WELSH STATUTORY INSTRUMENTS

2012 No. 975 (W.129)

FOOD, WALES

The Food Hygiene (Wales) (Amendment) Regulations 2012

Made - - - -	*28 March 2012*
Laid before the National Assembly for Wales - -	*30 March 2012*
Coming into force - -	*1 May 2012*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**).

The Welsh Ministers are designated for the purposes of that section in relation to measures in respect of food (including drink) including the primary production of food(**2**).

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(**3**) there has been open and transparent public consultation during the preparation of the following Regulations.

Title and commencement

1. The title of these Regulations is the Food Hygiene (Wales) (Amendment) Regulations 2012 and they come into force on 1 May 2012.

Amendment of the Food Hygiene (Wales) Regulations 2006

2.—(1) The Food Hygiene (Wales) Regulations 2006(**4**) are amended in accordance with the following paragraphs.

(2) In paragraph (1) of regulation 9 (remedial action notices and detention notices) omit the words "subject to approval under Article 4(2) of Regulation 853/2004".

(3) After paragraph (3) of regulation 22 (appeals against hygiene improvement notices and remedial action notices), as new paragraph (4) add the following—

(**1**) 1972 c. 68.
(**2**) S.I. 2005/1971. By virtue of section 162 of and paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c. 32), functions conferred on the National Assembly for Wales by this designation are transferred to the Welsh Ministers.
(**3**) OJ No. L31, 1.2.2002, p.1. That Regulation was 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).
(**4**) S.I. 2006/31 (W.5) amended by S.I. 2006/1534 (W.151), S.I. 2007/373 (W.33) and S.I. 2010/893 (W.92).