WELSH STATUTORY INSTRUMENTS

2010 No. 1849 (W.180)

FOOD, WALES

The Nutrition and Health Claims (Wales) (Amendment) Regulations 2010

Made - - - -	*19 July 2010*
Laid before the National Assembly for Wales - -	*21 July 2010*
Coming into force - -	*1 October 2010*

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

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 Comunities Act 1972 and it appears to the Welsh Ministers that it is expedient for references to the Annex to the EU instrument mentioned in regulation 3 to be construed as references to that Annex as 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 (**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 Nutrition and Health Claims (Wales) (Amendment) Regulations 2010 and they come into force on 1 October 2010.

(**1**) 1990 c. 16. 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 Food Standards Act 1999 (1999 c. 28) and thereafter transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c. 32).

(**2**) 1972 c. 68. Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (2006 c. 51).

(**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 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).