

Government Response: *The Bread and Flour (Wales) Regulations 2025*

Technical Scrutiny point 1: The Welsh Government acknowledges that there is an issue with the use of the word “blawd” to cover both “flour” and “meal”, in the context of the Welsh text of the definition of “flour” (“*blawd*”) in regulation 2 of the Bread and Flour (Wales) Regulations 2025 (‘the Regulations’).

The Welsh Government is considering how best to amend the definition to properly distinguish “flour” from “meal” in the Welsh text of the definition but anticipates including a correcting amendment within the omnibus amending instrument being brought forward before the summer recess.

Technical Scrutiny point 2: The decision to include bread, as an ingredient in a product, to be exempt from certain requirements, where it is destined for export to third countries, is intended to capture those products where bread is, itself, an ingredient, albeit affecting perhaps a limited number of products.

By way of context, the Bread and Flour Regulations 1998 (‘the 1998 Regulations’) were revoked and replaced by the Regulations, with amendments, of which this provision is one example. This provision supplements amendments made by the Food (Withdrawal of Recognition) (Miscellaneous Amendments and Transitional Provisions) (Wales) (EU Exit) Regulations 2022 (‘the 2022 Regulations’) to the 1998 Regulations. Amendments made by the 2022 Regulations to the 1998 Regulations, amongst other things, included exemptions so that any bread or flour produced in Wales, if destined for export to a third country, need not comply with fortification rules. The exemptions covered also flour produced, imported or moved into Wales that is for use in Wales for the production of food that is to be exported to a third country. These exemptions did not extend to bread used as an ingredient in a product destined for export to a third country, so this has been addressed in the Regulations.

This amendment benefits key stakeholders by providing greater clarity and benefits industry supplying products containing bread as an ingredient by exempting them from fortification requirements if these products are destined for export to a third country. The amendment will not affect products from other countries, nor will it affect Welsh businesses who trade with third countries as they already need to comply with the legislative requirements for the nations to which they export.

Technical Scrutiny point 3: The Welsh Government confirms that the words “CI Pigment White 18” was included intentionally in the Welsh language text in the Table in Schedule 2 to the Regulations. “CI Pigment White 18” is a name used by the Colour Index™, for which there is no standardised Welsh equivalent.

The Welsh Government acknowledges that the word “Chalk” is an error – the equivalent Welsh word “Sialc” should have been used and anticipates including a

correcting amendment within the omnibus amending instrument being brought forward before the summer recess.

Technical Scrutiny point 4: In the Table in Schedule 3 to the Regulations, the wording “...*consisting essentially of finely-divided metallic iron*...” was taken from the equivalent wording in Schedule 2 to the Bread and Flour Regulations 1998. On further consideration, the Welsh Government believes that, in the context of the relevant text of the Regulations, the word “essentially” in the English language text is effectively redundant. The Welsh Government considers that the corresponding Welsh language text (“*wedi ei gyfansoddi*”) is correct and carries equivalent meaning.

For clarity, the Welsh Government anticipates including a correcting amendment to the English language text (to remove the word “essentially”) within the omnibus amending instrument being brought forward before the summer recess.

Technical Scrutiny point 5: The Welsh Government acknowledges the point. The error is in the Welsh text. The term “weigh in weight” (often written as “w/w”) refers to the proportion of a particular substance within a mixture, as measured by weight or mass. The Welsh equivalent would be “*pwysau yn ôl pwysau*”

The Welsh Government anticipates including a correcting amendment within the omnibus amending instrument being brought forward before the summer recess.