WELSH STATUTORY INSTRUMENTS

# 2010 No. 2289 (W.201)

# FOOD, WALES

## The Food Irradiation (Wales) (Amendment) Regulations 2010

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| *Made - - - -* | *15 September 2010* |
| *Laid before the National Assembly for Wales - -* | *17 September 2010* |
| *Coming into force - -* | *20 October 2010* |

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 16(1), 16(3), 17(1), 18(1)(c), 19(1)(b), 26 and 48(1) of, and paragraphs 1 and 4(b) of Schedule 1 to, the Food Safety Act 1990(**1**) and now vested in them(**2**).

In accordance with section 48(4A) of that Act, they 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(**3**) there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

### Title and commencement

**1.** The title of these Regulations is the Food Irradiation (Wales) (Amendment) Regulations 2010 and come into force on 20 October 2010.

(**1**) 1990 c. 16; section 1(1) and (2) (definition of "food") was substituted by S.I. 2004/2990. Sections 17, 19 and 48 were amended by paragraphs 12, 14 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. Section 26(3) was amended by Schedule 6 to the 1999 Act. Section 53(2) was amended by paragraph 19 of Schedule 16 to the Deregulation and Contracting Out Act 1994 (1994 c. 40), Schedule 6 to the 1999 Act, S.I. 2004/2990 and S.I. 2004/3279.

(**2**) Functions formerly exercisable by "the Ministers" (being, in relation to England and Wales and acting jointly, the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales and, in relation to Scotland, the Secretary of State) are now exercisable in relation to England by the Secretary of State pursuant to paragraph 8 of Schedule 5 to the 1999 Act. Functions of "the Ministers" 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, and thereafter transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c. 32).

(**3**) 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 Food Irradiation (Wales) Regulations 2009**

**2.** The Food Irradiation (Wales) Regulations 2009(**4**) are amended in accordance with regulations 3 to 6.

**3.** In the Welsh text of Schedule 2 (licences) for the words "risg sylweddol" in paragraph 2(i) of Part 1 there is substituted "risg o bwys".

**4.** In Schedule 2 (licences) for sub-paragraph (1)(b) of paragraph 9 of Part 3 (requirements and prohibitions to be observed by a licensee)—

(1) in the English text there is substituted the following sub-paragraph—

"(b) its batch number;", and

(2) in the Welsh text there is substituted the following sub-paragraph—

"(b) Rhif y swp;".

**5.** For Schedule 3 (list of approved facilities in member States) there is substituted the Schedule set out in Schedule 1.

**6.** For Schedule 4 (list of facilities in a country outside the European Community) there is substituted the Schedule set out in Schedule 2.

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

15 September 2010

(**4**) S.I. 2009/1795 (W.162).

SCHEDULE 1 Regulation 5

SCHEDULE SUBSTITUTED FOR SCHEDULE 3 TO THE FOOD IRRADIATION (WALES) REGULATIONS 2009

"SCHEDULE 3 Regulations 3(1) and 5(1)(b)(i)

LIST OF APPROVED FACILITIES IN MEMBER STATES

| *Official reference number* | *Name and address* |
|---|---|
| 2110/91/0004 | Sterigenics<br>SA Zoning Industriel<br>B-6220 Fleurus<br>Belgium |
| 01/23.05.2008 | BULGAMMA SOPHARMA Ltd<br>Iliensko Shosse Str.16<br>Sofia<br>Bulgaria |
| IR-02-CZ | BIOSTER a.s.<br>Tejny 621<br>664-71 Veverska Bityska<br>Czech Republic |
| SN 01 | Gamma-Service<br>Produktbestrahlung GmbH<br>Juri-Gagarin Strasse 15<br>D-01454 Radeberg<br>Germany |
| BY FS 01/2001 | Isotron Deutschland GmbH<br>Kesselbodenstrasse 7<br>D-85391 Allershausen<br>Germany |
| NRW-GM 01 and NRW-GM 02 | BSG Beta-Gamma-Service GmbH & Co. KG<br>Fritz-Kotz-Str.16 |

| *Official reference number* | *Name and address* |
|---|---|
| | D-51674 Wiehl<br>Germany |
| D-BW-X-01 | Beta-Gamma-Service GmbH & Co. KG<br>John-Deere-Strasse 3<br>D-76646 Bruchsal<br>Germany |
| 500001/CU | Ionmed Esterilización, SA<br>Santiago Rusiñol 12. Madrid<br>Antigua Cntra Madrid-Valencia KM 83.7.<br>Tarancón<br>Cuenca<br>Spain |
| 5.00002/B | ARAGOGAMMA S.A.<br>Salvador Mundi 11, bajo.<br>08017 Barcelona<br>Carretera Granoolers a Cardedeu km 3,5.<br>08520 Les Franqueses dêsVallés<br>Barcelona<br>Spain |
| 13055 F | Isotron France SAS<br>Rue Jean Queillau Marché des Arnavaux<br>F-13014 Marseille Cedex 14<br>France |
| 01 142 F | Ionisos SA<br>Zone Industrielle les Chartinières<br>F-01120 Dagneux<br>France |
| 72 264 F | Ionisos SA |

| *Official reference number* | *Name and address* |
|---|---|
| | Zone Industrielle de l'Aubrée<br>F-72300 Sablé-sur-Sarthe<br>France |
| 85 182 F | Ionisos SA<br>ZI Montifaud<br>F-85700 Pouzauges<br>France |
| 10 093 F | Ionisos SA<br>Zone Industrielle<br>F-10500 Chaumesnil<br>France |
| EU-AIF-04-2002 | AGROSTER Besugárzó Részvénytársaság<br>Budapest X<br>Jászberényi út 5<br>H-1106<br>Hungary |
| RAD 1/04 IT | GAMMARAD ITALIA SPA<br>Via Marzabotto, 4<br>Minerbio (BO)<br>Italy |
| GZB/VVB-991393 Ede | Isotron Nederland BV<br>Morsestraat 3<br>6716AH Ede<br>Netherlands |
| GZB/VVB-991393 Etten-Leur | Isotron Nederland BV Soevereinsestraat 2<br>4879NN Etten-Leur<br>Netherlands |
| GIS-HZ-4434-W. -3/MR/03 | Institute of Nuclear Chemistry and Technology |