



Notification Number: 2015/506/UK

## **The Food Hygiene Rating (Promotion of Food Hygiene Rating)(Wales) Regulations - Regulation 2 (specification of food business establishments in scope of regulations); Regulations 3-5 (requirements to promote food hygiene ratings).**

Date received : 01/09/2015

End of Standstill : 02/12/2015

### Message

Message 001

Communication from the Commission - TRIS/(2015) 02747

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlāsenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2015/0506/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμία 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 késések - 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: 201502747.EN)

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

MSG 001 IND 2015 0506 UK EN 01-09-2015 UK NOTIF

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

UK

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

Department for Business, Innovation and Skills

European Reform Directorate

1 Victoria Street, London, SW1H 0ET.

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### 3. Originating Department

Welsh Government  
Public Health Division  
Directorate of Health Policy  
Health and Social Services Group  
Cathays Park  
Cardiff CF10 3NQ

### 4. Notification Number

2015/0506/UK - C50A

### 5. Title

The Food Hygiene Rating (Promotion of Food Hygiene Rating)(Wales) Regulations - Regulation 2 (specification of food business establishments in scope of regulations); Regulations 3-5 (requirements to promote food hygiene ratings).

### 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. The requirements are limited to food business establishments that supply take-away food and limited to the publicity materials that food operators use to promote the take-away food as defined in regulation 1 and 2 of the regulations. The regulations require defined types of publicity materials to include a form of wording to publicise food hygiene ratings provided under the Act OR a display an image of a valid food hygiene rating as set out in regulations.3-5.

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

- Regulations (EC) n° 852/853/854/2004 relating to the hygiene of foodstuffs

### 8. Main Content

The Regulations apply to the following food businesses (regulation 2):

"establishments which supply take-away food direct to consumers or to another business."

The Regulations define "take-away food" as follows (regulation1):

"food that has been prepared to the specific order of consumers for delivery or consumption off the premises."

The Regulations (regulations 3-5; Schedule 1) requires food business establishments as defined to display on their publicity materials either:

(a) the statement "Ewch i <http://rating.food.gov.uk/> i ganfod sgôr hylendid bwyd ein busnes ne gofynnwch inni beth yw ein sgôr hylendid bwyd wrth archebu./ Go to <http://rating.food.gov.uk/> to find out the food hygiene rating of our business or ask us for our food hygiene rating when you order" OR



(b) the establishment's valid rating.

The regulations define "publicity materials " as follows:

""the operator's publicity materials" means any printed material which promotes the take-away food provided by the operator's establishment and which includes the prices of the food provided together with a description of how a consumer, being an individual to whom food is supplied otherwise than in the course of a business carried on by him, may place an order otherwise than in person."

The Regulations also create offences for non-compliance with the specified requirements (regulation 6-7); makes provision for enforcement (regulations 8-9) and sets out penalties for non-compliance (regulation 10-11; Schedule 2).

### **9. Brief Statement of Grounds**

Regulation 3-5 prescribes a standard form of wording OR image that must be published on hard copy publicity materials (as defined within the regulations) relating to food business establishments (as specified within the regulations) in order to ensure that food businesses provide consumers with appropriate information about where to 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: The Food Hygiene Rating (Promotion of Food Hygiene Rating) (Wales)

Regulations - Consultation document

Basic Texts have been forwarded within the framework of a previous notification: 2013/0215/UK

### **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



**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

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

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

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European Commission

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