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BWYD, CYMRU

**Rheoliadau Dŵ r Mwynol Naturiol, Dŵ r Ffynnon
a Dŵ r Yfed wedi'i Botelu (Diwygio) (Cymru) 2003**

Wedi'u gwneud - - - 26 Tachwedd 2003
Yn dod i rym - - - 1 Rhagfyr 2003

Drwy arfer y pwerau a roddir gan adrannau 16(1), 17(1), 26(1)(a) a (3), 31 a 48(1) o Ddeddf Diogelwch Bwyd 1990(1) ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(2), mae Cynulliad Cenedlaethol Cymru, ar ôl rhoi sylw, yn unol ag adran 48(4A) o'r Ddeddf honno, i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd, ac ar ôl ymgynghori yn unol ag adran 48(4) a (4B) o'r Ddeddf honno, drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu (Diwygio) (Cymru) 2003 a deuant i rym ar 1 Rhagfyr 2003.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

Diwygio Rheoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu 1999

2. Diwygir Rheoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu 1999(3) mewn perthynas â Chymru yn unol â rheoliadau 3 i 21 isod.

3. Yn rheoliad 2 (dehongli) —

(a) ym mharagraff (1)—

(i) yn y diffiniad o “bottle”, yn lle'r geiriau “for human consumption”, yn y ddau le y maent yn ymddangos, rhoddir y geiriau “for drinking by humans”;

(ii) ar ôl y diffiniad o “Directive 80/778” mewnosodir y diffiniad canlynol —

““Directive 98/83” means Council Directive 98/83/EC relating to the quality of water intended for human consumption(4);”

(1) 1990 p.16.

(2) Trosglwyddwyd swyddogaethau “the Ministers” o dan Ddeddf Diogelwch Bwyd 1990, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru drwy Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) fel y'i darllenir gydag adran 40(3) o Ddeddf Safonau Bwyd 1999.

(3) O.S. 1999/1540, a ddiwygiwyd gan O.S. 2000/656.

(4) Rhif OJ L330, 5.12.98, t.32.

- (iii) yn lle'r diffiniad o “drinking water” rhoddir y diffiniad canlynol —
- ““drinking water” means water intended for sale for drinking by humans other than —
- (a) natural mineral water; or
- (b) water bottled in a bottle marked or labelled “spring water” in accordance with regulation 11;”, a
- (iv) yn y diffiniadau o “parameter” a “prescribed concentration or value” ill dau, mewnosodir ar y dechrau y geiriau “subject to paragraph (5) below;”,
- (b) yn lle paragraff (2) rhoddir y paragraff canlynol —
- “(2) Other expressions used both in these Regulations and in Council Directive 80/777 or 80/778 have the same meanings in these Regulations as they bear in the Directive concerned.”; ac
- (c) ar ôl paragraff (4) ychwanegir y paragraffau canlynol —
- “(5) Before 25th December 2003, the references to “Schedule 3”, in the definitions of “parameter” and “prescribed concentration or value” in paragraph (1) above, shall have effect as if the amendments made to these Regulations by regulations 17 to 21 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Wales) Regulations 2003 had not been made.
- (6) Any reference in these Regulations to the marking or labelling of a bottle relates both to the case where the marking or labelling occurs before any water is bottled and also to the case where it occurs after bottling.”.
4. Ym mharagraff (c) o reoliad 3 (esemptiadau), yn lle'r geiriau “human consumption” rhoddir y geiriau “drinking by humans”.
5. Yn rheoliad 4 (adnabod fel dŵr mwynol naturiol) —
- (a) ym mharagraff (2) —
- (i) yn is-baragraff (a) dilëir y gair “or”,
- (ii) yn is-baragraff (b) ychwanegir ar y diwedd y gair “or”, a
- (iii) ar ôl is-baragraff (b) mewnosodir yr is-baragraff canlynol —
- “(c) that the content of the water is not in accordance with paragraph 2(c) in Part I or, as the case may be, paragraph 2(c) in Part II, of Schedule 1;”,
- (b) yn lle paragraff (5), rhoddir y paragraff canlynol —
- “(5) Upon the grant or withdrawal pursuant to this regulation, by the relevant authority in Wales, of recognition for the purposes of Article 1, the authority concerned shall immediately inform the Agency of such grant or withdrawal.”; ac
- (c) ar ôl paragraff (7) rhoddir y paragraff canlynol —
- “(7A) Upon receiving notification of any change to the trade description of a natural mineral water, or to the name of the spring from which a natural mineral water has been extracted, the relevant authority in Wales shall immediately inform the Agency of that change.”.
6. Yn rheoliad 5 (gwahardd rhag gwerthu) ar ôl y geiriau “any water” mewnosodir y geiriau “bottled in a bottle”.
7. Yn rheoliad 10 (labelu dŵr mwynol naturiol) —
- (a) ym mharagraff (1), ar ôl y geiriau “cause any natural mineral water to be” mewnosodir y geiriau “bottled in a bottle”;

(b) ym mharagraff (3), ar ôl y geiriau “Natural mineral water shall be” mewnosodir y geiriau “bottled in a bottle”; ac

(c) yn lle paragraff (5) rhoddir y paragraff canlynol —

“(5) No person shall sell any natural mineral water which —

- (a) is bottled in a bottle marked or labelled in contravention of paragraph (1) above;
- (b) has undergone any of the treatments referred to in paragraph (3)(a) above, unless the bottle in which it is bottled is marked or labelled with the appropriate indication in accordance with that paragraph;
- (c) is bottled in a bottle not marked or labelled with the mandatory information referred to in paragraph (4) above; or
- (d) is bottled in a bottle marked or labelled with a trade description which is different from the trade description with which any other natural mineral water originating from the same spring is marked or labelled.”.

8. Yn lle rheoliad 11 (dŵr ffynnon) rhoddir y rheoliad canlynol —

“Spring water

11.—(1) No person shall cause any water to be bottled in a bottle marked or labelled with the description “spring water” unless —

- (a) that water has been extracted from a spring;
- (b) subject to paragraph (4) below, that water would, if it were a natural mineral water, meet the exploitation and bottling requirements;
- (c) that water would, if it were a natural mineral water, be capable of being bottled or sold without contravening the provisions of regulation 8;
- (d) subject to paragraphs (6) and (7) below, that water satisfies the requirements of Schedule 3; and
- (e) the bottling occurs at source.

(2) No person shall cause any bottle to be marked or labelled with the description “spring water” unless the water contained in it —

- (a) subject to paragraphs (6) and (7) below, is bottled as specified in paragraph (1) above;
- (b) is (if it has not undergone any treatment) intended for consumption in its natural state; and
- (c) would (where the bottle in which it is bottled is marked or labelled with any trade description) if it were a natural mineral water, comply with the requirements of Article 8.

(3) No person shall cause any water to be bottled in a bottle marked or labelled with the description “spring water” unless the bottle is also marked or labelled with —

- (a) the name of the place where the spring in question is exploited; and
- (b) the name of the spring.

(4) Any water bottled in a bottle marked or labelled with the description “spring water”, which is transported from the spring to the bottling plant in a container which is not for distribution to the ultimate consumer, shall not, for that reason alone, be taken to have failed to meet the exploitation and bottling requirements if, on or before 23rd November 1996, the water from that spring was so transported to the bottling plant.

(5) No person shall sell any water which is —

- (a) subject to paragraphs (6) and (7) below, bottled otherwise than as specified in paragraph (1) above; or
- (b) subject to paragraphs (6) and (7) below, bottled in a bottle marked or labelled in contravention of paragraph (2) or (3) above.

(6) Before 25th December 2003, the references in paragraph (1)(d) above and paragraph (7) below to “Schedule 3” shall have effect as if the amendments made to these Regulations by regulations 17 to 21 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Wales) Regulations 2003 had not been made.

(7) For the purposes of paragraphs (2)(a) and (5) above, where the water concerned has been bottled in an EEA State other than the United Kingdom, but does not satisfy the requirements of Schedule 3, it shall be deemed to satisfy those requirements if, at the date of bottling —

- (a) it satisfies the requirements prescribed in that State corresponding to those in Schedule 3; and
- (b) those requirements are in accordance with —
 - (i) (where the bottling occurs before 25th December 2003) whichever of Directives 80/778 and 98/83 is applicable in that State, or
 - (ii) (where the bottling occurs on or after that date) Directive 98/83.”.

9. Yn rheoliad 12 (dŵr yfed wedi'i botelu) —

- (a) yn lle paragraff (1) rhoddir y paragraff canlynol —

“(1) Subject to paragraphs (3) and (4) below, no person shall cause any drinking water to be bottled, or sell any bottled drinking water, unless it satisfies the requirements of paragraphs (2) and (3) below and Schedule 3.”;

- (b) yn lle paragraff (2) rhoddir y paragraff canlynol —

“(2) No person shall cause any drinking water which does not satisfy the provisions of section 1 of Annex I to be bottled in a bottle marked or labelled with any designation, proprietary name, trade mark, brand name, illustration or other sign, whether emblematic or not, the use of which is forbidden by Article 9.1(b).”; ac

- (c) yn lle paragraff (2) ychwanegir y paragraffau canlynol —

“(3) Before 25th December 2003, the references in paragraph (1) above and paragraph (4) below to “Schedule 3” shall have effect as if the amendments made to these Regulations by regulations 17 to 21 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Wales) Regulations 2003 had not been made.

(4) For the purposes of paragraph (1) above, where the water concerned has been bottled in an EEA State other than the United Kingdom, but does not satisfy the requirements of Schedule 3, it shall be deemed to satisfy those requirements if, at the date of bottling —

- (a) it satisfies the requirements prescribed in that State corresponding to those in Schedule 3; and
- (b) those requirements are in accordance with —
 - (i) (where the bottling occurs before 25th December 2003) whichever of Directives 80/778 and 98/83 is applicable in that State, or
 - (ii) (where the bottling occurs on or after that date) Directive 98/83.”.

10. Yn rheoliad 13 (gorfodi) —

- (a) yn lle paragraff (1) rhoddir y paragraff canlynol —

“(1) Subject to paragraphs (2) and (3) below, each food authority shall —

- (a) enforce and execute these Regulations within its area; and
- (b) with effect from 25th December 2003, for the purposes of carrying out that function, take within its area, in relation to products to which these Regulations and Directive 98/83 apply, the steps required of member States and competent authorities by Article 7.1 to 7.4 and 7.6 of that Directive.”;

(b) yn is-baragraff (a)(i) o baragraff (2), yn lle'r ymadrodd “4(b)” rhoddir yr ymadrodd “4(a)”;
ac

(c) ym mharagraff (3), yn lle'r ymadrodd “and 11(1)(e) and (f)” rhoddir yr ymadrodd “, 11(2), (3) and (5)(b) and 12(2)”.

11. Yn lle rheoliad 16 (dadansoddi) rhoddir y rheoliad canlynol —

“**16.**—(1) Subject to paragraph (2) below, methods of analysis which accord with Article 7.5 of Directive 98/83 shall be used for the purposes of determining whether or not water satisfies the provisions of Schedule 3.

(2) Before 25th December 2003, paragraph (1) above shall have effect as if the reference therein to Article 7.5 of Directive 98/83 were a reference to Article 12.5 of Directive 80/778 and the amendments made to these Regulations by regulations 17 to 21 of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Wales) Regulations 2003 had not been made.”.

12. Yn rheoliad 17 (tramgwyddau a chosbau), yn lle'r ymadrodd “10(1) or (5), 11(1) or (3), 12” rhoddir yr ymadrodd “10(1) or (5), 11(1), (2), (3) or (5), 12(1) or (2)”.

13. Yn rheoliad 18 (amddiffyniadau) —

(a) yn lle is-baragraff (b) o baragraff (1), rhoddir yr is-baragraff canlynol —

“(b) if the water was intended for export to an EEA State, that —

(i) in the case of water bottled in a bottle marked or labelled with the term “spring water” —

(A) where the export was to take place before 25th December 2003, the legislation complies with the provisions of Directive 80/777 and whichever of Directives 80/778 and 98/83 is applicable in the State concerned, and

(B) where the export was to take place on or after that date, the legislation complies with the provisions of Directives 80/777 and 98/83, and

(ii) in the case of bottled drinking water —

(A) where the export was to take place before 25th December 2003, the legislation complies with the provisions of whichever of Directives 80/778 and 98/83 is applicable in the State concerned, and

(B) where the export was to take place on or after that date, the legislation complies with the provisions of Directive 98/83.”;

(b) ym mharagraff (2)(a), ar ôl y gair “or” mewnosodir y geiriau “the bottle in which it was bottled was marked or”; ac

(c) ym mharagraff (3), cyn y geiriau “marked or labelled”, ym mha le bynnag y maent yn ymddangos, mewnosodir y geiriau “bottled in a bottle”.

14. Ym mharagraff (3) o reoliad 19 (cymhwysio darpariaethau eraill) yn lle'r gair "it" rhoddir y geiriau "the bottle in which it is bottled".

15.—(1) Yn ddarostyngedig i baragraff (2) isod, ym mharagraff 2(c) ym mhob un o Rannau I a II o Atodlen 1 (adnabod dyfroedd mwynol naturiol), ar ôl yr ymadrodd "numbers 1 to 9" mewnosodir yr ymadrodd "and 12".

(2) Cyn 25 Rhagfyr 2003, bydd paragraff 2(c) ym mhob un o Rannau I a II o Atodlen 1 yn effeithiol fel pe bai'r diwygiadau a wneir gan baragraff (1) a rheoliad 19 heb eu gwneud.

16. Yn Atodlen 2 (manyllion anionau, cationau, cyfansoddion sydd heb eu hïoneiddio ac elfennau hybrin), yn y cofnod yn yr ail golofn gyferbyn a'r cofnod sy'n ymwneud â'r "Fluoride F" yn y golofn gyntaf — yn lle'r ymadrodd "µg/l" rhoddir yr ymadrodd "mg/l".

17. Ym mharagraff 1 o Ran 1 o Atodlen 3 (Y gofynion ar gyfer dŵr ffynnon a dŵr yfed gan gynnwys crynodiadau neu werthoedd rhagnodedig paramedrau) —

(a) yn lle is-baragraff (a) rhoddir yr is-baragraffau canlynol —

“(a) the water does not contain —

(i) any micro-organism (other than a parameter) or parasite, or

(ii) any property, element or substance (other than a parameter),

at a concentration or value which would constitute a potential danger to human health;

(aa) the water does not contain any substance (whether or not a parameter) at a concentration or value which, in conjunction with any other property, element, substance or organism it contains (whether or not a parameter), would constitute a potential danger to human health;”;

(b) yn lle is-baragraff (b) rhoddir yr is-baragraff canlynol —

“(b) the water does not contain concentrations or values of any of the parameters listed in Tables A to D in Part II of this Schedule in excess of the prescribed concentrations or values; and”;

(c) yn is-baragraff (c), dilëir y geiriau o "and its alkalinity" hyd at y diwedd.

18. Yn lle Tabl A yn Rhan II o Atodlen 3 (crynodiadau neu werthoedd rhagnodedig dŵr ffynnon a dŵr yfed) a'r nodyn sy'n gysylltiedig ag ef, rhoddir y darpariaethau canlynol —

“TABLE A

<i>Column 1 Item</i>	<i>Column 2 Parameters</i>	<i>Column 3 Units of Measurement</i>	<i>Column 4 Concentration or Value (maximum unless otherwise stated)</i>
1.	Colour	mg/l Pt/Co scale	20
2.	Turbidity	NTU	4
3.	Odour	Dilution number	3 at 25°C
4.	Taste	Dilution number	3 at 25°C
5.	Sulphate	mg SO ₄ /l	250
6.	Sodium	mg Na/l	200

<i>Column 1 Item</i>	<i>Column 2 Parameters</i>	<i>Column 3 Units of Measurement</i>	<i>Column 4 Concentration or Value (maximum unless otherwise stated)</i>
7.	Nitrate	Mg NO ₃ /l	50(note 1)
8.	Nitrite	mg NO ₂ /l	0.5(note 1)
9.	Aluminium	µg Al/l	200
10.	Copper	mg Cu/l	2
11.	Fluoride	mg F/l	1.5
12.	Hydrogen ion concentration	pH units	6.5 (minimum) 9.5 (maximum)
13.	Tritium (for radioactivity)	Bq/l	100
14.	Total indicative dose	mSv/year	0.10 (note 2)
15.	Manganese	µg Mn/l	50

Note 1: The concentration (mg/l) of nitrate divided by 50 added to the concentration (mg/l) of nitrite divided by 3 must not exceed 1.

Note 2: Excluding tritium, potassium — 40, radon and radon decay products.”.

19. Yn lle Tabl B yn Rhan II o Atodlen 3 a'r nodiadau sy'n gysylltiedig ag ef rhoddir y darpariaethau canlynol —

“TABLE B

<i>Column 1 Item</i>	<i>Column 2 Parameters</i>	<i>Column 3 Units of Measurement</i>	<i>Column 4 Maximum Concentration</i>
1.	Arsenic	µg As/l	10
2.	Cadmium	µg Cd/l	5
3.	Cyanide	µg CN/l	50
4.	Chromium	µg Cr/l	50
5.	Mercury	µg Hg/l	1
6.	Nickel	µg Ni/l	20
7.	Selenium	µg Se/l	10
8.	Antimony	µg Sb/l	5
9.	Lead	µg Pb/l	10
10.	Pesticides and related products:		

<i>Column 1 Item</i>	<i>Column 2 Parameters</i>	<i>Column 3 Units of Measurement</i>	<i>Column 4 Maximum Concentration</i>
	(a) individual substances	µg/l	0.10 (notes 1 and 2)
	(b) total substances	µg/l	0.50 (notes 1 and 3)
11.	Polycyclic aromatic hydrocarbons	µg/l	0.1 sum of concentrations of specified compounds (note 4)
12.	Bromate	µg BrO ₃ /l	10

Note 1: "Pesticides" means:

- organic insecticides,
- organic herbicides,
- organic fungicides,
- organic nematocides,
- organic acaricides,
- organic algicides,
- organic rodenticides,
- organic slimicides,

related products (inter alia, growth regulators) and their relevant metabolites, degradation and reaction products.

Only those pesticides which are likely to be present in a given water need to be monitored.

Note 2: The maximum concentration applies to each individual pesticide. In the case of aldrin, dieldrin, heptaclor and heptachlor epoxide the maximum concentration is 0.030 µg/l.

Note 3: The maximum concentration for "total substances" refers to the sum of the concentrations of all individual pesticides detected and quantified in the monitoring procedure.

Note 4: The specified compounds are benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, indeno(1,2,3-cd) pyrene."

20. Yn lle Tabl B yn Rhan II o Atodlen 3 a'r nodiadau sy'n gysylltiedig ag ef rhoddir y darpariaethau canlynol —

"TABLE C

<i>Column 1 Item</i>	<i>Column 2 Parameters</i>	<i>Column 3 Units of Measurement</i>	<i>Column 4 Maximum Concentration</i>
1.	<i>Escherichia coli</i> (<i>E.coli</i>)	number/250 ml	0/250 ml
2.	Enterococci	number/250 ml	0/250ml
3.	Colony count 22°C	number/ml	100/ml(notes 1 and 2)

<i>Column 1 Item</i>	<i>Column 2 Parameters</i>	<i>Column 3 Units of Measurement</i>	<i>Column 4 Maximum Concentration</i>
4.	Colony count 37°C	number/ml	20/ml(notes 1 and 3)
5.	Pseudomonas aeruginosa	number/250ml	0/250 ml

Note 1: The total viable colony count should be measured within 12 hours of bottling, with the sample water being kept at a constant temperature during that 12 hour period. Any increase in the total viable colony count of the water between 12 hours after bottling and the time of sale should not be greater than that normally expected.

Note 2: In 72 hours on agar-agar or an agar-gelatine mixture.

Note 3: In 24 hours on agar-agar.”.

21. Yn lle Tabl D yn Rhan II o Atodlen 3 rhoddir y darpariaethau canlynol —

“TABLE D

<i>Column 1 Item</i>	<i>Column 2 Parameters</i>	<i>Column 3 Units of Measurement</i>	<i>Column 4 Maximum Concentration</i>
1.	Boron	µg B/l	1.0
2.	Benzo (a) pyrene	µg/l	0.010
3.	Tetrachloroethene and Trichloroethene	µg/l	10 (note 1)
4.	Tetrachloromethane	µg/l	3
5.	Benzene	µg/l	1.0
6.	1,2 dichloroethane	µg/l	3.0
7.	Trichloromethane, Dichlorobromomethane, Dibromochloromethane and Tribromomethane	µg/l	100 (note 1)
8.	Epichlorohydrin	µg/l	0.10 (note 2)
9.	Vinyl chloride	µg/l	0.50 (note 2)
10.	Acrylamide	µg/l	0.10 (note 2)

Note 1: The maximum concentration specified applies to the sum of the concentrations of the specified parameters.

Note 2: The parametric value refers to the residual monomer concentration in the water as calculated according to specifications of the maximum release from the corresponding polymer in contact with the water.”.

Diwygiadau canlyniadol

22.—(1) Yn Rheoliadau Diogelwch Bwyd (Samplu a Chymwysterau) 1990⁽⁵⁾ (darpariaethau nad yw'r Rheoliadau hynny yn gymwys iddynt) diwygir y cyfeiriad yn yr ail golofn, gyferbyn â'r cyfeiriad yn y golofn gyntaf i Reoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu 1999, mewn perthynas â Chymru er mwyn iddynt ddarllen “S.I. 1999/1540 as amended by S.I.2003/[]”.

(2) Mewn perthynas â Chymru, yn Rheoliadau Diogelwch Bwyd (Hylendid Bwyd yn Gyffredinol) 1995⁽⁶⁾ ym mharagraff (1) o reoliad 2 (dehongli), yn y diffiniad o “water”, ar ôl y dyddiad “1999” mewnosodir y geiriau “as amended by the Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) (Wales) Regulations 2003”.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998⁽⁷⁾

26 Tachwedd 2003

D. Elis-Thomas
Llywydd y Cynulliad Cenedlaethol

(5) O.S.1990/2463; y mae diwygiadau iddo nad ydynt yn gymwys i'r Rheoliadau hyn.

(6) O.S.1995/1763; y mae diwygiadau iddo nad ydynt yn gymwys i'r Rheoliadau hyn.

(7) 1998 p.38.

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

1. Mae'r Rheoliadau hyn yn gymwys i Gymru'n unig. Maent yn diwygio Rheoliadau Dŵ r Mwynol Naturiol, Dŵr Ffynnon a Dŵ r Yfed wedi'i Botelu 1999 (O.S. 1999/1540, “y prif Reoliadau”), sy'n ymestyn i Brydain Fawr gyfan ac a ddiwygiwyd eisoes gan Reoliadau Deddf Safonau Bwyd 1999 (Darpariaethau Trosiannol a Chanlyniadol ac Arbedion) (Cymru a Lloegr) 2000 (O.S. 2000/656).

2. Mewn perthynas â dŵ r ffynnon a dŵ r yfed wedi'i botelu, mae'r Rheoliadau hyn yn gweithredu Cyfarwyddeb y Cyngor 98/83/EC. Mae'r Gyfarwyddeb honno yn berthnasol i ansawdd dŵ r a fwriedir i'w yfed gan bobl (OJ Rhif L330, 5.12.1998, t. 32).

3. Mae'r Rheoliadau hyn —

(a) yn diwygio'r prif Reoliadau —

- (i) yn rheoliad 2(1) (y brif ddarpariaeth ddehongli), drwy ddiwygio diffiniadau'r termau “bottle”, “parameter” a “prescribed concentration or value”, drwy fewnosod diffiniad o'r term “Directive 98/83” a rhoi diffiniad newydd o'r term “drinking water” yn lle'r hen un (*rheoliad 3(a)*),
- (ii) drwy roi fersiwn ddiwygiedig o reoliad 2(2) yn lle'r hen un, er mwyn tynnu unrhyw eiriau diangen a gwella'r drafftio (*rheoliad 3(b)*),
- (iii) drwy ychwanegu darpariaeth drosiannol (*rheoliad 2(5)*) sy'n gosod sut mae'r termau “Schedule 3”, “parameter” a “prescribed concentration or value” fel y'u defnyddir yn rheoliad 2(1) i'w dehongli cyn 25 Rhagfyr 2003 (*rheoliad 3(c)*),
- (iv) drwy fewnosod darpariaeth (*rheoliad 2(6)*) sy'n rhagnodi sut mae cyfeiriadau yn y prif Reoliadau at farcio neu labelu potel i'w dehongli (*rheoliad 3(c)*),
- (v) drwy addasu geiriad paragraff (c) o reoliad 3 (esemptiadau) (*rheoliad 4*),
- (vi) drwy addasu paragraff (2) o reoliad 4 (adnabod fel dŵ r mwynol naturiol) drwy gynnwys ynddo sail ychwanegol y caiff yr awdurdod perthnasol neu'r Ysgrifennydd Gwladol ei defnyddio i dynnu cydnabyddiaeth o ddŵ r fel dŵ r mwynol naturiol (*rheoliad 5(a)*),
- (vii) drwy roi fersiwn ddiwygiedig o baragraff (5) yn lle'r hen un er mwyn gosod rhwymedigaeth ar awdurdodau perthnasol i roi gwybod i'r Asiantaeth Safonau Bwyd pan fydd yn cydnabod neu'n tynnu cydnabyddiaeth o ddŵ r fel dŵ r mwynol naturiol (*rheoliad 5(b)*),
- (viii) drwy fewnosod gofyniad newydd (*rheoliad newydd 4(7A)*) bod rhaid i'r awdurdodau perthnasol roi gwybod i'r Asiantaeth Safonau Bwyd am hysbysiadau iddynt am newidiadau o ran disgrifiadau masnachol o ddŵr mwynol naturiol neu enwau ffynhonnau neu darddle (*rheoliad 5(c)*),
- (ix) drwy egluro rheoliadau 5 (gwahardd rhag gwerthu) a 10 (labelu dŵr mwynol naturiol) (*rheoliadau 6 a 7*),
- (x) drwy roi fersiwn ddiwygiedig o reoliad 11 (dŵ r ffynnon) yn lle'r hen un er mwyn addasu'r gofynion sy'n berthnasol i botelu a gwerthu dŵr ffynnon a marcio a labelu poteli sy'n dwyn y dynodiad “spring water”; gan ychwanegu darpariaeth drosiannol sy'n gosod sut mae'r term “Schedule 3”, fel y'i defnyddir yn rheoliad 11,

i'w ddehongli cyn 25 Rhagfyr 2003; a chan ychwanegu darpariaeth cydnabyddiaeth gilyddol mewn perthynas â dŵ r ffynnon sy'n cael ei botelu mewn Gwladwriaeth AEE heblaw'r Deyrnas Unedig (*rheoliad 8*),

- (xi) drwy roi fersiwn ddiwygiedig o reoliad 12 (dŵ r yfed wedi'i botelu) yn lle'r hen un er mwyn addasu'r gofynion sy'n berthnasol i botelu a gwerthu dŵ r yfed wedi'i botelu; gan ychwanegu darpariaeth drosiannol sy'n gosod sut mae'r term "Schedule 3", fel y'i defnyddir yn rheoliad 12, i'w ddehongli cyn 25 Rhagfyr 2003; a chan ychwanegu darpariaeth cydnabyddiaeth gilyddol mewn perthynas â dŵ r ffynnon sy'n cael ei botelu mewn Gwladwriaeth AEE heblaw'r Deyrnas Unedig (*rheoliad 9*),
 - (xii) drwy roi fersiwn ddiwygiedig o baragraff (1) o reoliad 13 (gorfodi) yn lle'r hen un er mwyn gosod rhwymedigaeth ar awdurdodau bwyd, o 25 Rhagfyr 2003 ymlaen, i fonitro ansawdd dŵ r ffynnon a dŵ r yfed wedi'i botelu yn unol â gofynion penodedig Cyfarwyddeb 98/83/EC (*rheoliad 10(a)*),
 - (xiii) drwy adolygu'r meini prawf a ddefnyddir i asesu dŵr fel rhan o'r gwaith gwirio y mae'n rhaid ei wneud arno o bryd i'w gilydd yn unol â rheoliad 13(2)(a) i sicrhau ei fod yn ddŵ r mwynol naturiol (*rheoliad 10(b)*),
 - (xiv) drwy adolygu'r rhestr o ddarpariaethau'r prif Reoliadau y cyfeirir atynt yn rheoliad 13(3) at eu dibenion hwy ni ddsberthir awdurdodau penodedig yn awdurdodau bwyd (*rheoliad 10(c)*),
 - (xv) drwy roi fersiwn ddiwygiedig o reoliad 16 yn lle'r hen un er mwyn darparu, a hynny'n effeithiol o 25 Rhagfyr 2003 ymlaen, fod rhaid i'r dulliau dadansoddi a ddefnyddir i wirio cydymffurfedd dŵr ffynnon a dŵr yfed wedi'i botelu ag Atodlen 3 yn cael eu gwneud yn unol ag Erthygl 7.5 o Gyfarwyddeb 98/83/EC (*rheoliad 11*),
 - (xvi) drwy wneud newidiadau canlyniadol i reoliadau 17 a 18, sy'n darparu ar gyfer tramgwyddau a chosbau ac amddiffyniadau yn y drefn honno (*rheoliadau 12 a 13*),
 - (xvii) drwy wneud mân ddiwygiad eglurhaol i reoliad 19(3) (sy'n gwahardd gwerthu poteleidiau o ddŵr mwynol naturiol, dŵr ffynnon a dŵr yfed nas marciwyd neu nas labelwyd yn unol â rheoliad 38 o Reoliadau Labelu Bwyd 1996, O.S. 1996/1499 fel y'i diwygiwyd) (*rheoliad 14*),
 - (xviii) drwy adolygu, o 25 Rhagfyr 2003 ymlaen, y manylion a bennir yn Rhannau I a II o Atodlen I (manylion y mae'n rhaid i berson eu rhoi os yw'n gwneud cais am gael cydnabod dŵr yn ddŵr mwynol naturiol) (*rheoliad 15*),
 - (xix) drwy gywiro gwall teipograffyddol yn Atodlen 2 (manylion anionau, cationau, cyfansoddion sydd heb eu hŵneiddio ac elfennau hybrin) (*rheoliad 16*),
 - (xx) drwy adolygu'r gofynion ar gyfer dŵr ffynnon a dŵr yfed wedi'i botelu, gan gynnwys y gofynion ar gyfer crynodiadau neu werthoedd rhagnodedig paramedrau, a gynhwysir yn Atodlen 3 (*rheoliadau 17 i 21*), a
- (b) yn gwneud diwygiadau canlyniadol i Reoliadau Diogelwch Bwyd (Samplu a Chymwysterau) 1990 (O.S. 1990/2463, fel y'u diwygiwyd eisoes) a Rheoliadau Diogelwch Bwyd (Hylendid Bwyd Cyffredinol) 1995 (O.S. 1995/1763, fel y'u diwygiwyd eisoes) (*rheoliad 22*).

4. Cafodd arfarniad rheoliadol o effaith y Rheoliadau hyn ar gostau busnes ei baratoi, yn unol ag adran 65 o Ddeddf Llywodraeth Cymru a rhoddwyd copi ohono yn Llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 11, Southgate House, Caerdydd CF10 1EW.

5. Mae'r Rheoliadau hyn yn cynnwys darpariaethau a hysbyswyd i'r Comisiwn Ewropeaidd o dan Gyfarwyddeb 98/34/EC o Senedd Ewrop a'r Cyngor ac sy'n gosod gweithdrefn ar gyfer

darparu gwybodaeth ym maes safonau technegol a rheoliadau a rheolau ar wasanaethau cymdeithas
wybodaeth (OJ Rhif L204, 21.7.1998, t. 37).