



Notification Number: 2013/215/UK

## **The Food Hygiene Rating (Wales) Regulations 2013 - Regulation 3 (Form of sticker) and Schedule 1 (Food Hygiene Rating Sticker); and Regulation 10 (requirement to promote food hygiene ratings) and Schedule 3 (Websites and Publicity Materials).**

Date received : 22/04/2013

End of Standstill : 23/07/2013

### Message

Message 001

Communication from the Commission - SG(2013) D/51080

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2013/0215/UK - Notificare.

No abre el plazo - Nezažauje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késésekét - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201301080.EN)

#### **1. Structured Information Line**

MSG 001 IND 2013 0215 UK EN 22-04-2013 UK NOTIF

#### **2. Member State**

UK

#### **3. Department Responsible**

Department for Business, Innovation and Skills

Knowledge & Innovation Group

1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.



### 3. Originating Department

Welsh Government  
Health Protection Division  
Directorate for Public Health  
Department for Health and Social Services  
Cathays Park  
Cardiff CF10 3NQ

### 4. Notification Number

2013/0215/UK - C50A

### 5. Title

The Food Hygiene Rating (Wales) Regulations 2013 - Regulation 3 (Form of sticker) and Schedule 1 (Food Hygiene Rating Sticker); and  
Regulation 10 (requirement to promote food hygiene ratings) and Schedule 3 (Websites and Publicity Materials).

### 6. Products Concerned

The Regulations are required in order to give full effect to the new statutory food hygiene rating scheme for Wales established by the Food Hygiene Rating (Wales) Act 2013 ("the Act"). They deal with matters of detail that do not appear on the face of the Act, and prescribe a number of forms and wording that must be used by food authorities and food business operators.

The Act will require food authorities in Wales to rate food businesses within their area and for those businesses to display a sticker showing their food hygiene rating where it can be easily seen by customers. This will help to ensure consumers have access to easy to understand information on the hygiene standards of food businesses in order that they can make informed choices about where they decide to buy food.

### 7. Notification Under Another Act

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### 8. Main Content

The Regulations provide a process for bringing establishments rated under the non-statutory food hygiene rating scheme launched by the Food Standards Agency (FSA) in England, Wales and Northern Ireland ("the FSA Scheme") into the new statutory scheme by allowing new food hygiene ratings to be based on assessments of the food hygiene standards of an establishment carried out prior to the commencement of the Act (regulation 2).

The Regulations also prescribe:

- the form of the food hygiene rating sticker, and the location and manner in which it must be displayed (regulation 3 and Schedule 1) (this is a technical regulation for the purpose of Directive 98/34);
- categories of establishment which may be exempt from rating (regulation 5);
- the forms that a food business operator must use when making an appeal against a food hygiene rating and when requesting a re-rating inspection (regulations 6 and 15);
- information the food authority must provide to the FSA (regulation 8);



- standard forms of wording that must be published on websites and publicity materials relating to food business establishments (regulation 10 and Schedule 3) (this is a technical regulation for the purpose of Directive 98/34);
- information the food authority must send to the operator of the establishment following the outcome of a rating inspection, or a change to a food hygiene rating following an appeal or a re-rating inspection (regulations 4, 7 and 16); and
- information a food authority must send to the operators of new food business establishments within 14 days of registration (regulation 17).

### 9. Brief Statement of Grounds

Regulation 3 and Schedule 1 prescribe the form of the food hygiene rating sticker that must be displayed at a food establishment. The reason for having the sticker in a prescribed form is to ensure that consumers are given details of each establishments' food hygiene rating in a standard and readily-understood form that will enable them to make informed decisions about where to buy food. The sticker is fundamental to the operation of the statutory scheme.

Regulation 10 and Schedule 3 prescribe standard forms of wording that must be published on websites and publicity materials relating to food business establishments in order to ensure that food businesses provide consumers with appropriate information about where find the food hygiene rating for any establishment (but without imposing undue burdens on food businesses).

### 10. Reference Documents - Basic Texts

References of the Basic Texts: Food Hygiene Rating (Wales) Act 2013

### 11. Invocation of the Emergency Procedure

No

### 12. Grounds for the Emergency

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### 13. Confidentiality

No

### 14. Fiscal measures

No

### 15. Impact assessment

Yes

### 16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect



**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

**Single Market for goods**  
Prevention of Technical Barriers

No - The draft is not a sanitary or phytosanitary measure

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