WELSH STATUTORY INSTRUMENTS

2010 No. 2069 (W.191)

FOOD, WALES

The Addition of Vitamins, Minerals and Other Substances (Wales) (Amendment) Regulations 2010

Made - - - -	*14 August 2010*
Laid before the National Assembly for Wales - -	*17 August 2010*
Coming into force - -	*1 October 2010*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 16(1)(a), (e) and (f), 17(2), 26(1)(a) and (3) and 48(1) of the Food Safety Act 1990(**1**), and now vested in them(**2**), as read with paragraph 1A of Schedule 2 to the European Communities Act 1972(**3**).

In accordance with section 48(4A) of the Food Safety Act 1990 the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Welsh Ministers that it is expedient for references to the EU instrument mentioned in regulation 3 to be construed as references to that instrument as Annexes I and II to it may be amended from time to time.

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(**4**), 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. Sections 17 and 48 were amended by paragraphs 12 and 21 respectively of Schedule 5 to the Food Standards Act 1999 (1999 c. 28). Section 48 was also amended by S.I. 2004/2990.

(**2**) Functions of "the Ministers" in 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, and are now vested in the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (2006 c. 32).

(**3**) 1972, c. 68. Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (2006 c. 51) and amended by Part 1 of Schedule 1 to the European Union (Amendment) Act 2008 (2008 c. 7).

(**4**) 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 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).