

Welsh Statutory Instrument 2003 No. 1635 (W.177)

The Fish Labelling (Wales) Regulations 2003

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STATUTORY INSTRUMENTS

2003 No. 1635 (W.177)

FOOD, WALES

The Fish Labelling (Wales) Regulations 2003

<i>Made</i>	<i>24th June 2003</i>
<i>Coming into force</i>	<i>30th June 2003</i>

The National Assembly for Wales in exercise of the powers conferred by sections 16(1)(e) and (f), 17(2), 26(3) and 48(1) of the Food Safety Act 1990[1], and now vested in it[2], having had regard in accordance with section 48(4A) of that Act to advice given by the Food Standards Agency and after consultation both as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council[3] and in accordance

with section 48(4) and (4B) of that Act, hereby makes the following Regulations:

Title, commencement and application

1. These Regulations may be cited as the Fish Labelling (Wales) Regulations 2003, shall come into force on 30th June 2003 and shall apply to Wales only.

Interpretation

2. In these Regulations -

"Regulation 104/2000" ("*Rheoliad 104/2000*") means Council Regulation (EC) No. 104/2000 on the common organisation of the markets in fishery and aquaculture products[4];
"Regulation 2065/2001" ("*Rheoliad 2065/2001*") means Commission Regulation (EC) No. 2065/2001 laying down detailed rules for the application of Council Regulation (EC) No. 104/2000 as regards informing consumers about fishery and aquaculture products[5];

and any expressions used in these Regulations and in Regulation 104/2000 or Regulation 2065/2001 have the same meaning as in those Regulations.

Offences relating to consumer information

3. - (1) Any person who, in contravention of Article 4.1 of Regulation 104/2000 (consumer information) as read with Regulation 2065/2001, offers for retail sale to the final consumer any of the products to which that Article applies shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) A person who fails to comply with Article 8 of Regulation 2065/2001 (traceability and control) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Lists of commercial designations

4. - (1) As regards Wales, the list of commercial designations which the United Kingdom is required to draw up and publish under Article 4(2) of Regulation 104/2000 is that set out in the Schedule to these Regulations, and accordingly, the commercial designations set out in that Schedule are names prescribed by law for the purposes of regulations 6(1), 7 and 8(a) of the Food Labelling Regulations 1996[6].

(2) In relation to a species included both in the Schedule to these Regulations and in a list published in English under Article 4(2) of Regulation 104/2000 having effect in another Member State or in another part of the United Kingdom, the commercial designation for that species in the list having effect in that other Member State or part of the United Kingdom shall be an alternative to the commercial designation for that species set out in the Schedule to these Regulations.

Omission of reference to the production method

5. In the case described in Article 4.2 of Regulation 2065/2001 (situation where it is obvious from commercial designation and catch area that the species is caught at sea) it shall not be a contravention of Article 4.1 of Regulation 104/2000 to offer for retail sale to the final consumer a fisheries product to which that Article applies without the product being marked or labelled with the production method.

Small quantities of products

6. - (1) For the purposes of Article 4(1) of Regulation 104/2000 as read

with Article 7 of Regulation 2065/2001, the small quantity of products which may be sold directly to consumers shall be products to a value not exceeding 20 Euro for each purchase.

(2) For the purposes of this regulation, the reference to 20 Euro shall be taken to be a reference to the sterling equivalent of that number of Euro, converted by reference to the rate of conversion published annually on the first working day of the preceding September in the C series of the Official Journal of the European Communities or, if no rate is published in it on that day, the first rate published in it thereafter.

Additional information relating to the catch area

7. The indication of catch area required by Article 4(1)(c) of Regulation 104/2000 may, where the circumstances described in Article 5(1)(c) of Regulation 2065/2001 apply, indicate the various Member States or third countries in which the product was farmed.

Provisional commercial designations

8. - (1) For the purposes of Article 2 of Regulation 2065/2001 (provisional commercial designations), the Food Standards Agency ("the Agency") shall be the competent authority.

(2) The Agency shall draw up and publish a list of provisional commercial designations laid down pursuant to the said Article 2.

Enforcement

9. Each food authority shall enforce and execute these Regulations in its area.

Application of various provisions of the Act

10. The following provisions of the Act shall apply for the purposes of these Regulations with the modification that any reference in those provisions to the Act or Part of the Act shall be construed as a reference to these Regulations and to those provisions of Regulation 104/2000 and Regulation 2065/2001 to which these Regulations relate -

- (a) section 3 (presumption that food is intended for human consumption);
- (b) section 20 (offences due to fault of another person);
- (c) section 21 (defence of due diligence) as it applies for the purposes of section 8, 14 or 15;
- (d) section 30(8) (which relates to documentary evidence);
- (e) section 32 of the Act (powers of entry);
- (f) section 33(1) (obstruction etc. of officers);
- (g) section 33(2) with the modification that the reference to "any such requirement as is mentioned in subsection (1) (b) above" shall be deemed to be a reference to any such requirement as is mentioned in that subsection as applied by sub-paragraph (f) above;
- (h) section 35(1) (punishment of offences) insofar as it relates to offences under section 33(1) as applied by sub-paragraph (f) above;
- (i) section 35(2) and (3) insofar as it relates to offences under section

- 33(2) as applied by sub-paragraph (g) above;
- (j) section 36 (offences by bodies corporate);
- (k) section 44 (protection of officers acting in good faith).

Revocation

11. Paragraph 1 of Schedule 1 to the Food Labelling Regulations 1996 (prescribed names of fish and shellfish) is revoked insofar as it applies to Wales.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998[7]

D. Elis-Thomas
The Presiding Officer of the National Assembly

24th June 2003

SCHEDULE

Regulation 4

COMMERCIAL DESIGNATIONS

1. - (1) Subject to subparagraphs (2) and (3) of this paragraph, the commercial designation for any species of fish specified in column 2 of the following Table shall be a name specified for that species in the corresponding entry in column 1 of the said Table.

(2) A customary name may be used for any species of fish which has been subjected to smoking or any similar process, unless the name of the species in column 2 of the following Table is followed by an asterisk. In such cases the name used for the food when the fish is smoked shall be either -

- (a) a name specified for that species in column 1 of the said Table preceded by the word "smoked", or
- (b) except in the case of *Salmo salar* (L.), "smoked Pacific salmon".

(3) Subparagraph (1) of this paragraph, as read with the following Table, shall not apply to fish regulated by Council Regulation (EEC) No 2136/89[8] laying down common marketing standards for preserved sardines, or Council Regulation (EEC) No 1536/92[9] laying down common marketing standards for preserved tuna and bonito.

<i>(i) Column 1</i>	<i>(ii) Column 2</i>
<i>Commercial designation</i>	<i>Species of fish</i>
(3) Sea Fish	

Anchovy	All species of the family <i>Engraulidae</i>
Barracuda	All species of <i>Sphyræna</i>
Barramundi	(a) <i>Lates calcarifer</i>
Bass or Sea bass	<i>Dicentrarchus labrax</i> (L.)
Japanese sea bass	<i>Lateolabrax japonicus</i>
Spotted sea bass	<i>Dicentrarchus punctatus</i>
Southern rock bass	<i>Paralabrax callaensis</i>
Bigeye	All species of <i>Priacanthus</i>
Bluefish or Tailor	<i>Pomatomus saltatrix</i>
Bogue	<i>Boops boops</i>
Bonito	All species of <i>Sarda</i> All species of <i>Euthynnus</i> , with the exception of <i>Euthynnus (Katsuwonus) pelamis</i> All species of <i>Auxis</i>
Brill	<i>Scophthalmus rhombus</i> (L.)
Brisling	<i>Sprattus sprattus</i> (L.) when canned
Catfish or Rockfish or Wolffish	All species of <i>Anarhichas</i>
Cobia	<i>Rachycentron canadum</i>
Cod or Codling	<i>Gadus morhua</i>
Pacific cod or Cod	<i>Gadus macrocephalus</i>
Greenland cod or Cod	<i>Gadus ogac</i>
Saffron cod	<i>Eleginus gracilis</i>
Red cod	<i>Pseudophycis bachus</i>
Blue cod	<i>Parapercis colias</i>
Coley or Saithe or Coalfish	<i>Pollachius virens</i> (L.)
Conger	All species of <i>Conger</i>
Croaker or Drum or Jewfish	All species of the family <i>Sciaenidae</i>
Dab	<i>Limanda limanda</i> (L.)
Yellowtail dab	<i>Limanda ferruginea</i>
Pacific sand dab	(ii) <i>Citharichthys sordidus</i>
Dogfish or Flake or Huss or Rigg or Rock Salmon or Rock Eel	All species of <i>Galeorhinus</i> All species of <i>Mustelus</i>

	All species of <i>Scyliorhinus</i> <i>Galeus melastomus</i> Rafin. <i>Squalus acanthias</i> (L.)
Dory or John Dory or St Peter's fish	<i>Zeus faber</i> (L.)
Eel	All species of <i>Anguilla</i>
Emperor	All species of <i>Lethrinus</i>
Escolar or Snake Mackerel	(iii) All species of the family Gempylidae
Flounder	<i>Platichthys flesus</i> (L.)
Flying fish	All species of the family <i>Exocoetidae</i>
Greenling	(a) <i>Ophiodon elongatus</i>
Grouper	All species of <i>Mycteroperca</i> All species of <i>Epinephelus</i>
Gurnard	All species of the family <i>Triglidae</i> <i>Peristedion cataphractum</i> (L.)
Haddock	<i>Melanogrammus aeglefinus</i> (L.)
Hake	All species of <i>Merluccius</i>
	Alternatively, the following may be used
Cape hake	(iv) <i>Merluccius capensis</i> <i>Merluccius paradoxus</i>
White hake	<i>Urophycis tenuis</i>
Halibut	<i>Hippoglossus hippoglossus</i> (L.) <i>Hippoglossus stenolepis</i>
Black halibut or Mock halibut	<i>Reinhardtius hippoglossoides</i> (Walbaum)
Herring	<i>Clupea harengus</i> (L.)
Hilsa	2. <i>Tenualosa ilisha</i>
Hoki	<i>Macruronus novaezelandiae</i>
Chilean hoki	<i>Macruronus magellanicus</i>

Jack <i>or</i> Scad <i>or</i> Horse Mackerel <i>or</i> Trevally	All species of <i>Caranx</i> All species of <i>Hemicaranx</i> All species of <i>Seriola</i> All species of <i>Trachurus</i> All species of <i>Decapterus</i>
Kingklip	(ii) <i>Genypterus capensis</i>
Ladyfish	All species of the family <i>Elopidae</i>
Ling	All species of <i>Molva</i>
Lumpfish <i>or</i> Lumpsucker	<i>Cyclopterus lumpus</i>
Mackerel	All species of <i>Scomber</i>
King Mackerel <i>or</i> Kingfish	<i>Scomberomorus cavalla</i>
Mahi Mahi	(iii) <i>Coryphaena hippurus</i>
Marlin	All species of <i>Makaira</i>
Megrim	All species of <i>Lepidorhombus</i>
Milkfish	<i>Chanos chanos</i>
Monk(fish) <i>or</i> Angler(fish)	<i>Lophius piscatorius</i> (L.) (aa) <i>Lophius americanus</i>
Cape monk(fish) <i>or</i> Cape angler(fish)	
	(a) <i>Lophius vomerinus</i>
Red mullet	(iv) All species of <i>Mullus</i>
Goatfish	All other species of the family <i>Mullidae</i>
Grey mullet	All species of <i>Mugil</i> All species of <i>Liza</i> All species of <i>Chelon</i>
Opah <i>or</i> Moonfish	All species of <i>Lampris</i>
Orange roughy	(v) <i>Hoplostethus atlanticus</i>
Parrotfish	All species of the family <i>Scaridae</i>
Picarel	<i>Spicara smaris</i>

Pilchard	<i>Sardina pilchardus</i> (Walbaum)
Pacific pilchard	<i>Sardinops sagax</i> that has been caught in the Pacific Ocean.
South Atlantic pilchard	<i>Sardinops sagax</i> that has been caught in the South Atlantic Ocean.
Plaice	<i>Pleuronectes platessa</i> (L.)
American plaice	<i>Hippoglossoides platessoides</i> (Fabr.)
Pollack <i>or</i> Pollock <i>or</i> Lythe	Pollachius pollachius (L.)
Pacific pollack <i>or</i> Pacific pollock <i>or</i> Alaska pollack <i>or</i> Alaska pollock	<i>Theragra chalcogramma</i> (Pallas)
Pomfret <i>or</i> Butterfish	All species of <i>Brama</i> All species of <i>Stromateus</i> All species of <i>Pampus</i>
Poor cod	(vi) <i>Trisopterus minutus</i>
Pout <i>or</i> Pout Whiting <i>or</i> Pouting <i>or</i> Bib	<i>Trisopterus luscus</i>
Rainbow runner	(vii) <i>Elagatis bipinnulata</i>
Redfish <i>or</i> Ocean perch <i>or</i> Rose fish	All species of <i>Sebastes</i> All species of <i>Helicolenus</i>
Sablefish	3. <i>Anoplopoma fimbria</i>
Sailfish	All species of <i>Istiophorus</i>
Sardine	Small <i>Sardina pilchardus</i> (Walbaum)
Sardinella	All species of <i>Sardinella</i>
Scabbard fish <i>or</i> Sabre <i>or</i> Sabre fish <i>or</i> Silver sabre <i>or</i> Black sabre	<i>Lepidopus caudatus</i> <i>Aphanopus carbo</i>
Sea bream <i>or</i> Porgy	All species of the family <i>Sparidae</i> except <i>Boops boops</i>
Sild	Small <i>Clupea harengus</i> (L.), when canned Small <i>Sprattus sprattus</i> (L.), when canned
Skate <i>or</i> Ray <i>or</i> Roker	All species of <i>Raja</i>
Smelt <i>or</i> Sparling	All species of <i>Osmerus</i>

Snapper	All species of the family <i>Lutjanidae</i>
	<i>Alternatively, the following may be used</i>
Jobfish	All species of <i>Aphareus</i> All species of <i>Aprion</i> All species of <i>Pristipomoides</i>
Snook	All species of <i>Centropomus</i>
Sole <i>or</i> Dover sole	<i>Solea solea</i> (L.)
Butter sole	<i>Isopsetta isolepis</i>
Californian sole	<i>Parophrys vetulus</i>
Lemon sole	<i>Microstomus kitt</i> (Walbaum)
Petrale sole	<i>Eopsetta jordani</i>
Rex sole <i>or</i> Long-finned sole	<i>Glyptocephalus zachirus</i>
Rock sole	<i>Lepidopsetta bilineata</i>
Pacific sole	<i>Microstomus pacificus</i>
Torbay sole <i>or</i> Witch	<i>Glyptocephalus cynoglossus</i> (L.)
Sprat	<i>Sprattus sprattus</i> (L.), except when canned
Swordfish	<i>Xiphias gladius</i>
Tarpon	All species of the family <i>Megalopidae</i>
Threadfin bream	All species of <i>Nemipterus</i>
Toothfish <i>or</i> Icefish	<i>Dissostichus mawsoni</i> <i>Dissostichus eleginoides</i>
Tuna <i>or</i> Tunny	All species of <i>Thunnus</i>
Skipjack tuna (<i>or</i> tuna)	<i>Katsuwonus pelamis</i>
Albacore tuna (<i>or</i> tuna)	<i>Thunnus alalunga</i>
Yellowfin tuna (<i>or</i> tuna)	<i>Thunnus albacares</i>
Bluefin tuna (<i>or</i> tuna)	<i>Thunnus thynnus</i>
Bigeye tuna (<i>or</i> tuna)	<i>Thunnus obesus</i>
Turbot	<i>Psetta maxima</i>
Wahoo	(ii) <i>Acanthocybium solandri</i>
Whitebait	<i>Small Clupea harengus</i> (L.)

	<i>Small Sprattus sprattus</i> (L.)(except when canned)
Whiting	<i>Merlangius merlangus</i> (L.)
Blue whiting	<i>Micromesistius poutassou</i> (Risso)
Southern blue whiting	<i>Micromesistius australis</i>
Winter flounder	<i>Pseudopleuronectes americanus</i> (Walbaum)
4. (a) Salmon and Freshwater Fish	
Bacha	<i>Eutropiichthys vacha</i>
Batashi	<i>Pseudeutropius atherinoides</i>
Carp	All species of the family <i>Cyprinidae</i>
	Alternatively the following may be used
Mowrala	<i>Amblypharyngodon mola</i>
Banspata	<i>Danio devario</i>
Bata	<i>Labeo bata</i>
Kalibous	<i>Labeo calbasu</i>
Ghania	<i>Labeo gonius</i>
Ruhi	<i>Labeo rohita</i>
Punti	<i>Puntius sarana</i>
Chelapata	<i>Salmostoma bacaila</i>
Catfish or American catfish or Channel catfish	All species of the family <i>Ictaluridae</i>
Catfish	All species of the family <i>Clariidae</i> All species of the family <i>Siluridae</i> All species of the family <i>Bagridae</i>
	Alternatively the following may be used
Magur	(i) <i>Clarias batrachus</i>
Gulsha	<i>Mystus bleekeri</i>
Buzuri	<i>Mystus tengara</i>
Tengra	<i>Mystus vittatus</i>
Pabda	<i>Ompok pabda</i>
Ayre	<i>Sperata aor</i>

Boal	<i>Wallago attu</i>
Chapila	<i>Gudusia chapra</i>
Char	All species of <i>Salvelinus</i>
Kakila	<i>Xenentodon cancila</i>
Keski	<i>Corica soborna</i>
Khalisha	<i>Colisa fasciatus</i>
Koi	<i>Anabas testudineus</i>
Largebaim	<i>Mastacembelus armatus</i>
Meni	<i>Nandus nandus</i>
Nile Perch	(ii) <i>Lates niloticus</i>
Pacific dory or Vietnamese sole	(aa) <i>Pangasius bocourti</i>
Patabaim	<i>Macrognathus aculeatus</i>
Queen fish	<i>Botia dario</i>
(b) River cobbler	(iii) <i>Pangasius micronemus</i> (iv) <i>Pangasius hypophthalmus</i>
Salmon or Atlantic salmon	<i>Salmo salar</i> (L.)*
Cherry salmon or Pacific salmon	<i>Oncorhynchus masou</i> *
Chum salmon or Keta salmon	<i>Oncorhynchus keta</i> (Walbaum)*
Medium red salmon or Coho salmon or Silver salmon	<i>Oncorhynchus kisutch</i> (Walbaum)*
Pink salmon	<i>Oncorhynchus gorbuscha</i> (Walbaum)*
Red salmon or Sockeye salmon	<i>Oncorhynchus nerka</i> (Walbaum)*
Spring salmon or King salmon or Chinook salmon or Pacific salmon	<i>Oncorhynchus tshawytscha</i> (Walbaum)*
Shol	<i>Channa striata</i>
Taki	<i>Channa punctata</i>
Tilapia	All species of <i>Tilapia</i> All species of <i>Oreochromis</i>
Trout or Brown trout	<i>Salmo trutta</i> (L.) which has spent all of its life in fresh water

Sea trout <i>or</i> Salmon trout	<i>Salmo trutta</i> (L.) which has spent part of its life in sea water
Cut-throat trout <i>or</i> trout	<i>Oncorhynchus clarki</i>
Rainbow trout <i>or</i> Steelhead trout <i>or</i> trout	<i>Oncorhynchus mykiss</i>
(b)	
(c) Shellfish	
Abalone <i>or</i> Ormer	All species of <i>Haliotis</i>
Clam <i>or</i> Hard shell clam	<i>Mercenaria mercenaria</i> (L.) <i>Venus verrucosa</i> (L.)
Clam <i>or</i> Razor clam	All species of <i>Ensis</i> and <i>Solen</i>
Geoduck <i>or</i> Geoduck clam	(b) <i>Panopea abrupta</i>
Surf clam	All species of <i>Spisula</i>
Cockle	All species of <i>Cerastoderma</i>
Crab	All species of the order <i>Brachyura</i> All species of the family <i>Lithodidae</i>
Crayfish	All species of the family <i>Astacidae</i> All species of the family <i>Parastacidae</i> All species of the family <i>Austroastacidae</i> All species of the family <i>Cambaridae</i>
Cuttlefish	All species of <i>Sepia</i> <i>Rossia macrosoma</i>
Lobster	All species of <i>Homarus</i>
Slipper lobster	All species of the family <i>Scyllaridae</i>
Squat lobster	All species of the family <i>Galatheididae</i>
Crawfish <i>or</i> Spiny lobster <i>or</i> Rock lobster	All species of <i>Panulirus</i> All species of <i>Palinurus</i> All species of <i>Jasus</i>
Indian ocean lobster	<i>Puerulus sewelli</i>

Mussel	All species of the family <i>Mytilidae</i>
Octopus	All species of <i>Octopus</i>
Oyster	All species of <i>Crassostrea</i> All species of <i>Ostrea</i>
Oyster <i>or</i> Portuguese oyster	<i>Crassostrea angulata</i> (Lmk.)
Oyster <i>or</i> Pacific oyster <i>or</i> Rock oyster	<i>Crassostrea gigas</i> (Thunberg)
Oyster <i>or</i> Native oyster	<i>Ostrea edulis</i> (L.)
Prawn <i>or</i> Shrimp	Whole fish (of a size which, when cooked, have a count of less than 397 per kg) or tails (of a size which, when peeled and cooked, have a count of less than 1,323 per kg) of - all species of the family <i>Palaemonidae</i> , all species of the family <i>Penaeidae</i> , and all species of the family <i>Pandalidae</i> All species of the family <i>Palaemonidae</i> All species of the family <i>Penaeidae</i> Where the count is less than 123 per kg (head on/shell on) or less than
King prawn	198 per kg (head off/shell on) or less than 242 per kg (head off/shell off) (ii) <i>Penaeus monodon</i> <i>Penaeus semisulcatus</i> (iii) <i>Penaeus esculentus</i> <i>Penaeus kerathurus</i>
Tiger prawn	(aa) <i>Penaeus japonicus</i> (bb) <i>Parapenaeopsis hardwickii</i>
	(a) <i>Parapenaeopsis sculptilis</i>
Scallop <i>or</i> King scallop	(iv) <i>Pecten maximus</i>
Atlantic scallop <i>or</i>	<i>Placopecten magellanicus</i>

Scallop	
Queen scallop <i>or</i> Queen <i>or</i> Scallop	<i>Chlamys</i> (<i>Aequipecten</i>) <i>opercularis</i>
Scallop <i>or</i> Common scallop	
	All species of the family <i>Pectinidae</i>
Scampi <i>or</i> Norway lobster <i>or</i> Dublin Bay prawn <i>or</i> Langoustine	<i>Nephrops norvegicus</i> (L.)
Pacific scampi	<i>Metanephrops andamanicus</i> <i>Metanephrops challenger</i> <i>Metanephrops thomsoni</i>
Shrimp	Whole fish (of a size which, when cooked, have a count of 397 per kg or more) or tails (of a size which, when peeled and cooked, have a count of 1,323 per kg or more) of - all species of the family <i>Palaemonidae</i> , all species of the family <i>Penaeidae</i> , and all species of the family <i>Pandalidae</i> <i>Pandalus montagui</i> Leach All species of <i>Crangon</i>
Shrimp <i>or</i> Pink shrimp	
Shrimp <i>or</i> Brown shrimp	
Squid	All species of <i>Loligo</i> All species of <i>Illex</i> <i>Ommastrephes sagittatus</i>
Arrow Squid	(v) <i>Nototodarus sloani</i> <i>Nototodarus gouldi</i>
Whelk	All species of <i>Buccinum</i>
Winkle	All species of <i>Littorina</i>

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Wales only, provide for the execution and enforcement of Title 1, Chapter 2 of Council Regulation (EC) 104/2000 on the common organisation of the markets in fishery and aquaculture products as applied by Commission Regulation (EC) 2065/2001 laying down detailed rules on the application of Council Regulation (EC) 104/2000 as regards informing consumers about fishery and aquaculture products.

Title 1 of Chapter 2 of Council Regulation (EC) 104/2000 imposes requirements regarding the provision of information about the commercial designation, production method and catch area of certain fishery and aquaculture products offered for retail sale to the final consumer. It further provides for Member States to draw up and publish a list of commercial designations for at least the species listed in Annexes I to IV of the Regulation. Commission Regulation (EC) 2065/2001 describes in more detail the information to be provided to consumers and the exemptions that may be allowed. It also provides for the necessary information to be provided at each stage of the marketing process.

These Regulations -

- provide a list, as regards Wales, of the commercial designations required to be drawn up by the United Kingdom (regulation 4 and the Schedule) and further provide for the granting of provisional commercial designations (regulation 8);
- make provision as to the relaxation of the requirements in certain circumstances in relation to information about the production method (regulation 5); in the case of direct sales of small quantities to consumers by fishermen or aquaculture producers (regulation 6) and with regard to the inclusion of additional information about catch area (regulation 7);
- create offences and prescribe penalties (regulation 3), specify enforcement authorities (regulation 9) and incorporate specified provisions of the Food Safety Act 1990 (regulation 10);
- revoke the fish labelling requirements set out in paragraph 1 of Schedule 1 to the Food Labelling Regulations 1996 in relation to Wales (regulation 11).

A regulatory appraisal pursuant to section 65 of the Government of Wales Act 1998 has been prepared in respect of these Regulations and placed in the library of the National Assembly for Wales. Copies can be obtained from the Food Standards Agency, 1st Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.

Notes:

[1] 1990 c. 16. Section 26(3) of the Food Safety Act 1990 was amended by section 40(4) of, and Schedule 6 to, the Food Standards Act 1999.[back](#)

[2] Functions of formerly exercisable by the "Secretary of State" under the Food Safety Act 1990, 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 Food Standards Act 1999 (1999 c.28).[back](#)

[3] OJ No. L31, 1.2.2002, p.1: 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.[back](#)

[4] OJ No. L17, 21.1.2000, p.22.[back](#)

[5] OJ No. L278, 23.10.2001, p.6.[back](#)

[6] S.I. 1996/1499; regulation 6(4) (which defines "prescribed by law" for the purposes of regulations 6(1), 7 and 8(a)) was inserted by S.I. 1998/1398.[back](#)

[7] 1998 c.38.[back](#)

[8] OJ No. L212, 22.7.89, p.79.[back](#)

[9] OJ No. L163, 17.6.92, p.1.[back](#)

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