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WELSH STATUTORY INSTRUMENTS

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**2001 No. 3909 (W.321)**

**FOOD, WALES**

**The Colours in Food (Amendment)(Wales) Regulations 2001**

*Made* - - - - *4th December 2001*

*Coming into force* - - *1st January 2002*

In exercise of powers conferred on Ministers of the Crown by sections 6(4), 16(1)(a) and (e), 17(1), 26(1) and (3) and 48(1) of, and paragraph 1 of Schedule 1 to, the Food Safety Act 1990(1), and now vested in the National Assembly for Wales(2), having regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with that Act with such organisations as appear to it to be representative of interests likely to be substantially affected by the following Regulations, the National Assembly for Wales makes the following Regulations:

**Title, commencement and application**

1.—(1) These Regulations may be cited as the Colours in Food (Amendment) (Wales) Regulations 2001, shall come into force on 1st January 2002 and shall extend to Wales only.

**Amendment of the Colours in Food Regulations 1995**

2. The Colours in Food Regulations 1995(3) shall be amended, in so far as they extend to Wales, in accordance with regulation 3.

3. In paragraph (1) of regulation 2 (interpretation), in the definition of “Directive 95/45/EC”, there shall be added at the end the words “and Directive 2001/50/EC”(4).

**Consequential amendments**

4.—(1) Regulation 3 of the Colours in Food (Amendment) (Wales) Regulations 2000(5) shall be omitted.

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- (1) 1990 c 16; Section 6(4) of the Act was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act 1994 (c. 40) and by paragraph 10(3) of Schedule 5 to the Food Standards Act 1999 (c. 28) (“the 1999 Act”). Section 17(1) was amended by paragraph 12(a) and section 48 by paragraph 21, of Schedule 5 to the 1999 Act.
- (2) Functions vested in the Ministers of the Crown were, in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
- (3) S.I. 1995/3124 as amended by S.I. 2000/1799(W.124).
- (4) Cyfeirnod Cyfarwyddeb 2001/50/EC yw OJ Rhif L 190, 12.7.2001, t.14.
- (5) O.S. 2000/1799 (W. 124)

(2) In the provisions listed in paragraph (3), references to the Colours in Food Regulations 1995 shall, in so far as those provisions apply to Wales, be taken to be a reference to those Regulations as amended by the Colours in Food (Amendment) (Wales) Regulations 2000 and by these Regulations.

(3) The provisions to which paragraph (2) refers are—

- (a) The definition of “permitted colour” in regulation 2(1) (interpretation) of the Jam and Similar Products Regulations 1981**(6)**;
- (b) The definition of “additive” in regulation 2(1) (interpretation) of the Meat Products and Spreadable Fish Products Regulations 1984**(7)**;
- (c) The definition of “colour” in Part II of Schedule 1 (categories of food additives) to the Food Additive Labelling Regulations 1992**(8)**;
- (d) The definition of “colour” in regulation 2(1) (interpretation) of the Miscellaneous Food Additives Regulations 1995**(9)**; and
- (e) The definition of “the additives Regulations” in Regulation 2(1) (interpretation) of the Food Labelling Regulations 1996**(10)**.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998**(11)**

4th December 2001

*John Marek*  
The Deputy Presiding Officer, National  
Assembly for Wales

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**(6)** O.S. 1981/1063; yr offeryn diwygio perthnasol yw O.S. 1995/3124

**(7)** O.S. 1984/1566; yr offerynnau diwygio perthnasol yw O.S. 1995/3123, 1995/3124 a 1995/3187.

**(8)** O.S. 1992/1978; yr offeryn diwygio perthnasol yw O.S. 1995/3124.

**(9)** O.S. 1995/3187; y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

**(10)** O.S. 1996/1499; y ceir diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.; gweler hefyd O.S. 1999/1136

**(11)** 1998 p.38.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which extend to Wales only, further amend the Colours in Food Regulations 1995, which extend to Great Britain.

Regulation 3 brings up to date a reference to Directive [95/45/EC](#) on specific purity so as to cover its amendment by Directive [2001/50/EC](#) as regards the specifications for mixed carotenes and beta-carotene .

Regulation 4 brings up to date references to the 1995 Regulations in the Jam and Similar Products Regulations 1981, the Meat Products and Spreadable Fish Products Regulations 1984, the Food Additive Labelling Regulations 1992, the Miscellaneous Food Additive Regulations 1995 and the Food Labelling Regulations 1996.

No regulatory appraisal pursuant to section 65 of the Government in Wales Act 1998 has been carried out in respect of these Regulations.