

# **SL(6)552 – The Official Controls (Import of High-Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (No. 2) (Wales) Regulations 2024**

## **Background and Purpose**

These Regulations amend, in relation to Wales, Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries (EUR 2019/1793).

Regulation 2 makes provision to update the lists of high-risk food and feed of non-animal origin in Annexes 1 and 2 to EUR 2019/1793. Regulation 2(5) and (6), and Schedules 1 and 2, substitute those Annexes. The substitution of Annex 1 is made using powers in Articles 47(2)(b) and 54(4)(a) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (EUR 2017/625). The substitution of Annex 2 is made using powers in Article 53 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 (EUR 2002/178) and Article 54(4)(b) of EUR 2017/625.

Regulation 2(3) amends EUR 2019/1793 (using powers in Article 34(6) of EUR 2017/625) to make provision in relation to sampling and analysis for the hazard pentachlorophenol and dioxins in guar gum listed in Annex 1 (as substituted by these Regulations). Regulation 2(2) and (4) makes consequential amendments to EUR 2019/1793 following the removal of the entry in Annex 2 for guar gum (by these Regulations).

Regulation 3 makes consequential amendments to the Official Controls (Import of High-Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (Wales) Regulations 2024, to remove earlier amendments to EUR 2019/1793 that are superseded by the amendments made by these Regulations.

## **Procedure**

Negative

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.



## Technical Scrutiny

The following point is identified for reporting under Standing Order 21.2 in respect of this instrument.

### **1. Standing Order 21.2(vii) – that there appear to be inconsistencies between the meaning of its English and Welsh texts;**

In regulation 2(3), there is a difference between the English and Welsh text. In the English text, the location of the text for amendment is identified as "In Article 3(d)...". But in the Welsh text, it states that the text is "In Article 3(b)..." ("Yn Erthygl 3(b)...").

## Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

### **2. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.**

These Regulations correct an error identified during our scrutiny of [The Official Controls \(Import of High-Risk Food and Feed of Non-Animal Origin\) \(Amendment of Commission Implementing Regulation \(EU\) 2019/1793\) \(Wales\) Regulations 2024](#). In Schedule 2 to those Regulations, in Annex 2 to retained Regulation 2019/1793, in Table 1, in the entry for Sudan (SD), in the second column, in the Welsh text, the English words "Groundnut flours and meals" were translated into Welsh as "Blawd a phrydau bwyd cnadaear". However, these words should not have been translated into Welsh because retained Regulation 2019/1793 was not made in Welsh (as it is not an official language of the European Union). These Regulations correctly refer to "Groundnut flours and meals".

This is not referenced in section 2 of the Explanatory Memorandum (Matters of special interest to the Legislation, Justice and Constitution Committee).

## Welsh Government response

A Welsh Government response is required.

## Committee Consideration

The Committee considered the instrument at its meeting on 9 December 2024 and reports to the Senedd in line with the reporting points above.

