.

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(**2**), there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

(**1**) 1990 c. 16.. Section 1(1) and (2) (definition of "food") was substituted by S.I 2004/2990. Section 17 and 48 were amended by paragraphs 12 and 21 respectively of Schedule 5 to the Food Standards Act 1999 (1999 c.28), "the 1999 Act". Section 48 was also amended by S.I 2004/2990.
Functions so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as read with section 40(3) of the 1999 Act. Functions of the National Assembly for Wales are now exercisable by the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32).

(**2**) OJ No. L31, 1.2.2002, p.1. That Regulation was last amended by Commission Regulation (EC) No. 575/2006 (OJ No. L100, 8.4.2006, p.3).

Title, application and commencement

1. The title of these Regulations is the Contaminants in Food (Wales) (Amendment) Regulations 2007, apply in relation to Wales only and they come into force on 19 December 2007.

Amendment of the Contaminants in Food (Wales) Regulations 2007

2.—(1) The Contaminants in Food (Wales) Regulations 2007(**1**) are amended in accordance with paragraph (2).

(2) In regulation 2 (interpretation), for the definition of "the Commission Regulation" substitute the following —

> ""the Commission Regulation" (*"Rheoliad y Comisiwn")* means Commission Regulation (EC) No. 1881/2006 setting maximum levels for certain contaminants in foodstuffs(**2**) as amended by Commission Regulation (EC) No. 1126/2007 amending Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs as regards *Fusarium*-toxins in maize and maize products(**3**).".

G. Thomas

Under authority of the Minister for Health and Social Services, one of the Welsh Ministers

24 November 2007

(**1**) S.I. 2007/840 W. 73
(**2**) OJ No. L364, 20.12.2006, p.5.
(**3**) OJ No. L255, 29.9.2007, p.14.