CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 1690 (Cy.120)

BWYD, CYMRU

Rheoliadau Fformwla Fabanod a Fformwla Ddilynol (Diwygio) (Cymru) 2001

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Fformwla Fabanod a Fformwla Ddilynol 1995 mewn perthynas â Chymru wrth weithredu Cyfarwyddeb y Comisiwn 1999/50/EC sy'n diwygio Cyfarwyddeb 91/321/EC ar fformwlâu babanod a fformwlâu dilynol.

Mae'r Rheoliadau yn estyn y gofynion cyfansoddol ar gyfer y fformwlâu hyn sydd yn Rheoliadau 1995 drwy ychwanegu gofyniad na fyddant yn cynnwys gwaddodion plaleiddiaid unigol dros lefel o 0.01 mg/kg, wrth o’u mesur pan fyddant yn barod i'w defnyddio neu wrth eu hailgyfansoddi yn ôl cyfarwyddiadau'r gwneuthurwr (rheoliad 2(b)), ac maent yn gwneud diwygiadau canlyniadol (rheoliad 2(a)). Mae arfarniad rheoliadol ar gyfer y Rheoliadau hyn wedi'i baratoi yn unol ag adran 65 o Ddeddf Llywodraeth Cymru 1998 ac wedi'i osod yn llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 1, Southgate House Caerdydd CF10 1EW.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 1690 (W.120)

FOOD, WALES

The Infant Formula and Follow-on Formula (Amendment) (Wales) Regulations 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Infant Formula and Follow-on Formula Regulations 1995 in relation to Wales, in implementation of Commission Directive 1999/50/EC amending Directive 91/321/EC on infant formulae and follow-on formulae.

The Regulations extend the compositional requirements for such formulae in the 1995 Regulations by adding a requirement that they shall not contain individual pesticide residues above a level of 0.01 mg/kg, measured when ready for use or when reconstituted according to manufacturer's instructions (regulation 2(b)), and make consequential amendments (regulation 2(a)). A regulatory appraisal for these Regulations has been prepared pursuant to section 65 of the Government of Wales Act 1998 and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 1st Floor, Southgate House, Cardiff CF10 1EW

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2001 Rhif 1690 (Cy.120)

BWYD, CYMRU

Rheoliadau Fformwla Fabanod a Fformwla Ddilynol (Diwygio) (Cymru) 2001

Wedi'u gwneud	*1 Mai 2001*
Yn dod i rym	*1 Gorffennaf 2002*

Drwy arfer y pwerau a roddir gan adrannau 6(4), 16(1), 17(1), 26(1)(a) a (3) a 48(1) o Ddeddf Diogelwch Bwyd 1990(**a**) ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(**b**), 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) o'r Ddeddf honno â'r sefyliadau hynny y mae'n ymddangos eu bod yn cynrychioli buddiannau sy'n debygol o gael eu heffeithio'n sylweddol gan y Rheoliadau, mae Cynylliad Cenedlaethol Cymru drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Fformwla Fabanod a Fformwla Ddilynol (Diwygio) (Cymru) 2001 a deuant i rym ar 1 Gorffennaf 2002.

Diwygio Rheoliadau blaenorol mewn perthynas â Chymru

2. I'r graddau y mae Rheoliadau Fformwla Fabanod a Fformwla Ddilynol 1995(**c**) yn gymwys i Gymru, fe'u diwygir drwy fewnosod -

(a) ym mharagraff (2) o reoliad 1 (enw, cychwyn a dehongli) -

(i) (ar ôl y diffiniad o "advertisement", "advertise" ac "advertising") y diffiniad

(a) 1990 p. 16; diwygiwyd adran 6(4) gan baragraff 6 o Atodlen 9 i Ddeddf Dadreoleiddio a Chontractio Allan 1994 (p.40).

(b) Cafodd swyddogaethau "the Ministers" o dan Ddeddf Diogelwch Bwyd 1990, i'r graddau y maent yn arferadwy mewn perthynas â Chymru eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(c) O.S. 1995/77 y mae iddo ddiwygiadau nad ydynt yn berthnasol i'r Rheoliadau hyn.

STATUTORY INSTRUMENTS

2001 No. 1690 (W.120)

FOOD, WALES

The Infant Formula and Follow-on Formula (Amendment) (Wales) Regulations 2001

Made	*1st May 2001*
Coming into force	*1st July 2002*

In exercise of the powers conferred by sections 6(4), 16(1), 17(1), 26(1)(**a**) and (3) and 48(1) of the Food Safety Act 1990(a) which are now vested in it, the National Assembly for Wales(**b**), having had regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) of that Act with such organisations as appear to it to be representative of interests likely to be substantially affected by the Regulations, hereby makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the Infant Formula and Follow-on Formula (Amendment) (Wales) Regulations 2001 and shall come into force on 1st July 2002.

Amendment of previous Regulations in relation to Wales

2. The Infant Formula and Follow-on Formula Regulations 1995(**c**), in so far as they apply to Wales, shall be amended by the insertion -

(a) in paragraph (2) of regulation 1 (title, commencement and interpretation) -

(i) (after the definition of "advertisement", "advertise" and "advertising") of the

(a) 1990 c.16; Section 6(4) was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act 1994 (c.40).

(b) .Functions of "the Ministers" under the Food Safety Act 1990, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(c) S.I. 1995/77, to which there are amendments not relevant to these Regulations.

canlynol -

""the Directive" means Commission Directive 91/321/EEC(**a**)on infant formulae and follow-on formulae as amended by amendments up to and including those effected by Commission Directive 1999/50/EC(**b**)"; a

(ii) (ar ôl y diffiniad o "Member state") y diffiniad canlynol -

""pesticide residue" has the meaning given by Article 1(2)(e) of the Directive"; a

(b) ar ddiwedd paragraff (2) o reoliadau 8 a 9 (cyfansoddiad fformwlâu babanod a fformwlâu dilynol), y geiriau "and it shall not -

(a) if it is manufactured as ready for consumption, contain, or

(b) if it is not so manufactured, be such that it would, if reconstituted according to its manufacturer's instructions, contain,

residues of any individual pesticide at a level exceeding 0.01 mg/kg".

following definition -

""the Directive" means Commission Directive 91/321/EEC(**a**) on infant formulae and follow-on formulae as amended by amendments up to and including those effected by Commission Directive 1999/50/EC(**b**)"; and

(ii) (after the definition of "Member state") of the following definition -

""pesticide residue" has the meaning given by Article 1(2)(e) of the Directive"; and

(b) at the end of paragraph (2) of each of regulations 8 and 9 (composition of infant formulae and follow-on formulae), of the words "and it shall not -

(a) if it is manufactured as ready for consumption, contain, or

(b) if it is not so manufactured, be such that it would, if reconstituted according to its manufacturer's instructions, contain,

residues of any individual pesticide at a level exceeding 0.01 mg/kg".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66 o Ddeddf Llywodraeth Cymru 1998(**c**).

Signed on behalf of the National Assembly for Wales under section 66 of the Government of Wales Act 1998(**c**)

1 Mai 2001

1st May 2001

Dafydd Elis Thomas

Presiding Officer National Assembly for Wales

Llywydd Cynulliad Cenedlaethol Cymru

(a) OJ Rhif L175, 4.7.91, t.35.

(b)OJ Rhif L139, 2.6.1999, t.29.

(c) 1998 p.38.

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