WELSH STATUTORY INSTRUMENTS

2004 No. 245 (W.24)

FOOD, WALES

The Food (Emergency Control) (Miscellaneous Amendments) (Wales) Regulations 2004

Made - - - -	*4th February 2004*
Coming into force - -	*8th February 2004*

The National Assembly for Wales, being designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by that section makes the following Regulations:

Title, commencement and application

1.—(1) These Regulations may be cited as The Food (Emergency Control) (Miscellaneous Amendments) (Wales) Regulations 2004 and shall come into force on 8th February 2004.

(2) These Regulations apply to Wales only.

Amendments to the Food (Brazil Nuts) (Emergency Control) (Wales) Regulations 2003

2.—(1) The Food (Brazil Nuts) (Emergency Control) (Wales) Regulations 2003(**3**) shall be amended in accordance with paragraphs (2) and (3).

(2) For paragraphs (1) and (2) of regulation 6 (re-dispatch or destruction of illegal imports) substitute the following paragraphs —

> "(1) If on an inspection or examination of any Brazil nuts it appears to an authorised officer of a port health authority or as the case may be food authority that they do not comply with the maximum levels for aflatoxin B1 and aflatoxin total established by Commission Regulation (EC) No. 466/2001 setting maximum levels for certain contaminants in foodstuffs(**4**) the authorised officer may after appropriate consultation with a person appearing to the authorised officer to be the importer serve on that person a notice ordering —

(**1**) S.I. 1999/2788.
(**2**) 1972 c. 68.
(**3**) S.I. 2003/2254 (W. 224).
(**4**) OJ No. L77, 16.3.2001, p.1.