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STATUTORY INSTRUMENTS

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**2011 No. 626 (W.90)**

**AGRICULTURE, WALES  
FOOD, WALES**

**The Official Feed and Food Controls  
(Wales) (Amendment) Regulations 2011**

<i>Made</i>	- - - -	<i>2 March 2011</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>7 March 2011</i>
<i>Coming into force</i>	- -	<i>1 April 2011</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 2(2) of the European Communities Act 1972<sup>(1)</sup>.

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

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<sup>(5)</sup> there has been open and transparent public consultation during the preparation and evaluation of the following Regulations.

**Title and commencement**

**1.** The title of these Regulations is the Official Feed and Food Controls (Wales) (Amendment) Regulations 2011 and they come into force on 1 April 2011.

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(1) 1972 c. 68.  
(2) S.I. 2005/1971. Functions of the National Assembly for Wales under this designation were transferred to the Welsh Ministers by paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c. 32).  
(3) S.I. 2010/2690.  
(4) S.I. 2008/1792.  
(5) OJ No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 596/2009 of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny — Part Four (OJ No. L188, 18.7.2009, p.14).

**Amendment of the Official Feed and Food Controls (Wales) Regulations 2009**

2.—(1) The Official Feed and Food Controls (Wales) Regulations 2009<sup>(6)</sup> are amended in accordance with the following paragraph.

(2) In regulation 12 (right of appeal), omit paragraphs (5) to (7).

*Gwenda Thomas*  
Deputy Minister for Social Services under  
authority of the Minister for Health and Social  
Services, one of the Welsh Ministers

2 March 2011

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<sup>(6)</sup> S.I. 2009/3376 (W.298).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations (at *regulation 2*) amend the Official Feed and Food Controls (Wales) Regulations 2009 (S.I. [2009/3376](#) (W.298)) by omitting paragraphs (5) to (7) of regulation 12 of those Regulations.
2. Those paragraphs made provision for a food business operator who has appealed against the refusal or withdrawal of an authorisation of a food business establishment to continue to operate the establishment pending the outcome of that appeal.
3. A regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations and is available from the Food Standards Agency, 11th Floor, Southgate House, Cardiff, CF10 1EW.