



CYNULLIAD CENEDLAETHOL CYMRU
NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

2001 Rhif 2780 (Cy.233)

AMAETHYDDIAETH, CYMRU

Rheoliadau Protein Anifeiliaid wedi'i Brosesu (Cymru) 2001

*Wedi'u gwneud
Yn dod i rym*

*19 Gorffennaf 2001
1 Awst 2001*

STATUTORY INSTRUMENTS

2001 No. 2780 (W.233)

AGRICULTURE, WALES

The Processed Animal Protein (Wales) Regulations 2001

*Made
Coming into force*

*19th July 2001
1st August 2001*

£6.00



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Rheoliadau Protein Anifeiliaid wedi'i Brosesu (Cymru) 2001

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn rhoi ei effaith yng Nghymru i Benderfyniad y Cyngor 2000/766/EC (OJ Rhif L306, 7.12.2000, t.32) ynghylch mesurau diogelu penodol mewn perthynas ag enseffalopathiau sbyngffurf trosglwyddadwy a bwydo protein anifeiliaid a Phenderfyniad y Comisiwn 2001/9/EC (OJ Rhif. L 002, 5.01.2001 t.32) ynghylch mesurau rheoli sy'n angenrheidiol er mwyn rhoi Penderfyniad y Cyngor 2000/766/EC ar waith.

Yn Rheoliad 2 ceir diffiniadau. Maent yn cynnwys diffinio anifail a ffermir fel anifail sy'n cael ei gadw, ei besgi neu ei fridio i gynhyrchu bwyd. Mae Rheoliad 3 yn darparu bod y Rheoliadau yn gymwys mewn perthynas â phrotein anifeiliaid wedi'i brosesu a fwriedir i fwydo anifeiliaid a ffermir; ac nad yw'r Rheoliadau yn gymwys i wastraff arlwyd, wyau a chynhyrchion wyau na golchion.

Yn ddarostyngedig i eithriadau, mae rheoliad 4 yn gwahardd bwydo protein anifeiliaid wedi'i brosesu i anifeiliaid a ffermir.

Mae Rheoliad 5 ac Atodlen 1 yn gwneud darpariaeth mewn perthynas â chynhyrchu blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilnowyr; mae hyn yn cynnwys darpariaeth ar gyfer cymeradwyo safleoedd, defnyddio safleoedd a chludo blawd pysgod o safleoedd a gymeradwywyd, gan gynnwys ei storio yn y cyfamser. Gwneir darpariaeth debyg yn rheoliadau 6 a 7 ac Atodlenni 2 a 3 mewn perthynas â chynhyrchu dicalcium phosphate a phrotein wedi'i hydroleiddio i'w bwydo i anifeiliaid a ffermir.

NATIONAL ASSEMBLY FOR WALES

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The Processed Animal Protein (Wales) Regulations 2001

EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations give effect in Wales to Council Decision 2000/766/EC (OJ No. L306, 7.12.2000, p.32) concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein and Commission Decision 2001/9/EC (OJ No. L 002 5.01.2001 p.32) concerning control measures required for the implementation of Council Decision 2000/766/EC.

Regulation 2 contains definitions. These include a definition of a farmed animal as an animal which is kept, fattened or bred for the production of food. Regulation 3 provides that the Regulations apply in relation to processed animal protein intended for the feeding of farmed animals and that the Regulations do not apply to catering waste, eggs and egg products or swill.

Subject to exceptions, regulation 4 prohibits the feeding of processed animal protein to farmed animals.

Regulation 5 and Schedule 1 make provision in relation to the production of fishmeal for feeding to farmed animals other than ruminants; this includes provision for the approval of premises, the use of premises and the transport, including intermediate storage, of fishmeal from approved premises. Regulations 6 and 7 and Schedules 2 and 3 make similar provision respectively in relation to the production, of dicalcium phosphate and hydrolysed protein for feeding to farmed animals.

Mae rheoliad 8 yn gwneud darpariaeth ar gyfer cymeradwyo safleoedd, atal cymeradwyaeth a'i thynnu'n ôl.

Yn rheoliad 9 gwneir darpariaeth ar gyfer gwerthu neu gyflenwi protein anifeiliaid wedi'i brosesu a fwriedir i fwydo anifeiliaid a ffermir. Yn rheoliad 10 gwneir darpariaeth ar gyfer masnachu ag Aelod-wladwriaethau eraill ac mae rheoliad 11 yn gwneud darpariaeth ar gyfer masnachu â thrydydd gwledydd.

Mae rheoliad 12 yn gwneud darpariaeth ar gyfer gweithgynhyrchu porthiant.

Mae rheoliad 13 yn gwneud darpariaeth ar gyfer cynhyrchu porthiant sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr.

Yn rheoliad 14 gwneir darpariaeth ar gyfer cynhyrchu porthiant sy'n cynnwys dicalcium phosphate i'w fwydo i anifeiliaid a ffermir. Mae rheoliad 15 yn gwneud darpariaeth ar gyfer cynhyrchu porthiant sy'n cynnwys protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir. Mae rheoliad 16 yn gwneud darpariaeth ar gyfer defnyddio a storio porthiant sy'n cynnwys blawd pysgod, dicalcium phosphate neu brotein wedi'i hydroleiddio.

Mae rheoliad 17 yn gosod gofynion mewn perthynas â chofnodion sy'n ymwned â phrotein anifeiliaid wedi'i brosesu ac mae rheoliad 18 yn gwneud darpariaeth mewn perthynas â phwerau mynediad. Yn rheoliad 19 darperir ar gyfer samplu a gwiriadau ac archwiliadau eraill. Mae rheoliad 20 yn darparu tramgyddau rhwystro a rheoliad 21 yn gwneud darpariaeth ar gyfer tramgyddo a chosbi. Yn rheoliad 22 gwneir darpariaeth ar gyfer tramgyddau oherwydd bai person arall ac amddiffyniad gofal dyladwy. Mae rheoliad 23 yn gwneud darpariaeth ar gyfer gorfod i'r Rheoliadau ac yn rheoliad 24 gwneir darpariaeth ar gyfer cyflwyno hysbysiadau a dogfennau eraill. Mae rheoliad 25 yn diwygio Rheoliadau Enseffalopathi Sbyngffurf Buchol (Porthiant ac Arolygu) 1999.

Mae Arfarniad Rheoliadol wedi'i baratoi ac wedi'i gyhoeddi ar wefan Cynulliad Cenedlaethol Cymru (www.cymru.gov.uk). Gellir cael copïau hefyd oddi wrth Gynulliad Cenedlaethol Cymru, Yr Is-adran Polisi Amaethyddol, Parc Cathays, Caerdydd CF10 3NQ.

Regulation 8 makes provision for approval of premises, suspension and withdrawal of approval.

Regulation 9 makes provision for the sale or supply of processed animal protein intended for the feeding of farmed animals. Regulation 10 makes provision for trade with other member States and regulation 11 makes provision for trade with third countries.

Regulation 12 makes provision for the manufacture of feeding-stuffs.

Regulation 13 makes provision for the production of feeding-stuffs containing fishmeal for feeding to farmed animals other than ruminants.

Regulation 14 makes provision for the production of feeding-stuffs containing dicalcium phosphate for feeding to farmed animals. Regulation 15 makes provision for the production of feeding-stuffs containing hydrolysed protein for feeding to farmed animals. Regulation 16 makes provision for the use and storage of feeding-stuffs containing fishmeal, dicalcium phosphate or hydrolysed protein.

Regulation 17 imposes requirements in respect of records relating to processed animal protein and regulation 18 makes provision in respect of powers of entry. Regulation 19 provides for sampling and other checks and examinations. Regulation 20 provides offences of obstruction and regulation 21 makes provision for offences and penalties. Regulation 22 makes provision for offences due to the fault of another person and the defence of due diligence. Regulation 23 makes provision for enforcement of the Regulations, and regulation 24 makes provision for the service of notices and other documents. Regulation 25 amends the Bovine Spongiform Encephalopathy (Feeding-stuffs and Surveillance) Regulations 1999.

A Regulatory Appraisal has been prepared and published on the National Assembly for Wales web-site (www.wales.gov.uk). Copies can also be obtained from the National Assembly for Wales, Agriculture Policy Division, Cathays Park, Cardiff, CF10 3NQ.

2001 Rhif 2780 (Cy.233)

AMAETHYDDIAETH, CYMRU

Rheoliadau Protein Anifeiliaid
wedi'i Brosesu (Cymru) 2001

Wedi'u gwneud

19 Gorffennaf 2001

Yn dod i rym

1 Awst 2001

Trefn y rheoliadau

1. Teitl, cychwyn a chymhwysyo
2. Dehongli
3. Cymhwysyo
4. Bwydo protein anifeiliaid wedi'i brosesu i anifeiliaid a ffermir
5. Cynhyrchu blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr
6. Cynhyrchu dicalcium phosphate i'w fwydo i anifeiliaid a ffermir
7. Cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir
8. Cymeradwyo safleoedd, atal cymeradwyaeth a'i thynnun ôl
9. Gwerthu neu gyflenwi protein anifeiliaid wedi'i brosesu a fwriedir i fwydo anifeiliaid a ffermir
10. Masnachu ag Aelod-wladwriaethau eraill
11. Masnachu â thrydydd gwledydd
12. Gweithgynhyrchu porthiant
13. Cynhyrchu porthiant sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr
14. Cynhyrchu porthiant sy'n cynnwys dicalcium phosphate i'w fwydo i anifeiliaid a ffermir
15. Cynhyrchu porthiant sy'n cynnwys protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir
16. Defnyddio a storio porthiant sy'n cynnwys blawd pysgod, dicalcium phosphate neu brotein wedi'i hydroleiddio

2001 No. 2780 (W.233)

AGRICULTURE, WALES

The Processed Animal Protein
(Wales) Regulations 2001

Made

19th July 2001

Coming into force

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Arrangement of regulations

1. Title, commencement and application
2. Interpretation
3. Application
4. Feeding processed animal protein to farmed animals
5. Production of fishmeal for feeding to farmed animals other than ruminants
6. Production of dicalcium phosphate for feeding to farmed animals
7. Production of hydrolysed protein for feeding to farmed animals
8. Approval of premises, suspension and withdrawal of approval
9. Sale or supply of processed animal protein intended for the feeding of farmed animals
10. Trade with other member States
11. Trade with third countries
12. Manufacture of feeding-stuffs
13. Production of feeding-stuffs containing fishmeal for feeding to farmed animals other than ruminants
14. Production of feeding-stuffs containing dicalcium phosphate for feeding to farmed animals
15. Production of feeding-stuffs containing hydrolysed protein for feeding to farmed animals
16. Use and storage of feeding-stuffs containing fishmeal, dicalcium phosphate or hydrolysed protein

17. Cofnodion sy'n ymwneud â phrotein anifeiliaid wedi'i brosesu
18. Pwerau mynediad
19. Samplu a gwiriadau ac archwiliadau eraill
20. Rhwystro
21. Tramgwyddo a chosbi
22. Tramgwyddau oherwydd bai person arall ac amddiffyniad gofal dyladwy
23. Gorfodi
24. Cyflwyno hysbysiadau a dogfennau eraill
25. Diwygio Rheoliadau Enseffalopathi Sbyngffurf Buchol (Porthiant ac Arolygu) 1999

Atodleni

- | | |
|-----------|--|
| Atodlen 1 | Yr amodau ar gyfer cludo blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr |
| Atodlen 2 | Yr amodau ar gyfer cynhyrchu dicalcium phosphate i'w fwydo i anifeiliaid a ffermir |
| Atodlen 3 | Yr amodau ar gyfer cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir |

Mae Cynulliad Cenedlaethol Cymru, gan ei fod wedi'i ddynodi(a) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(b) mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, drwy hyn yn gwneud y Rheoliadau canlynol -

Teitl, cychwyn a chymhwysedd

1. Enw'r Rheoliadau hyn yw Rheoliadau Protein Anifeiliaid wedi'i Brosesu (Cymru) 2001, deuant i rym ar 1 Awst 2001 a byddant yn gymwys i Gymru.

Dehongli

- 2.-(1) Yn y Rheoliadau hyn, oni fydd y cyd-destun yn mynnu fel arall -

ystyr "anifail a ffermir" ("farmed animal") yw anifail sy'n cael ei gadw, ei besgi neu ei fridio i gynhyrchu bwyd;

ystyr "arolygydd" ("inspector") yw -

- (a) unrhyw berson a benodir i fod yn arolygydd at

17. Records relating to processed animal protein
18. Powers of entry
19. Sampling and other checks and examinations
20. Obstruction
21. Offences and penalties
22. Offences due to fault of another person and defence of due diligence
23. Enforcement
24. Service of notices and other documents
25. Amendment to Bovine Spongiform Encephalopathy (Feeding-stuffs and Surveillance) Regulations 1999

Schedules

- | | |
|------------|---|
| Schedule 1 | Conditions for the transport of fishmeal for feeding to farmed animals other than ruminants |
| Schedule 2 | Conditions for the production of dicalcium phosphate for feeding to farmed animals |
| Schedule 3 | Conditions for the production of hydrolysed protein for feeding to farmed animals |

The National Assembly for Wales, being designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, hereby makes the following Regulations -

Title, commencement and application

1. These Regulations may be cited as the Processed Animal Protein (Wales) Regulations 2001, shall come into force on 1st August 2001 and shall apply to Wales.

Interpretation

- 2.-(1) In these Regulations, unless the context otherwise requires-

"animal by-product" ("sgil-gynnyrch anifeiliaid") has the same meaning as in the Animal By-Products Order 1999(c);

"ABPO approved" ("wedi'i gymeradwyo o dan y GSGA"), in relation to premises, means approved under article 7 of the Animal By-Products Order 1999, in accordance with

(a) O.S. 1999/2788.

(b) 1972 p.68.

(a) S.I. 1999/2788.

(b) 1972 c.68.

(c) S.I. 1999/646, amended by S.I. 2001/1735 (W.122).

Ddeddf Iechyd Anifeiliaid 1981; a

- (b) person a benodir felly at ddibenion y Rheoliadau hyn gan awdurdod lleol mewn perthynas â'i gyfrifoldebau gorfodi o dan y Rheoliadau hyn;

ystyr "arolygydd milfeddygol" ("veterinary inspector") yw person a benodir yn arolygydd milfeddygol o dan Ddeddf Iechyd Anifeiliaid 1981;

ystyr "awdurdod lleol" ("local authority"), mewn perthynas â sir neu fwrdeistref sirol, yw cyngor y sir neu'r fwrdeistref sirol honno;

ystyr "y Cynulliad Cenedlaethol" ("the National Assembly") yw Cynulliad Cenedlaethol Cymru;

mae i "golchion" yr un ystyr ag sydd i "swill" yn y Gorchymyn Sgil-gynhyrchion Anifeiliaid 1999;

ystyr "Gorchymyn BSE Rhif 2" ("the BSE (No. 2) Order") yw Gorchymyn Enseffalopathi Sbyngffurf Buchol (rhif 2) 1996(a);

mae i "gwastraff anifeiliaid" yr un ystyr ag "animal waste" yng Nghyfarwyddeb y Cyngor 90/667/EEC sy'n nodi'r rheolau milfeddygol ar gyfer gwaredu a phrosesu gwastraff anifeiliaid, ar gyfer ei osod ar y farchnad ac ar gyfer atal pathogenau mewn porthiant sy'n deillio o anifeiliaid neu bysgod ac yn diwygio Cyfarwyddeb 90/425/EEC;

mae i "gwastraff arlwoy" yr un ystyr â "catering waste" yng Ngorchymyn Sgil-Gynhyrchion Anifeiliaid 1999;

ystyr "Penderfyniad y Comisiwn" ("the Commission Decision") yw Penderfyniad y Comisiwn 2001/9/EC(b) ynghylch y mesurau rheoli sy'n angenrheidiol er mwyn rhoi Penderfyniad y Cyngor 2000/766/EC ar waith ynghylch mesurau diogelu penodol mewn perthynas ag enseffalopathiau sbyngffurf trosglwyddadwy a bwydo protein anifeiliaid;

ystyr "Penderfyniad y Cyngor" ("the Council Decision") yw Penderfyniad y Cyngor 2000/755/EC(c) ynghylch mesurau diogelu penodol mewn perthynas ag enseffalopathiau sbyngffurf trosglwyddadwy a bwydo protein anifeiliaid;

ystyr "protein anifeiliaid wedi'i brosesu" ("processed animal protein") yw blawd cig ac esgyrn, blawd cig, blawd esgyrn, blawd gwaed, plasma wedi'i sychu a chynhyrchion gwaed eraill; protein wedi'i hydroleiddio, blawd carnau, blawd cyrn, blawd offal dofednod, blawd plu, criwsion sych, bwyd pysgod, dicalcium phosphate, gelatin ac unrhyw gynhyrchion

article 5(2) of Council Directive

90/667/EEC(a) laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feeding-stuffs of animal or fish origin and amending Directive 90/425/EEC, for the purpose of rendering low risk animal by products; and "ABPO approval" shall be construed accordingly;

"animal waste" ("gwastraff anifeiliaid") has the same meaning as in Council Directive 90/667/EEC laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feeding-stuffs of animal or fish origin and amending Directive 90/425/EEC;

"the BSE (No.2) Order" ("Gorchymyn BSE (Rhif 2)") means the Bovine Spongiform Encephalopathy (No.2) Order 1996(b);

"catering waste" ("gwastraff arlwoy") has the same meaning as in the Animal By-Products Order 1999;

"the Commission Decision" ("Penderfyniad y Comisiwn") means Commission Decision 2001/9/EC(c) concerning control measures required for the implementation of Council Decision 2000/766/EC concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein;

"the Council Decision" ("Penderfyniad y Cyngor") means Council Decision 2000/766/EC(d) concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein;

"farmed animal" ("anifail a ffermir") means an animal which is kept, fattened or bred for the production of food;

"inspector" ("arolygydd ") means -

- (a) any person appointed to be an inspector under the Animal Health Act 1981; and
- (b) a person appointed as such for the purposes of these Regulations by a local authority in relation to its enforcement responsibilities under these Regulations;

"local authority" ("awdurdod lleol") means in respect of a county or county borough, the council of that county or county borough;

"the National Assembly" ("y Cynulliad Cenedlaethol") means the National Assembly for Wales;

(a) O.S. 1996/3183, a ddiwygiwyd gan O.S. 1997/2387, O.S. 1998/3071 ac O.S. 1999/921.

(b) OJ Rhif L2, 5.1.2001 t.32.

(c) OJ Rhif L306, 7.12.2000, t.32.

(a) OJ No. L363, 27.12.1990, p.51.

(b) S.I. 1996/3183, amended by S.I. 1997/2387, S.I. 1998/3071 and S.I. 1999/921.

(c) OJ No. L2, 5.1.2001 p.32.

(d) OJ No. L306, 7.12.2000, p.32.

tebyg eraill gan gynnwys cymysgeddau, porthiant, ychwanegion bwyd a rhag-gymysgeddau sy'n cynnwys y cynhyrchion hyn;

mae "safle" ("*premises*") yn cynnwys unrhyw le, stondin neu strwythur symudol;

mae i "sgil-gynnyrch anifeiliaid" yr un ystyr ag "*animal by-product*" yng Ngorchymyn Sgil-Gynhyrchion Anifeiliaid 1999(a); ac

ystyr "wedi'i gymeradwyo o dan y GSGA" ("*ABPO approved*"), mewn perthynas â safle, yw wedi'i gymeradwyo o dan erthygl 7 o Orchymyn Sgil-gynhyrchio Anifeiliaid 1999, yn unol ag erthygl 5(2) o Gyfarwyddeb y Cyngor 90/667/EEC(b) sy'n nodi'r rheolau milfeddygol ar gyfer gwaredu a phrosesu gwastraff anifeiliaid, ar gyfer ei osod ar y farchnad ac ar gyfer atal pathogenau mewn porthiant sy'n deillio o anifeiliaid neu bysgod ac sy'n diwygio Cyfarwyddeb 90/425/EC, at ddibenion rendro sgil-gynhyrchion anifeiliaid risg-isel; a dehonglir "cymeradwyaeth o dan yr ABPO" yn unol â hynny.

(2) Mae i ymadroddion yn y Rheoliadau hyn sydd heb eu diffinio ym mharagraff (1) uchod ac a welir ym Mhenderfyniad y Cyngor neu ym Mhenderfyniad y Comisiwn yr un ystyr yn y Rheoliadau hyn ag sydd iddynt at ddibenion y Penderfyniadau hynny.

(3) At ddibenion y Rheoliadau hyn a'u cymhwys, trinnir deunydd fel porthiant p'un a yw'n cael ei ddefnyddio neu a yw wedi'i fwriadu i gael ei ddefnyddio yn borthiant ar ei ben ei hun neu fel cynhwysyn mewn rhywbeth a ddefnyddir felly neu y bwriedir ei ddefnyddio felly.

Cymhwys

3.-(1) Mae'r Rheoliadau hyn yn gymwys mewn perthynas â phrotein anifeiliaid wedi'i brosesu a fwriedir ar gyfer bwydo anifeiliaid (heb gynnwys pobl).

- (2) Nid yw'r Rheoliadau hyn yn gymwys mewn perthynas â'r canlynol -
- gwastraff arlwo;
 - wyau a chynhyrchion wyau; neu
 - golchion.

Bwydo protein anifeiliaid wedi'i brosesu i anifeiliaid a ffermir

4.-(1) Yn ddarostyngedig i baragraff (2) isod, ni chaiff neb fwydo unrhyw brotein anifeiliaid wedi'i brosesu i anifail a ffermir.

- (2) Ni fydd y gwaharddiad ym mharagraff (1) uchod

"premises" ("*safle*") includes any place, stall or moveable structure.

"processed animal protein" ("*protein anifeiliaid wedi'i brosesu*") means meat and bone meal, meat meal, bone meal, blood meal, dried plasma and other blood products, hydrolysed protein, hoof meal, horn meal, poultry offal meal, feather meal, dry greaves, fishmeal, dicalcium phosphate, gelatin and any other similar products including mixtures, feeding-stuffs, feed additives and premixtures, containing these products;

"swill" ("*golchion*") has the same meaning as in the Animal By-Products Order 1999; and

"veterinary inspector" ("*arolygydd milfeddygol*") means a person appointed to be a veterinary inspector under the Animal Health Act 1981.

(2) Expressions in these Regulations which are not defined in paragraph (1) above and which appear in the Council Decision or the Commission Decision have the same meaning in these Regulations as they have for the purposes of those Decisions.

(3) For the purposes of these Regulations and their application, material shall be treated as a feeding-stuff whether it is used or intended to be used as a feeding-stuff by itself or as an ingredient in something which is so used or intended for such use.

Application

3.-(1) These Regulations apply in relation to processed animal protein intended for the feeding of animals (excluding humans).

- (2) These Regulations do not apply in relation to -
- catering waste;
 - eggs and egg products; or
 - swill.

Feeding processed animal protein to farmed animals

4.-(1) Subject to paragraph (2) below, no person shall feed any processed animal protein to a farmed animal.

- (2) The prohibition in paragraph (1) above shall not

(a) O.S. 1999/646, a ddiwygiwyd gan O.S. 2001/1735 (Cy.122).

(b) OJ Rhif L363, 27.12.1990, t.51.

yn gymwys i'r canlynol -

- (a) bwydo blawd pysgod i anifeiliaid a ffermir, heblaw cilgnowyr, -
 - (i) os yw'r blawd pysgod hwnnw wedi'i gynhyrchu yng Nghymru ar safle sydd wedi'i gymeradwyo ac yn cael ei ddefnyddio fel y'i crybwyllir yn rheoliad 5 isod;
 - (ii) os yw'r blawd pysgod hwnnw wedi'i gynhyrchu mewn rhan arall o'r Deyrnas Unedig ar safle sydd wedi'i gymeradwyo gan awdurdod cymwys y rhan honno yn unol â Phenderfyniad y Comisiwn ac yn cael ei ddefnyddio yn unol â'r gymeradwyaeth honno;
 - (iii) os yw'r blawd pysgod hwnnw wedi'i gynhyrchu mewn Aelod-wladwriaeth arall ar safle sydd wedi'i gymeradwyo gan awdurdod cymwys yr Aelod-wladwriaeth honno yn unol â Phenderfyniad y Comisiwn ac yn cael ei ddefnyddio yn unol â'r gymeradwyaeth honno; neu
 - (iv) os yw'r blawd pysgod hwnnw wedi'i gynhyrchu mewn trydedd wlad a'i fod, cyn ei werthu neu ei gyflenwi yng Nghymru, wedi'i ddadansoddi yn unol â Chyfarwyddeb y Comisiwn 98/88/EC(a) ac yn cael ei gludo yn uniongyrchol o'r man archwilio ar y ffin yn unol â'r amodau a bennir ym mharagraffau 1 a 2 o Atodlen 1 heb gael ei storio yn y cyfamser heblaw yn unol ag amodau paragraff 5 o Atodlen 1;
- (b) bwydo gelatin sy'n deillio o anifeiliaid nad ydynt yn cnoi'r cil ar gyfer caenu ychwanegion o fewn ystyr Cyfarwyddeb y Cyngor 70/524/EEC(b) yngylch ychwanegion mewn porthiant i anifeiliaid a ffermir;
- (c) bwydo dicalcium phosphate i anifeiliaid a ffermir -
 - (i) os yw'r dicalcium phosphate hwnnw wedi'i gynhyrchu yng Nghymru ar safle sydd wedi'i gymeradwyo ac yn cael ei ddefnyddio fel y'i crybwyllir yn rheoliad 6 isod;
 - (ii) os yw'r dicalcium phosphate hwnnw wedi'i gynhyrchu mewn rhan arall o'r Deyrnas Unedig ar safle sydd wedi'i gymeradwyo gan awdurdod cymwys y rhan honno yn unol â Phenderfyniad y Comisiwn ac yn cael ei ddefnyddio yn unol â'r gymeradwyaeth honno; neu
 - (iii) os yw'r dicalcium phosphate hwnnw wedi'i gynhyrchu mewn Aelod-wladwriaeth arall ar safle sydd wedi'i gymeradwyo gan awdurdod cymwys yr Aelod-wladwriaeth honno yn unol â Phenderfyniad y

apply to -

- (a) the feeding to farmed animals, other than ruminants, of fishmeal -
 - (i) produced in Wales in premises approved and used as mentioned in regulation 5 below;
 - (ii) produced in another part of the United Kingdom in premises approved by the competent authority of that part in accordance with the Commission Decision and used in accordance with that approval;
 - (iii) produced in another Member State in premises approved by a competent authority of that Member State in accordance with the Commission Decision and used in accordance with that approval; or
- (iv) produced in a third country which, before being sold or supplied in Wales, has been analysed in accordance with Commission Directive 98/88/EC(a) and is transported directly from the border inspection post in accordance with the conditions specified in paragraphs 1 and 2 of Schedule 1 and not intermediately stored otherwise than in accordance with the conditions of paragraph 5 of Schedule 1;
- (b) the feeding to farmed animals of gelatin derived from non-ruminant animals for coating additives within the meaning of Council Directive 70/524/EEC(b) concerning additives in feeding-stuffss;
- (c) the feeding to farmed animals of dicalcium phosphate -
 - (i) produced in Wales in premises approved and used as mentioned in regulation 6 below;
 - (ii) produced in another part of the United Kingdom in premises approved by the competent authority of that part in accordance with the Commission Decision and used in accordance with that approval; or
 - (iii) produced in another Member State in premises approved by a competent authority of that Member State in accordance with the Commission Decision and used in accordance with that approval;

(a) OJ Rhif L318, 27.11.1988, t.45.

(b) OJ Rhif L270, 14.12.1970, t.1, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb 1999/70/EC (OJ Rhif L80, 25.3.1999, t.20).

(a) OJ No. L318, 27.11.1988, p.45.

(b) OJ No. L270, 14.12.1970, p.1, as last amended by Directive 1999/70/EC (OJ No. L80, 25.3.1999, p.20).

- Comisiwn ac yn cael ei ddefnyddio yn unol â'r gymeradwyaeth honno;
- (ch) bwydo proteinau wedi'u hydroleiddio i anifeiliaid a ffermir -
- (i) os yw'r proteinau wedi'u hydroleiddio wedi'u cynhyrchu yng Nghymru ar safle sydd wedi'i gymeradwyo ac yn cael ei ddefnyddio fel y'i crybwyllir yn rheoliad 7 isod;
 - (ii) os yw'r proteinau wedi'u hydroleiddio wedi'u cynhyrchu mewn rhan arall o'r Deyrnas Unedig ar safle sydd wedi'i gymeradwyo gan awdurdod cymwys y rhan honno yn unol â Phenderfyniad y Comisiwn ac yn cael ei ddefnyddio yn unol â'r gymeradwyaeth honno; neu
 - (iii) os yw'r proteinau wedi'u hydroleiddio wedi'u cynhyrchu mewn Aelod-wladwriaeth arall ar safle sydd wedi'i gymeradwyo gan awdurdod cymwys yr Aelod-wladwriaeth honno yn unol â Phenderfyniad y Comisiwn ac yn cael ei ddefnyddio yn unol â'r gymeradwyaeth honno; neu
- (d) bwydo llaeth a chynhyrchion llaeth i anifeiliaid a ffermir.
- Cynhyrchu blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr**
- 5.-(1) Ni chaiff neb ddefnyddio unrhyw safle ar gyfer cynhyrchu blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr oni bai -
- (a) bod y safle wedi'i gymeradwyo at y diben hwn gan y Cynulliad Cenedlaethol o dan y rheoliad hwn; a
 - (b) bod y blawd pysgod yn cael ei gludo o'r safle a'i storio yn y cyfamser yn unol â'r amodau a bennir ym mharagraffau 3, 4 a 5 o Atodlen 1.
- (2) Pan wneir cais iddo o dan y rheoliad hwn am gymeradwyo safle ar gyfer cynhyrchu blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr, rhaid i'r Cynulliad Cenedlaethol gymeradwyo'r safle at y diben hwn, os yw wedi'i fodloni, ar ôl i'r safle gael ei archwilio gan arolygydd milfeddygol, -
- (a) y caiff y safle ei neilltuo ar gyfer cynhyrchu blawd pysgod yn unig;
 - (b) bod safle wedi'i gymeradwyo o dan y GSGA; ac
 - (c) y bydd y person a fydd yn defnyddio'r safle ar gyfer cynhyrchu blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr yn gallu cynnal a defnyddio'r safle yn unol â'r gymeradwyaeth o dan y GSGA a sicrhau bod blawd pysgod yn cael ei gludo o'r safle a'i
- (d) the feeding to farmed animals of hydrolysed proteins -
- (i) produced in Wales in premises approved and used as mentioned in regulation 7 below;
 - (ii) produced in another part of the United Kingdom in premises approved by the competent authority of that part in accordance with the Commission Decision and used in accordance with that approval; or
 - (iii) produced in another Member State in premises approved by a competent authority of that Member State in accordance with the Commission Decision and used in accordance with that approval; or
- (e) the feeding to farmed animals of milk and milk products.

Production of fishmeal for feeding to farmed animals other than ruminants

- 5.-(1) No person shall use any premises for the production of fishmeal for feeding to farmed animals other than ruminants unless -
- (a) the premises are approved for this purpose by the National Assembly under this regulation; and
 - (b) transport and intermediate storage of fishmeal from the premises is in accordance with the conditions specified in paragraphs 3, 4 and 5 of Schedule 1.
- (2) On an application made to it under this regulation for the approval of premises for the production of fishmeal for feeding to farmed animals other than ruminants, the National Assembly shall approve the premises for this purpose if, following an inspection of the premises by a veterinary inspector, it is satisfied that -
- (a) the premises will be dedicated only to fishmeal production;
 - (b) the premises are ABPO approved
 - (c) the person who will use the premises for the production of fishmeal for feeding to farmed animals other than ruminants will be able to maintain and use the premises in accordance with the ABPO approval and ensure that fishmeal is transported from the premises and intermediately stored in accordance with the

storio yn y cyfamser yn unol â'r amodau a bennir ym mharagraffau 3, 4 a 5 o Atodlen 1.

(3) Rhaid i'r person sy'n rhedeg unrhyw fusnes ar safle a gymeradwyir o dan y rheoliad hwn sicrhau -

- (a) bod y blawd pysgod ar y safle yn cael ei gynhyrchu yn unol â'r gymeradwyaeth a hynny gan gydymffurfio â darpariaethau'r Rheoliadau hyn a'r Atodlen i'r Rheoliadau hyn y rhoddir y gymeradwyaeth yn ddarostyngedig iddynt;
- (b) bod unrhyw berson a gyflogir ganddo, ac unrhyw berson a wahoddir i'r safle, yn cydymffurfio â'r darpariaethau hyn; ac
- (c) bod unrhyw arolygydd, ac unrhyw berson sy'n gweithredu o dan gyfrifoldeb arolygydd, yn cael cyfleusterau digonol i'w galluogi i gyflawni eu swyddogaethau o dan y Rheoliadau hyn mewn perthynas a'r safle a'u bod yn cael unrhyw gymorth rhesymol a chyfle i weld unrhyw gofnodion (gan gynnwys unrhyw gofnodion sy'n cael eu cadw ar ffurf electronig) ag y bydd ar unrhyw adeg resymol yn gofyn amdanynt at y diben hwnnw.

Cynhyrchu dicalcium phosphate i'w fwydo i anifeiliaid a ffermir

6.-(1) Ni chaiff neb ddefnyddio unrhyw safle ar gyfer cynhyrchu dicalcium phosphate i'w fwydo i anifeiliaid a ffermir oni bai -

- (a) bod y safle wedi'i gymeradwyo at y diben hwn gan y Cynulliad Cenedlaethol o dan y rheoliad hwn; a
- (b) bod y safle'n cael ei ddefnyddio at y diben hwn yn unol â'r amodau a bennir yn Atodlen 2.

(2) Pan wneir cais iddo o dan y rheoliad hwn am gymeradwyo safle ar gyfer cynhyrchu dicalcium phosphate i'w fwydo i anifeiliaid a ffermir, rhaid i'r Cynulliad Cenedlaethol gymeradwyo'r safle at y diben hwn, os yw wedi'i fodloni, ar ôl i'r safle gael ei archwilio gan arolygydd milfeddygol, -

- (a) bod y safle wedi'i gymeradwyo o dan y GSGA; a
- (b) y bydd y person a fydd yn defnyddio'r safle ar gyfer cynhyrchu dicalcium phosphate i'w fwydo i anifeiliaid a ffermir yn gallu cynnal a defnyddio'r safle yn unol â'r gymeradwyaeth o dan y GSGA a'r amodau a bennir yn Atodlen 2.

(3) Rhaid i'r person sy'n rhedeg unrhyw fusnes ar safle a gymeradwyir o dan y rheoliad hwn sicrhau -

- (a) bod y dicalcium phosphate ar y safle yn cael ei gynhyrchu yn unol â'r gymeradwyaeth a hynny gan gydymffurfio â darpariaethau'r Rheoliadau hyn a'r Atodlen i'r Rheoliadau hyn y rhoddir y gymeradwyaeth yn ddarostyngedig iddynt;

conditions specified in paragraphs 3, 4, and 5 of Schedule 1.

(3) The person carrying on any business at premises approved under this regulation shall ensure that -

- (a) the production of fishmeal at the premises is in accordance with the approval and in compliance with the provisions of these Regulations and Schedule to these Regulations subject to which the approval is granted;
- (b) any person employed by him or her, and any person invited to the premises, complies with those provisions; and
- (c) any inspector, and any person acting under the responsibility of an inspector, is provided with adequate facilities so as to enable him or her to carry out his or her functions under these Regulations in relation to the premises and that he or she is given such reasonable assistance and access to such records (including any records held in electronic form) as he or she may at any reasonable time require for that purpose.

Production of dicalcium phosphate for feeding to farmed animals

6.-(1) No person shall use any premises for the production of dicalcium phosphate for feeding to farmed animals unless -

- (a) the premises are approved for this purpose by the National Assembly under this regulation; and
- (b) the premises are used for this purpose in accordance with the conditions specified in Schedule 2.

(2) On an application made to it under this regulation for the approval of premises for the production of dicalcium phosphate for feeding to farmed animals, the National Assembly shall approve the premises for this purpose if, following an inspection of the premises by a veterinary inspector, it is satisfied that -

- (a) the premises are ABPO approved; and
- (b) the person who will use the premises for the production of dicalcium phosphate for feeding to farmed animals will be able to maintain and use the premises in accordance with the ABPO approval and the conditions specified in Schedule 2.

(3) The person carrying on any business at premises approved under this regulation shall ensure that -

- (a) the production of dicalcium phosphate at the premises is in accordance with the approval and in compliance with the provisions of these Regulations and Schedule to these Regulations subject to which the approval is granted;

- (b) bod unrhyw berson a gyflogir ganddo, ac unrhyw berson a wahoddir i'r safle, yn cydymffurfio â'r darpariaethau hyn; ac
- (c) bod unrhyw arolygydd, ac unrhyw berson sy'n gweithredu o dan gyfrifoldeb arolygydd, yn cael cyfleusterau digonol i'w galluogi i gyflawni eu swyddogaethau o dan y Rheoliadau hyn mewn perthynas â'r safle a'u bod yn cael unrhyw gymorth rhesymol a chyfle i weld unrhyw gofnodion (gan gynnwys unrhyw gofnodion sy'n cael eu cadw ar ffurf electronig) ag y byddant ar unrhyw adeg resymol yn gofyn amdanyst at y diben hwnnw.
- (b) any person employed by him or her, and any person invited to the premises, complies with those provisions; and
- (c) any inspector, and any person acting under the responsibility of an inspector, are provided with adequate facilities so as to enable them to carry out their functions under these Regulations in relation to the premises and that they are given such reasonable assistance and access to such records (including any records held in electronic form) as they may at any reasonable time require for that purpose.

Cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir

7.-(1) Ni chaiff neb ddefnyddio unrhyw safle ar gyfer cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir oni bai -

- (a) bod y safle wedi'i gymeradwyo at y diben hwn gan y Cynulliad Cenedlaethol o dan y rheoliad hwn; a
- (b) bod y safle'n cael ei ddefnyddio at y diben hwn yn unol â'r amodau a bennir yn Atodlen 3.

(2) Pan wneir cais iddo o dan y rheoliad hwn am gymeradwyo safle ar gyfer cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir, rhaid i'r Cynulliad Cenedlaethol gymeradwyo'r safle at y diben hwn, os yw wedi'i fodloni, ar ôl i'r safle gael ei archwilio gan arolygydd milfeddygol -

- (a) y caiff y safle ei neilltuo ar gyfer cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir yn unig;
- (b) bod y safle wedi'i gymeradwyo o dan y GSGA ar gyfer cynhyrchu protein wedi'i hydroleiddio sy'n deillio o bysgod, plu a chrwyn; ac
- (c) y bydd y person a fydd yn defnyddio'r safle ar gyfer cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir yn gallu cynnal a defnyddio'r safle yn unol â'r gymeradwyaeth o dan y GSGA a'r amodau a bennir yn Atodlen 4.

(3) Rhaid i'r person sy'n rhedeg unrhyw fusnes ar safle a gymeradwyir o dan y rheoliad hwn sicrhau -

- (a) bod y protein wedi'i hydroleiddio ar y safle yn cael ei gynhyrchu yn unol â'r gymeradwyaeth a hynny gan gydymffurfio â darpariaethau'r Rheoliadau hyn a'r Atodlen i'r Rheoliadau hyn y rhoddir y gymeradwyaeth yn ddarostyngedig iddynt;
- (b) bod unrhyw berson a gyflogir ganddo, ac unrhyw berson a wahoddir i'r safle, yn cydymffurfio â'r darpariaethau hyn; ac
- (c) bod unrhyw arolygydd, ac unrhyw berson sy'n gweithredu o dan gyfrifoldeb arolygydd, yn cael cyfleusterau digonol i'w galluogi i gyflawni eu swyddogaethau o dan y

Production of hydrolysed protein for feeding to farmed animals

7.- (1) No person shall use any premises for the production of hydrolysed protein for feeding to farmed animals unless -

- (a) the premises are approved for this purpose by the National Assembly under this regulation; and
- (b) the premises are used for this purpose in accordance with the conditions specified in Schedule 3.

(2) On an application made to it under this regulation for the approval of premises for the production of hydrolysed protein for feeding to farmed animals, the National Assembly shall approve the premises for this purpose if, following an inspection of the premises by a veterinary inspector, it is satisfied that -

- (a) the premises will be dedicated only to production of hydrolysed protein for feeding to farmed animals;
- (b) the premises are ABPO approved for the production of hydrolysed protein derived from fish, feather, hides and skins; and
- (c) the person who will use the premises for the production of hydrolysed protein for feeding to farmed animals will be able to maintain and use the premises in accordance with the ABPO approval and conditions specified in Schedule 3.

(3) The person carrying on any business at premises approved under this regulation shall ensure that -

- (a) the production of hydrolysed protein at the premises is in accordance with the approval and in compliance with the provisions of these Regulations and Schedule to these Regulations subject to which the approval is granted;
- (b) any person employed by him or her, and any person invited to the premises, complies with those provisions; and
- (c) any inspector, and any person acting under the responsibility of an inspector, are provided with adequate facilities so as to enable them to carry out their functions under these

Rheoliadau hyn mewn perthynas â'r safle a'u bod yn cael unrhyw gymorth rhesymol a chyfle i weld unrhyw gofnodion (gan gynnwys unrhyw gofnodion sy'n cael eu cadw ar ffurf electronig) ag y byddant ar unrhyw adeg resymol yn gofyn amdanyst at y diben hwnnw.

Cymeradwyo safleoedd, atal cymeradwyaeth a'i thynnu'n ôl

8.-(1) Rhaid i gais am gymeradwyo safle o dan reoliadau 5, 6 neu 7 uchod -

- (a) ar gyfer cynhyrchu blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr;
- (b) ar gyfer cynhyrchu dicalcium phosphate i'w fwydo i anifeiliaid a ffermir; neu
- (c) ar gyfer cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir,

gael ei wneud yn ysgrifenedig i'r Cynulliad Cenedlaethol gan neu ar ran y person sy'n rhedeg neu sy'n bwriadu rhedeg y busnes ar y safle y mae'r cais yn ymwneud ag ef.

(2) Rhaid i'r Cynulliad Cenedlaethol hysbysu'r ceisydd yn ysgrifenedig am ei benderfyniad ar gais a wneir iddo yn unol â'r rheoliad hwn; ac, os yw'n gwrrthod cymeradwyo'r safle y gwneir cais mewn perthynas ag ef, rhaid iddo hysbysu'r ceisydd yn ysgrifenedig am ei resymau dros wrthod.

(3) Rhaid i gymeradwyaeth i safle o dan reoliadau 5, 6 neu 7 uchod bennu -

- (a) enw a chyfeiriad y person y rhoddir y gymeradwyaeth iddo a chyfeiriad y safle a gymeradwyir;
- (b) y defnyddir y safle ar gyfer y disgrifiad o gynhyrchu y rhoddir y gymeradwyaeth ar ei gyfer; ac
- (c) yr amodau y rhoddir y gymeradwyaeth yn ddarostyngedig iddynt.

(4) Os yw'n ymddangos i'r Cynulliad Cenedlaethol, mewn perthynas ag unrhyw safle a gymeradwyir o dan reoliadau 5, 6 neu 7 uchod -

- (a) nad yw'r safle wedi'i gymeradwyo o dan y GSGA;
- (b) bod y safle'n cael ei ddefnyddio heblaw yn unol â'r gymeradwyaeth o dan reoliadau 5, 6 neu 7 uchod;
- (c) na chydymffurfiwyd ag unrhyw amod a bennir mewn Atodlen i'r Rheoliadau hyn sy'n ymwneud â chymeradwyo'r safle o dan reoliadau 5, 6 neu 7 uchod;
- (ch) bod gwaith arolygu'r safle at ddibenion y Rheoliadau hyn yn cael ei rwystro; neu
- (d) nad oes gwaith i gynhyrchu blawd pysgod, dicalcium phosphate neu brotein wedi'i hydroleiddio ar y safle y rhoddwyd y gymeradwyaeth mewn perthynas ag ef yn cael

Regulations in relation to the premises and that they are given such reasonable assistance and access to such records (including any records held in electronic form) as they may at any reasonable time require for that purpose.

Approval of premises, suspension and withdrawal of approval

8.-(1) An application for approval of premises under regulations 5, 6 or 7 above -

- (a) for the production of fishmeal for feeding to farmed animals other than ruminants;
- (b) for the production of dicalcium phosphate for feeding to farmed animals; or
- (c) for the production of hydrolysed protein for feeding to farmed animals,

shall be made in writing to the National Assembly by or on behalf of the person carrying on or proposing to carry on the business at the premises to which the application relates.

(2) The National Assembly shall notify the applicant in writing of its decision on an application made to it in accordance with this regulation; and, if it refuses to approve the premises in respect of which an application is made, it shall notify the applicant in writing of its reasons for the refusal.

(3) An approval of premises under regulations 5, 6 or 7 above shall specify -

- (a) the name and address of the person to whom the approval is granted and the address of the approved premises;
- (b) the use of the premises for the description of production for which the approval is granted; and
- (c) the conditions subject to which the approval is granted.

(4) If in relation to any premises approved under regulations 5, 6 or 7 above it appears to the National Assembly that -

- (a) the premises are not ABPO approved;
- (b) the premises are being used otherwise than in accordance with the approval under regulations 5, 6 or 7 above;
- (c) any condition specified in a Schedule to these Regulations which relate to the approval of the premises under regulations 5, 6 or 7 above has not been complied with;
- (d) inspection of the premises for the purposes of these Regulations is being hampered; or
- (e) the production of fishmeal, dicalcium phosphate or hydrolysed protein at the premises in respect of which it is approved is

ei wneud yno mwyach,
caiff benderfynu atal y gymeradwyaeth i'r safle sy'n ymwneud â'r defnydd hwnnw neu ei thynnu'n ôl.

(5) Os yw'r Cynulliad Cenedlaethol yn penderfynu atal cymeradwyaeth sy'n ymwneud ag unrhyw safle neu ei thynnu'n ôl, rhaid iddo roi hysbysiad o'r atal neu'r tynnu'n ôl i'r person sy'n rhedeg y busnes ar y safle (neu, yn achos atal neu dynnu'n ôl o dan baragraff (4)(d) uchod, i'r person a oedd gynt yn rhedeg y busnes ar y safle), ac i unrhyw berson arall y mae'n ymddangos i'r Cynulliad Cenedlaethol ei fod yn meddiannu'r safle ar hyn o bryd.

(6) Rhaid i hysbysiad am atal cymeradwyaeth neu ei thynnu'n ôl gynnwys yr wybodaeth ganlynol -

- (a) crynodeb o benderfyniad y Cynulliad Cenedlaethol i atal y gymeradwyaeth i'r safle neu ei thynnu'n ôl a'r defnydd ar y safle ar gyfer y disgrifiad o gynhyrchu y mae'r gymeradwyaeth wedi'i hatal neu wedi'i thynnu'n ôl ar ei gyfer;
- (b) y rheswm dros yr atal neu'r tynnu'n ôl; ac
- (c) y dyddiad y daw'r atal neu'r tynnu'n ôl i rym (a all fod yr un dyddiad â'r dyddiad y rhoddir yr hysbysiad).

(7) Rhaid i'r Cynulliad Cenedlaethol beidio â thynnu cymeradwyaeth yn ôl oni bai -

- (a) ei bod yn ymddangos i'r Cynulliad Cenedlaethol -
 - (i) nad yw'r person sy'n defnyddio'r safle neu a oedd yn defnyddio'r safle ddiwethaf ar gyfer y disgrifiad o gynhyrchu y rhoddwyd y gymeradwyaeth ar ei gyfer yn dymuno parhau i ddefnyddio'r safle felly mwyach;
 - (ii) nad yw'r disgrifiad o gynhyrchu y mae'r safle wedi'i gynhyrchu ar ei gyfer yn cael ei wneud yno mwyach;
 - (iii) o atal y gymeradwyaeth, na fydd y person a oedd gynt yn defnyddio'r safle, nac unrhyw berson arall a fyddai ym marn y Cynulliad Cenedlaethol yn defnyddio'r safle ar gyfer y disgrifiad o gynhyrchu y rhoddwyd y gymeradwyaeth ar ei gyfer yn defnyddio'r safle yn unol â'r gymeradwyaeth neu ag un neu ragor o'r amodau a bennir yn yr Atodlen i'r Rheoliadau hyn sy'n ymwneud â'r gymeradwyaeth;
 - (iv) os nad yw'r gymeradwyaeth wedi'i hatal eisoes, na fyddai ei hatal yn galluogi'r person sy'n defnyddio'r safle ar gyfer y disgrifiad o gynhyrchu y rhoddwyd y gymeradwyaeth ar ei gyfer i gymryd camau adfer o fewn cyfnod

no longer being carried on there,
it may decide to suspend or withdraw the approval of the premises relating to that use.

(5) Where the National Assembly decides to suspend or withdraw an approval relating to any premises it shall give notice of the suspension or withdrawal to the person carrying on the business at the premises (or, in the case of a suspension or withdrawal under paragraph (4)(e) above, to the person formerly carrying on the business at the premises), and to any other person who appears to the National Assembly to be in current occupation of the premises.

(6) A notice of suspension or withdrawal of an approval shall include the following information -

- (a) a summary of the decision of the National Assembly to suspend or withdraw the approval of the premises and the use of the premises for the description of production for which the approval is suspended or withdrawn;
- (b) the reason for the suspension or withdrawal; and
- (c) the date on which the suspension or withdrawal takes effect (which may be the same date as the date on which the notice is issued).

(7) The National Assembly shall not withdraw an approval unless -

- (a) it appears to the National Assembly that -
 - (i) the person using or last using the premises for the description of production for which the approval is granted no longer wishes to carry on that use of the premises;
 - (ii) the description of production for which the premises are approved is no longer being carried on there;
 - (iii) if the approval is suspended, the person formerly using the premises, or any other person who in the opinion of the National Assembly would use the premises for the description of production for which the approval is granted, will not use the premises in accordance with the approval or one or more of the conditions specified in the Schedule to these Regulations which relate to the approval;
 - (iv) if the approval is not already suspended, a suspension would not enable the person using the premises for the description of production for which the approval is granted to take remedial action within a reasonable period after the suspension to

rhesymol ar ôl yr atal i alluogi'r safle i gael ei ddefnyddio yn unol â'r gymeradwyaeth neu ag un neu ragor o'r amodau a bennir yn yr Atodlen i'r Rheoliadau hyn sy'n ymwneud â'r gymeradwyaeth; a

- (b) ei fod wedi rhoi hysbysiad i'r person sy'n defnyddio'r safle ar gyfer y disgrifiad o gynhyrchu y rhoddwyd y gymeradwyaeth ar ei gyfer neu, os nad yw'r safle'n cael ei ddefnyddio at y diben hwnnw, i'r person diwethaf y mae'n hysbys i'r Cynulliad Cenedlaethol ei fod yn defnyddio'r safle at y diben hwnnw, ei fod yn bwriadu tynnu'r gymeradwyaeth yn ôl a'i fod wedi rhoi sylwi unrhyw sylwadau a gyflwynwyd iddo gan y person hwnnw mewn perthynas â'r bwriad hwnnw.

(8) Os -

- (a) oes ataliad ar gymeradwyaeth i safle o dan y rheoliad hwn wedi dod i rym; neu
(b) bod cymeradwyaeth wedi'i thynnu'n ôl;

rhaid trin y safle fel pe na bai wedi'i gymeradwyo ar gyfer y disgrifiad o gynhyrchu y rhoddwyd y gymeradwyaeth ar ei gyfer ac y mae'r gymeradwyaeth wedi'i hatal neu wedi'i thynnu'n ôl mewn perthynas ag ef.

(9) Rhaid i'r Cynulliad Cenedlaethol godi ataliad ar gymeradwyaeth os yw wedi'i fodloni -

- (a) nad yw'r rheswm dros yr atal yn gymwys mwyach; a
(b) y bydd y person a fyddai'n defnyddio'r safle ar gyfer y disgrifiad o gynhyrchu y rhoddwyd y gymeradwyaeth ar ei gyfer yn defnyddio'r safle yn unol â'r gymeradwyaeth a'r amodau a bennir yn yr Atodlen i'r Rheoliadau hyn sy'n ymwneud â'r gymeradwyaeth.

Gwerthu neu gyflenwi protein anifeiliaid wedi'i brosesu a fwriedir i fwydo anifeiliaid a ffermir

9.-(1) Yn ddarostyngedig i baragraff (2) isod, ni chaiff neb werthu na chyflenwi unrhyw brotein anifeiliaid wedi'i brosesu a fwriedir i fwydo unrhyw anifail a ffermir.

(2) Ni fydd y gwaharddiadau ym mharagraff (1) uchod yn gymwys i werthu neu gyflenwi -

- (a) y blawd pysgod y cyfeirir ato yn rheoliad 4(2)(a) uchod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr;
(b) gelatin sy'n deillio o anifeiliaid heblaw cilgnowyr ar gyfer caenu ychwanegion o fewn ystyr Cyfarwyddeb y Cyngor 70/524/EEC yngylch ychwanegion mewn porthiant;
(c) y dicalcium phosphate y cyfeirir ato yn rheoliad 4(2)(c) uchod i'w fwydo i anifeiliaid a ffermir;
(ch)y protein wedi'i hydrolysed y cyfeirir ato yn

enable the premises to be used in accordance with the approval or one or more of the conditions specified in a Schedule to these Regulations which relate to the approval; and

- (b) it has given notice to the person using the premises for the description of production for which the approval is granted or, where the premises are not being used for that purpose, to the person last known to the National Assembly to be using the premises for that purpose, of its intention to withdraw the approval and has had regard to any representations made to it by that person in relation to that intention.

(8) Where -

- (a) a suspension of an approval of premises under this regulation has taken effect; or
(b) an approval is withdrawn;

the premises shall be treated as if they were not approved for the description of production for which the approval was granted and in relation to which the approval is suspended or withdrawn.

(9) The National Assembly shall lift a suspension of an approval where it is satisfied that -

- (a) the reason for the suspension no longer applies; and
(b) the person who would use the premises for the description of production for which the approval is granted will use the premises in accordance with the approval and the conditions specified in the Schedules to these Regulations which relate to the approval.

Sale or supply of processed animal protein intended for the feeding of farmed animals

9.-(1) Subject to paragraph (2) below, no person shall sell or supply any processed animal protein intended for the feeding of any farmed animal.

(2) The prohibitions in paragraph (1) above shall not apply to the sale or supply of -

- (a) fishmeal referred to in regulation 4(2)(a) above for feeding to farmed animals other than ruminants;
(b) gelatin derived from non-ruminant animals for coating additives within the meaning of Council Directive 70/524/EEC concerning additives in feeding-stuffs;
(c) dicalcium phosphate referred to in regulation 4(2)(c) above for feeding to farmed animals;
(d) hydrolysed protein referred to in regulation

- rheoliad 4(2) (ch) uchod i'w fwydo i anifeiliaid a ffermir; neu
- (d) llaeth a chynhyrchion llaeth.

Masnachu ag Aelod-wladwriaethau eraill

10.-(1) Yn ddarostyngedig i baragraffau (2) a (3) isod, ni chaiff neb anfon unrhyw brotein anifeiliaid wedi'i brosesu i Aelod-wladwriaeth arall.

(2) Os yw'r amodau a bennir ym mharagraff (3) isod wedi'i bodloni, ni fydd y gwaharddiadau ym mharagraff (1) uchod yn gymwys -

- (a) i'r bwyd anifeiliaid anwes y cyfeirir ato ym mhennod 4 o Atodiad 1 i Gyfarwyddeb 92/118/EEC;
- (b) i brotein anifeiliaid wedi'i brosesu nad yw wedi'i fwriadu i fwydo unrhyw anifail a ffermir;
- (c) i'r blawd pysgod y cyfeirir ato yn rheoliad 4(2)(a) uchod a gludwyd a'i storio yn y cyfamser yn unol ag Atodlen 1, i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr;
- (ch)i gelatin sy'n deillio o anifeiliaid heblaw cilgnowyr ar gyfer caenu ychwanegion o fewn ystyr Cyfarwyddeb y Cyngor 70/524/EEC ynghylch ychwanegion mewn porthiant;
- (d) i'r dicalcium phosphate y cyfeirir ato yn rheoliad 4(2)(c) uchod, a gynhyrchir yn unol ag Atodlen 2, i'w fwydo i anifeiliaid a ffermir;
- (dd)i'r protein wedi'i hydroleiddio y cyfeirir ato yn rheoliad 4(2)(ch) uchod, a gynhyrched yn unol ag Atodlen 2, i'w fwydo i anifeiliaid a ffermir; neu
- (e) i laeth a chynhyrchion llaeth.

(3) Dyma'r amodau y cyfeirir atynt ym mharagraff (2) uchod -

- (a) bod yr Aelod-wladwriaeth a gyrchir
 - (i) wedi awdurdodi derbyn protein anifeiliaid wedi'i brosesu o'r Deyrnas Unedig at ddibenion erthygl 3(1)(a) o Benderfyniad y Comisiwn; a
 - (ii) wedi awdurdodi anfon protein anifeiliaid wedi'i brosesu o'r Deyrnas Unedig dim ond i safleoedd yn yr Aelod-wladwriaeth heblaw safleoedd sy'n cynhyrchu porthiant ar gyfer anifeiliaid a ffermir;
- (b) bod dystysgrif swyddogol yn cyd-fynd â'r protein anifeiliaid wedi'i brosesu fel y'i nodir yn Atodiad V i Benderfyniad y Comisiwn neu, yn achos dicalcium phosphate neu brotein wedi'i hydroleiddio, dystysgrif swyddogol fel y'i pennir yn Atodiad IV i Benderfyniad y Comisiwn;
- (c) bod y protein anifeiliaid wedi'i brosesu -

4(2)(d) above for feeding to farmed animals; or

- (e) milk and milk products.

Trade with other member States

10.-(1) Subject to paragraphs (2) and (3) below, no person shall send any processed animal protein to another member State.

(2) If the conditions specified in paragraph (3) below are met, the prohibitions in paragraph (1) above shall not apply

- (a) to petfood referred to in chapter 4 of Annex 1 to Directive 92/118/EEC;
- (b) to processed animal protein not intended for the feeding of any farmed animal;
- (c) to fishmeal referred to in regulation 4(2)(a) above, transported and intermediately stored in accordance with Schedule 1, for feeding to farmed animals other than ruminants;
- (d) to gelatin derived from non-ruminant animals for coating additives within the meaning of Council Directive 70/524/EEC concerning additives in feeding-stuffs;
- (e) to dicalcium phosphate referred to in regulation 4(2)(c) above, produced in accordance with Schedule 2, for feeding to farmed animals;
- (f) to hydrolysed protein referred to in regulation 4(2)(d) above, produced in accordance with Schedule 2, for feeding to farmed animals; or
- (g) to milk and milk products.

(3) The conditions referred to in paragraph (2) above are -

- (a) the member State of destination
 - (i) has authorised receipt of processed animal protein from the United Kingdom for the purposes of article 3(1)(a) of the Commission Decision; and
 - (ii) has authorised processed animal protein from the United Kingdom to be sent only to premises in the member State of destination other than premises producing feeding-stuffs for farmed animals;
- (b) the processed animal protein is accompanied by an official certificate as laid down in Annex V to the Commission Decision or, in the case of dicalcium phosphate or hydrolysed protein, an official certificate as laid down in Annex IV to the Commission Decision;
- (c) the processed animal protein is -

- (i) yn cael ei gludo mewn cynwysyddion neu gerbydau sydd o dan sêl ac wedi'u gorchuddio, mewn ffordd sy'n atal colli dim byd; a
- (ii) yn cael ei gludo'n uniongyrchol i ffatri bwyd anifeiliaid anwes neu ffatri fwyd yn yr Aelod-wladwriaeth a gyrrchir; ac
- (ch) bod hysbysiad yn cael ei roi i arolygydd milfeddygol gan neu ar ran y person sy'n anfon y protein anifeiliaid wedi'i brosesu mewn digon o bryd ac mewn modd digonol i alluogi'r Cynulliad Cenedlaethol i roi gwybod am gyrrchfan pob llwyth a anfonir i'r awdurdod cymwys yn yr Aelod-wladwriaeth a gyrrchir, yn unol â gweithdrefn ANIMO a sefydlwyd o dan Benderfyniad y Comisiwn 91/398/EEC(a) fel y mae'n cael ei gymhwysyo am y tro at ddibenion Penderfyniad y Comisiwn.

(4) Os oes protein anifeiliaid wedi'i brosesu wedi'i anfon i Aelod-wladwriaeth arall ac nad yw'r Aelod-wladwriaeth a gyrrchir, yn unol â gweithdrefn ANIMO a sefydlwyd o dan Benderfyniad y Comisiwn 91/398/EEC fel y mae'n cael ei gymhwysyo at ddibenion Penderfyniad y Comisiwn, wedi rhoi gwybod i'r Cynulliad Cenedlaethol fod y llwyth wedi cyrraedd, rhaid i'r Cynulliad Cenedlaethol fynd ati ar unwaith i gymryd y camau priodol sydd ym marn y Cynulliad Cenedlaethol yn angenrheidiol neu'n hwylus at ddibenion erthygl 3(1)(e) o Benderfyniad y Comisiwn.

(5) Yn ddarostyngedig i baragraffau (6) a (7) isod, ni chaiff neb fewnforio unrhyw brotein anifeiliaid wedi'i brosesu o Aelod-wladwriaeth arall.

(6) Os yw'r amodau a bennir ym mharagraff (7) isod wedi'u bodloni, ni fydd y gwaharddiadau ym mharagraff (5) uchod yn gymwys -

- (a) i'r bwyd anifeiliaid anwes y cyfeirir ato ym mhennod 4 o Atodiad I i Gyfarwyddeb 92/118/EEC;
- (b) i brotein anifeiliaid wedi'i brosesu nad yw wedi'i fwriadu i fwydo unrhyw anifail a ffermir;
- (c) i'r blawd pysgod y cyfeirir ato yn rheoliad 4(2)(a) uchod a gludwyd a'i storio yn y cyfamser yn unol ag Atodlen 1, i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr;
- (ch) i gelatin sy'n deillio o anifeiliaid heblaw cilgnowyr ar gyfer caenu ychwanegion o fewn ystyr Cyfarwyddeb y Cyngor 70/524/EEC yngylch ychwanegion mewn porthiant;
- (d) i'r dicalcium phosphate y cyfeirir ato yn rheoliad 4(2)(c) uchod, a gynhyrchir yn unol ag Atodlen 2, i'w fwydo i anifeiliaid a ffermir;
- (dd) i'r protein wedi'i hydroleiddio y cyfeirir ato yn rheoliad 4(2)(ch) uchod, a gynhyrchwyd yn unol ag Atodlen 3, i'w fwydo i anifeiliaid a ffermir; neu

- (i) transported in sealed, covered containers or vehicles, in such a way as to prevent loss; and
- (ii) conveyed directly to a petfood or feed plant in the member State of destination; and
- (d) notice is given to a veterinary inspector by or on behalf of the person sending the processed animal protein in sufficient time and manner to enable the National Assembly to inform a competent authority of the member State of destination, in accordance with the ANIMO procedure established under Commission Decision 91/398/EEC(a) as applied for the purposes of the Commission Decision, of the place of destination of each consignment sent.

(4) Where processed animal protein has been sent to another member State and the member State of destination, in accordance with the ANIMO procedure established under Commission Decision 91/398/EEC as applied for the purposes of the Commission Decision, has not informed the National Assembly that the consignment has arrived, the National Assembly shall immediately take the appropriate action which, in its opinion, is necessary or expedient for the purposes of article 3(1)(e) of the Commission Decision.

(5) Subject to paragraphs (6) and (7) below, no person shall import any processed animal protein from another member State.

(6) If the conditions specified in paragraph (7) below are met, the prohibitions in paragraph (5) above shall not apply -

- (a) to petfood referred to in chapter 4 of Annex I to Directive 92/118/EEC;
- (b) to processed animal protein not intended for the feeding of any farmed animal;
- (c) to fishmeal referred to in regulation 4(2)(a) above, transported and intermediately stored in accordance with Schedule 1, for feeding to farmed animals other than ruminants;
- (d) to gelatin derived from non-ruminant animals for coating additives within the meaning of Council Directive 70/524/EEC concerning additives in feeding-stuffs;
- (e) to dicalcium phosphate referred to in regulation 4(2)(c) above, produced in accordance with Schedule 2, for feeding to farmed animals;
- (f) to hydrolysed protein referred to in regulation 4(2)(d) above, produced in accordance with Schedule 3, for feeding to farmed animals; or

(a) OJ Rhif L221, 9.8.1991 t.30.

(a) OJ No. L221, 9.8.1991 p.30.

(e) i laeth a chynhyrchion llaeth.

(7) Dyma'r amodau y cyfeirir atynt ym mharagraff (6) uchod -

(a) bod y Cynulliad Cenedlaethol

- (i) wedi awdurdodi derbyn protein anifeiliaid wedi'i brosesu o'r Aelod-wladwriaeth at ddibenion erthygl 3(1)(a) o Benderfyniad y Comisiwn; a
- (ii) wedi awdurdodi anfon protein anifeiliaid wedi'i brosesu o'r Aelod-wladwriaeth dim ond i safleoedd yng Nghymru heblaw safleoedd sy'n cynhyrchu porthiant ar gyfer anifeiliaid a ffermir;

(b) bod y person sy'n bwriadu ei fewnforio, cyn i'r protein anifeiliaid wedi'i brosesu gael ei fewnforio, wedi rhoi hysbysiad o'r bwriad i fewnforio i arolygydd milfeddygol;

(c) bod dystysgrif swyddogol yn cyd-fynd â'r protein anifeiliaid wedi'i brosesu fel y'i nodir yn Atodiad V i Benderfyniad y Comisiwn neu, yn achos dicalcium phosphate neu brotein wedi'i hydroleiddio, dystysgrif swyddogol fel y'i pennir yn Atodiad IV i Benderfyniad y Comisiwn;

(ch) bod y protein anifeiliaid wedi'i brosesu -

- (i) yn cael ei gludo mewn cynwsysydion neu gerbydau sydd o dan sêl ac wedi'u gorchuddio, mewn ffordd sy'n atal colli dim byd; a
- (ii) yn cael ei gludo'n uniongyrchol i ffatri bwyd anifeiliaid anwes neu ffatri fwyd yn yr Aelod-wladwriaeth a gyrchir; a
- (d) bod hysbysiad yn cael ei roi i arolygydd milfeddygol gan neu ar ran y person sy'n anfon y protein anifeiliaid wedi'i brosesu mewn digon o bryd ac mewn modd digonol i alluogi'r Cynulliad Cenedlaethol i roi gwybod am gyrfaedd pob llwyth a anfonir i'r awdurdod cymwys yn yr Aelod-wladwriaeth a gyrchir, yn unol â gweithdrefn ANIMO a sefydlwyd o dan Benderfyniad y Comisiwn 91/398/EEC fel y mae'n cael ei gymhwys o at ddibenion Penderfyniad y Comisiwn.

Masnachu â thrydydd gwledydd

11.-(1) Yn ddarostyngedig i baragraffau (2) a (3) isod, ni chaiff neb allforio unrhyw brotein anifeiliaid wedi'i brosesu i drydedd wlad.

(2) Os yw'r amodau a bennir ym mharagraff (3) isod wedi'u bodloni, ni fydd y gwaharddiad ym mharagraff (1) uchod yn gymwys i'r canlynol -

- (a) i'r bwyd anifeiliaid anwes y cyfeirir ato ym mhennod 4 o Atodiad 1 i Gyfarwyddeb 92/118/EEC;
- (b) i brotein anifeiliaid wedi'i brosesu nad yw wedi'i

(g) to milk and milk products.

(7) The conditions referred to in paragraph (6) above are -

(a) the National Assembly -

- (i) has authorised receipt of processed animal protein from the member State for the purposes of article 3(1)(a) of the Commission Decision; and

- (ii) has authorised processed animal protein from the member State to be sent only to premises in Wales other than premises producing feeding-stuffs for farmed animals;

(b) before the processed animal protein is imported, the person who intends to import it has given notice of the proposed import to a veterinary inspector;

(c) the processed animal protein is accompanied by an official certificate as laid down in Annex V to the Commission Decision or, in the case of dicalcium phosphate or hydrolysed protein, an official certificate as laid down in Annex IV to the Commission Decision;

(d) the processed animal protein is -

- (i) transported in sealed, covered containers or vehicles, in such a way as to prevent loss; and

- (ii) conveyed directly to a petfood or feed plant in the member State of destination; and

(e) notice is given to a veterinary inspector by or on behalf of the person sending the processed animal protein in sufficient time and manner to enable the National Assembly to inform a competent authority of the member State of origin, in accordance with the ANIMO procedure established under Commission Decision 91/398/EEC as applied for the purposes of the Commission Decision, of the arrival of each consignment sent.

Trade with third countries

11.- (1) Subject to paragraphs (2) and (3) below, no person shall export any processed animal protein to a third country.

(2) If the conditions specified in paragraph (3) below are met, the prohibition in paragraph (1) above shall not apply -

- (a) to petfood referred to in chapter 4 of Annex 1 to Directive 92/118/EEC;
- (b) to processed animal protein not intended for

- fwriadu i fwydo unrhyw anifail a ffermir;
- (c) i'r blawd pysgod y cyfeirir ato yn rheoliad 4(2)(a) uchod, a gludwyd a'i storio yn y cyfamser yn unol ag Atodlen 1, i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr;
 - (ch) i gelatin sy'n deillio o anifeiliaid heblaw cilgnowyr ar gyfer caenu ychwanegion o fewn ystyr Cyfarwyddeb y Cyngor 70/524/EEC yngylch ychwanegion mewn porthiant;
 - (d) i'r dicalcium phosphate y cyfeirir ato yn rheoliad 4(2)(c) uchod, a gynhyrchwyd yn unol ag Atodlen 2, i'w fwydo i anifeiliaid a ffermir;
 - (dd) i'r protein wedi'i hydroleiddio y cyfeirir ato yn rheoliad 4(2)(ch) uchod, a gynhyrchir yn unol ag Atodlen 3, i'w fwydo i anifeiliaid a ffermir; neu
 - (e) i laeth a chynhyrchion llaeth.

(3) Dyma'r amodau y cyfeirir atynt ym mharagraff (2) uchod -

- (a) bod y wladwriaeth a gyrchir wedi gwneud cytundeb gyda'r Deyrnas Unedig at ddibenion erythegl 3(2)(a) o Benderfyniad y Comisiwn -
 - (i) mai dim ond i safleoedd heblaw safleoedd sy'n cynhyrchu porthiant ar gyfer anifeiliaid a ffermir yr awdurdodir anfon protein anifeiliaid wedi'i brosesu sy'n cael ei fewnforio o'r Deyrnas Unedig; a
 - (ii) na fydd yn awdurdodi allforio protein anifeiliaid wedi'i brosesu sy'n cael ei fewnforio o'r Deyrnas Unedig oni bai ei fod yn cael ei ymgorffori mewn cynnyrch sydd wedi'i arfaethu i'w ddefnyddio yn y pen draw fel bwyd i anifeiliaid nad ydynt yn cael eu cadw, eu pesgi neu eu bridio i gynhyrchu bwyd; a
- (b) bod dystysgrif swyddogol yn cyd-fynd â'r protein anifeiliaid wedi'i brosesu fel y'i nodir yn Atodiad V i Benderfyniad y Comisiwn neu, yn achos dicalcium phosphate neu brotein wedi'i hydroleiddio, dystysgrif swyddogol fel y'i pennir yn Atodiad IV i Benderfyniad y Comisiwn.

(4) Yn ddarostyngedig i baragraffau (5) a (6) isod, ni chaiff neb fewnforio unrhyw brotein anifeiliaid wedi'i brosesu o drydedd wlad.

(5) Os yw'r amod a bennir ym mharagraff (6) isod wedi'i fodloni, ni fydd y gwaharddiadau ym mharagraff (4) uchod yn gymwys i'r canlynol -

- (a) i'r bwyd anifeiliaid anwes y cyfeirir ato ym mhennod 4 o Atodiad 1 i Gyfarwyddeb 92/118/EEC;
- (b) i brotein anifeiliaid wedi'i brosesu nad yw wedi'i fwriadu i fwydo unrhyw anifail a ffermir;
- (c) i'r blawd pysgod y cyfeirir ato yn rheoliad 4(2)(a) uchod a gludwyd a'i storio yn y

- the feeding of any farmed animal;
- (c) to fishmeal referred to in regulation 4(2)(a) above, transported and intermediately stored in accordance with Schedule 1, for feeding to farmed animals other than ruminants;
- (d) to gelatin derived from non-ruminant animals for coating additives within the meaning of Council Directive 70/524/EEC concerning additives in feeding-stuffs;
- (e) to dicalcium phosphate referred to in regulation 4(2)(c) above, produced in accordance with Schedule 2, for feeding to farmed animals;
- (f) to hydrolysed protein referred to in regulation 4(2)(d) above, produced in accordance with Schedule 3, for feeding to farmed animals; or
- (g) to milk and milk products.

(3) The conditions referred to in paragraph (2) above are -

- (a) the state of destination has entered into an agreement with the United Kingdom for the purposes of article 3(2)(a) of the Commission Decision -
 - (i) that processed animal protein imported from the United Kingdom is authorised to be sent only to premises other than premises producing feeding-stuffs for farmed animals; and
 - (ii) that it will not authorise the export of processed animal protein imported from the United Kingdom unless it is incorporated in a product destined for final use as feed for animals which are not kept, fattened or bred for the production of food; and
- (b) the processed animal protein is accompanied by an official certificate as laid down in Annex V to the Commission Decision or, in the case of dicalcium phosphate or hydrolysed protein, an official certificate as laid down in Annex IV to the Commission Decision.

(4) Subject to paragraphs (5) and (6) below, no person shall import any processed animal protein from a third country.

(5) If the condition specified in paragraph (6) below is met, the prohibitions in paragraph (4) above shall not apply -

- (a) to petfood referred to in chapter 4 of Annex 1 to Directive 92/118/EEC;
- (b) to processed animal protein not intended for the feeding of any farmed animal;
- (c) to fishmeal referred to in regulation 4(2)(a) above, transported and intermediately stored in

- cymfamser yn unol ag Atodlen 1, i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr;
- (ch) i gelatin sy'n deillio o anifeiliaid heblaw cilgnowyr ar gyfer caenu ychwanegion o fewn ystyr Cyfarwyddeb y Cyngor 70/524/EEC ynghylch ychwanegion mewn porthiant;
 - (d) i'r dicalcium phosphate y cyfeirir ato yn rheoliad 4(2)(c) uchod, yn unol ag Atodlen 2, i'w fwydo i anifeiliaid a ffermir;
 - (dd) i'r protein wedi'i hydroleiddio y cyfeirir ato yn rheoliad 4(2)(ch) uchod, a gynhyrchir yn unol ag Atodlen 3, i'w fwydo i anifeiliaid a ffermir; neu
 - (e) i laeth a chynhyrchion llaeth.

(6) Yr amod y cyfeirir ato ym mharagraff (5) uchod yw yr ymdrinnir â'r protein anifeiliaid wedi'i brosesu yn unol â'r amodau a bennir yn erthygl 8 o Gyfarwyddeb 97/78/EC(a).

Gweithgynhyrchu porthiant

12.-(1) Yn ddarostyngedig i baragraff (2) isod, ni chaiff neb weithgynhyrchu unrhyw borthiant, gan gynnwys bwyd anifeiliaid anwes, sydd wedi'i arfaethu ar gyfer anifeiliaid heblaw anifeiliaid a ffermir, ac sy'n cynnwys protein anifeiliaid wedi'i brosesu, ar safle sy'n paratoi bwyd i anifeiliaid a ffermir.

(2) Os oes porthiant yn cael ei gynhyrchu heb brotein anifeiliaid wedi'i brosesu heblaw blawd pysgod, dicalcium phosphate neu brotein wedi'i hydroleiddio, caiff gael ei weithgynhyrchu ar safle sy'n paratoi bwyd i anifeiliaid a ffermir heblaw cilgnowyr.

Cynhyrchu porthiant sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr

13.-(1) Yn ddarostyngedig i baragraff (3) isod, ni chaiff neb ddefnyddio unrhyw safle ar gyfer cynhyrchu porthiant sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr os yw'r safle'n cael ei ddefnyddio ar gyfer paratoi porthiant i anifeiliaid cnoi cil.

(2) At ddibenion paragraff 6 o Atodiad 1 i Benderfyniad y Comisiwn, mae safleoedd sy'n gweithgynhyrchu bwyd anifeiliaid nad ydynt yn cael eu defnyddio i baratoi porthiant ar gyfer anifeiliaid cnoi cil wedi'u hawdurdodi i gynhyrchu porthiant sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr.

(3) Ni fydd y gwaharddiad ym mharagraff 1 uchod yn gymwys i safleoedd a ddefnyddir ar gyfer paratoi porthiant ar gyfer anifeiliaid cnoi cil sy'n cael eu defnyddio i gynhyrchu porthiant sy'n cynnwys blawd pysgod ar gyfer rhywogaethau eraill o anifeiliaid -

- (a) os yw'r blawd pysgod yn bodloni gofynion rheoliad 4(2)(a) uchod;
- (b) os yw deunydd bwyd sydd wedi'i arfaethu ar

accordance with Schedule 1, for feeding to farmed animals other than ruminants;

- (d) to gelatin derived from non-ruminant animals for coating additives within the meaning of Council Directive 70/524/EEC concerning additives in feeding-stuffs;
- (e) dicalcium phosphate referred to in regulation 4(2)(c) above, produced in accordance with Schedule 2, for feeding to farmed animals;
- (f) hydrolysed protein referred to in regulation 4(2)(d) above, produced in accordance with Schedule 3, for feeding to farmed animals; or
- (g) milk and milk products.

(6) The condition referred to in paragraph (5) above is that the processed animal protein is dealt with in accordance with the conditions laid down in article 8 of Directive 97/78/EC(a).

Manufacture of feeding-stuffs

12.-(1) Subject to paragraph (2) below, no person shall manufacture any feeding-stuffs, including petfood, which is destined for animals other than farmed animals, and which contains processed animal protein, in premises which prepare feed for farmed animals.

(2) If any feeding-stuff is produced with no processed animal protein other than fishmeal, dicalcium phosphate or hydrolysed protein, it may be manufactured in premises which prepare feed for farmed animals other than ruminants.

Production of feeding-stuffs containing fishmeal for feeding to farmed animals other than ruminants

13.-(1) Subject to paragraph (3) below, no person shall use any premises for the production of feeding-stuffs containing fishmeal for feeding to farmed animals other than ruminants if the premises are used for the preparation of feeding-stuffs for ruminant animals.

(2) For the purpose of paragraph 6 of Annex 1 to the Commission Decision, premises manufacturing animal feed which are not used for the preparation of feeding-stuffs for ruminant animals are authorised for the production of feeding-stuffs containing fishmeal for feeding to farmed animals other than ruminants.

(3) The prohibition in paragraph (1) above shall not apply to premises used for the preparation of feeding-stuffs for ruminant animals which are used for the production of feeding-stuffs containing fishmeal for feeding to other animal species if -

- (a) the fishmeal satisfies the requirements of regulation 4(2)(a) above;
- (b) the transport and storage of feed material

(a) OJ Rhif L24, 30.1.1998, t.9.

(a) OJ No. L24, 30.1.1998 p.9.

- gyfer anifeiliaid cnoi cil yn cael ei gludo a'i storio ar wahân yn llwyr i ddeunydd bwyd y gwaharddwyd ei fwydo i anifeiliaid cnoi cil;
- (c) os yw'r cyfleusterau storio, cludo, gweithgynhyrchu a phecynnau ar gyfer porthiant cyfansawdd sydd wedi'i arfaethu ar gyfer anifeiliaid cnoi cil yn digwydd ar wahân yn llwyr; ac
- (ch) os yw'r person sy'n defnyddio'r safle ar gyfer paratoi porthiant i anifeiliaid cnoi cil sydd hefyd yn cael ei ddefnyddio i gynhyrchu porthiant sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid o rywogaethau eraill yn cynnal profion rhigolaidd ar y porthiant sydd wedi'i arfaethu ar gyfer anifeiliaid cnoi cil er mwyn sicrhau nad oes dim protein anifeiliaid wedi'i brosesu y gwaharddwyd ei fwydo i anifeiliaid a ffermir gan reoliad 4 uchod yn bresennol yn y porthiant hwnnw.
- (d) the storage, transport, manufacturing and packaging facilities for compound feeding-stuffs destined for ruminant animals is completely separate from feed material prohibited for feeding to ruminant animals;
- (e) the storage, transport, manufacturing and packaging facilities for compound feeding-stuffs destined for ruminant animals is completely separate; and
- (f) the person using the premises for the preparation of feeding-stuffs for ruminant animals which are also used for the production of feeding-stuffs containing fishmeal for feeding to other animal species carries out routine tests on the feeding-stuffs destined for ruminant animals to ensure that any processed animal protein the feeding of which to farmed animals is prohibited by regulation 4 above are not present in those feeding-stuffs.

(4) Ni chaiff neb gynhyrchu unrhyw borthiant sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilnowyrr oni bai bod y porthiant yn cael ei labelu'n glir i ddangos y geiriau "contains fishmeal - cannot be fed to ruminant animals".

(5) Ni chaiff neb ddefnyddio unrhyw gerbyd ar gyfer cludo porthiant swmp sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilnowyrr ar yr un pryd ag y mae'n cael ei ddefnyddio ar gyfer cludo unrhyw fwyd i anifeiliaid cnoi cil.

(6) Os caiff cerbyd a ddefnyddir i gludo porthiant swmp sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilnowyrr ei ddefnyddio wedyn i gludo cynhyrchion eraill, rhaid i'r person sy'n defnyddio'r cerbyd ar gyfer cludo'r porthiant swmp sy'n cynnwys blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilnowyrr sicrhau y caiff ei lanhau'n drwyndl a'i archwilio cyn cludo'r porthiant swmp hwnnw ac wedyn.

Cynhyrchu porthiant sy'n cynnwys dicalcium phosphate i'w fwydo i anifeiliaid a ffermir

14.-(1) Yn ddarostyngedig i baragraff (3) isod, ni chaiff neb ddefnyddio unrhyw safle ar gyfer cynhyrchu porthiant sy'n cynnwys dicalcium phosphate o esgyrn wedi'u diseimio i'w fwydo i anifeiliaid a ffermir heblaw cilnowyrr os yw'r safle'n cael ei ddefnyddio ar gyfer paratoi porthiant i anifeiliaid cnoi cil.

(2) At ddibenion paragraff 3 o Atodiad II i Benderfyniad y Comisiwn, mae safleoedd sy'n gweithgynhyrchu bwyd anifeiliaid nad ydynt yn cael eu defnyddio i baratoi porthiant ar gyfer anifeiliaid cnoi cil wedi'u hawdurdodi i gynhyrchu porthiant sy'n cynnwys dicalcium phosphate o esgyrn wedi'u diseimio i'w fwydo i anifeiliaid a ffermir heblaw cilnowyrr.

destined for ruminant animals is completely separate from feed material prohibited for feeding to ruminant animals;

- (c) the storage, transport, manufacturing and packaging facilities for compound feeding-stuffs destined for ruminant animals is completely separate; and
- (d) the person using the premises for the preparation of feeding-stuffs for ruminant animals which are also used for the production of feeding-stuffs containing fishmeal for feeding to other animal species carries out routine tests on the feeding-stuffs destined for ruminant animals to ensure that any processed animal protein the feeding of which to farmed animals is prohibited by regulation 4 above are not present in those feeding-stuffs.

(4) No person shall produce any feeding-stuff containing fishmeal for feeding to farmed animals other than ruminants unless the feeding-stuff is labelled clearly to indicate the words "contains fishmeal - cannot be fed to ruminant animals".

(5) No person shall use any vehicle for the transport of bulk feeding-stuffs containing fishmeal for feeding to farmed animals other than ruminants at the same time as it is used for the transport of any feed for ruminant animals.

(6) Where a vehicle used for the transport of bulk feeding-stuffs containing fishmeal for feeding to farmed animals other than ruminants is subsequently used for the transport of other products, the person using the vehicle for the transport of the bulk feeding-stuffs containing fishmeal for feeding to farmed animals other than ruminants shall ensure it is thoroughly cleaned and inspected before and after the transport of those bulk feeding-stuffs.

Production of feeding-stuffs containing dicalcium phosphate for feeding to farmed animals

14.-(1) Subject to paragraph (3) below, no person shall use any premises for the production of feeding-stuffs containing dicalcium phosphate from defatted bones for feeding to farmed animals other than ruminants if the premises are used for the preparation of feeding-stuffs for ruminant animals.

(2) For the purpose of paragraph 3 of Annex II to the Commission Decision, premises manufacturing animal feed which are not used for the preparation of feeding-stuffs for ruminant animals are authorised for the production of feeding-stuffs containing dicalcium phosphate from defatted bones for feeding to farmed animals other than ruminants.

(3) Ni fydd y gwaharddiad ym mharagraff (1) uchod yn gymwys i safleoedd a ddefnyddir ar gyfer paratoi porthiant ar gyfer anifeiliaid cnoi cil sy'n cael eu defnyddio i gynhyrchu porthiant sy'n cynnwys dicalcium phosphate o esgyrn wedi'u diseimio ar gyfer rhywogaethau eraill o anifeiliaid -

- (a) os yw'r dicalcium phosphate yn bodloni gofynion rheoliad 4(2)(c) uchod;
- (b) os yw deunydd bwyd sydd wedi'i arfaethu ar gyfer anifeiliaid cnoi cil yn cael ei gludo a'i storio ar wahân yn llwyr i ddeunydd bwyd y gwaharddwyd ei fwydo i anifeiliaid cnoi cil;
- (c) os yw'r cyfleusterau storio, cludo, gweithgynhyrchu a phecynnau ar gyfer porthiant cyfansawdd sydd wedi'i arfaethu ar gyfer anifeiliaid cnoi cil yn digwydd ar wahân yn llwyr; ac
- (ch) os yw'r person sy'n defnyddio'r safle ar gyfer paratoi porthiant i anifeiliaid cnoi cil sy'n cael ei ddefnyddio i gynhyrchu porthiant sy'n cynnwys dicalcium phosphate o esgyrn wedi'u diseimio i anifeiliaid o rywogaethau eraill yn cynnal profion rhigolaidd ar y porthiant sydd wedi'i arfaethu ar gyfer anifeiliaid cnoi cil er mwyn sicrhau nad oes dim protein anifeiliaid wedi'i brosesu y gwaharddwyd ei fwydo i anifeiliaid a ffermir gan reoliad 4 uchod yn bresennol yn y porthiant hwnnw.

(4) Ni chaiff neb gynhyrchu unrhyw borthiant sy'n cynnwys dicalcium phosphate o esgyrn wedi'u diseimio i'w fwydo i anifeiliaid a ffermir heblaw cilnowyr oni bai bod y porthiant yn cael ei labelu'n glir i ddangos y geiriau "contains dicalcium phosphate from defatted bones - cannot be fed to ruminant animals".

(5) Ni chaiff neb ddefnyddio unrhyw gerbyd ar gyfer cludo porthiant swmp sy'n cynnwys dicalcium phosphate o esgyrn wedi'u diseimio i'w fwydo i anifeiliaid a ffermir heblaw cilnowyr ar yr un pryd ag y mae'n cael ei ddefnyddio ar gyfer cludo unrhyw fwyd i anifeiliaid cnoi cil.

(6) Os caiff cerbyd a ddefnyddir i gludo porthiant swmp sy'n cynnwys dicalcium phosphate o esgyrn wedi'u diseimio i'w fwydo i anifeiliaid a ffermir heblaw cilnowyr ei ddefnyddio wedyn i gludo cynhyrchion eraill, rhaid i'r person sy'n defnyddio'r cerbyd ar gyfer cludo'r porthiant swmp sy'n cynnwys dicalcium phosphate o esgyrn wedi'u diseimio i'w fwydo i anifeiliaid a ffermir heblaw cilnowyr sicrhau y caiff ei lanhau'n drwyndl a'i archwilio cyn cludo'r porthiant swmp hwnnw ac wedyn.

(3) The prohibition in paragraph (1) above shall not apply to premises used for the preparation of feeding-stuffs for ruminant animals which are used for the production of feeding-stuffs containing dicalcium phosphate from defatted bones for other animal species if -

- (a) the dicalcium phosphate satisfies the requirements of regulation 4(2)(c) above;
- (b) the transport and storage of feed material destined for ruminant animals is completely separate from feed material prohibited for feeding to ruminant animals;
- (c) the storage, transport, manufacturing and packaging facilities for compound feeding-stuffs destined for ruminant animals is completely separate; and
- (d) the person using the premises for the preparation of feeding-stuffs for ruminant animals which are used for the production of feeding-stuffs containing dicalcium phosphate from defatted bones for other animal species carries out routine tests on the feeding-stuffs destined for ruminant animals to ensure that any processed animal protein the feeding of which to farmed animals is prohibited by regulation 4 above are not present in those feeding-stuffs.

(4) No person shall produce any feeding-stuff containing dicalcium phosphate from defatted bones for feeding to farmed animals other than ruminants unless the feeding-stuff is labelled clearly to indicate the words "contains dicalcium phosphate from defatted bones - cannot be fed to ruminant animals".

(5) No person shall use any vehicle for the transport of bulk feeding-stuffs containing dicalcium phosphate from defatted bones for feeding to farmed animals other than ruminants at the same time as it is used for the transport of any feed for ruminant animals.

(6) Where a vehicle used for the transport of bulk feeding-stuffs containing dicalcium phosphate from defatted bones for feeding to farmed animals other than ruminants is subsequently used for the transport of other products, the person using the vehicle for the transport of the bulk feeding-stuffs containing dicalcium phosphate from defatted bones for feeding to farmed animals other than ruminants shall ensure it is thoroughly cleaned and inspected before and after the transport of those bulk feeding-stuffs.

Cynhyrchu porthiant sy'n cynnwys protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir

15.-(1) Yn ddarostyngedig i baragraff (3) isod, ni chaiff neb ddefnyddio unrhyw safle ar gyfer cynhyrchu porthiant sy'n cynnwys protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr os yw'r safle'n cael ei ddefnyddio ar gyfer paratoi porthiant i anifeiliaid cnoi cil.

(2) At ddibenion paragraff 2 o Atodiad III i Benderfyniad y Comisiwn, mae safleoedd sy'n gweithgynhyrchu bwyd anifeiliaid nad ydynt yn cael eu defnyddio i baratoi porthiant ar gyfer anifeiliaid cnoi cil wedi'u hawdurdodi i gynhyrchu porthiant sy'n cynnwys protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr.

(3) Ni fydd y gwaharddiad ym mharagraff (1) uchod yn gymwys i safleoedd a ddefnyddir ar gyfer paratoi porthiant ar gyfer anifeiliaid cnoi cil sy'n cael eu defnyddio i gynhyrchu porthiant sy'n cynnwys protein wedi'i hydroleiddio ar gyfer rhywogaethau eraill o anifeiliaid -

- (a) os yw'r protein wedi'i hydroleiddio yn bodloni gofynion rheoliad 4(2)(ch) uchod;
- (b) os yw deunydd bwyd sydd wedi'i arfaethu ar gyfer anifeiliaid cnoi cil yn cael ei gludo a'i storio ar wahân yn llwyr i ddeunydd bwyd y gwaharddwyd ei fwydo i anifeiliaid cnoi cil;
- (c) os yw'r cyfleusterau storio, cludo, gweithgynhyrchu a phecynnau ar gyfer porthiant cyfansawdd sydd wedi'i arfaethu ar gyfer anifeiliaid cnoi cil yn digwydd ar wahân yn llwyr; ac
- (ch) os yw'r person sy'n defnyddio'r safle ar gyfer paratoi porthiant i anifeiliaid cnoi cil sy'n cael ei ddefnyddio i gynhyrchu porthiant sy'n cynnwys protein wedi'i hydroleiddio i anifeiliaid o rywogaethau eraill yn cynnal profion rhigolaidd ar y porthiant sydd wedi'i arfaethu ar gyfer anifeiliaid cnoi cil er mwyn sicrhau nad oes dim protein anifeiliaid wedi'i brosesu y gwaharddwyd ei fwydo i anifeiliaid a ffermir gan reoliad 4 uchod yn bresennol yn y porthiant hwnnw.

(4) Ni chaiff neb gynhyrchu unrhyw borthiant sy'n cynnwys protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr oni bai bod y porthiant yn cael ei labelu'n glir i ddangos y geiriau "contains hydrolysed protein - cannot be fed to ruminant animals".

(5) Ni chaiff neb ddefnyddio unrhyw gerbyd ar gyfer cludo porthiant swmp sy'n cynnwys protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr ar yr un pryd ag y mae'n cael ei ddefnyddio ar gyfer cludo unrhyw fwyd i anifeiliaid cnoi cil.

(6) Os caiff cerbyd a ddefnyddir i gludo porthiant swmp sy'n cynnwys protein wedi'i hydroleiddio i'w

Production of feeding-stuffs containing hydrolysed protein for feeding to farmed animals

15.- (1) Subject to paragraph (3) below, no person shall use any premises for the production of feeding-stuffs containing hydrolysed protein for feeding to farmed animals other than ruminants if the premises are used for the preparation of feeding-stuffs for ruminant animals.

(2) For the purpose of paragraph 2 of Annex III to the Commission Decision, premises manufacturing animal feed which are not used for the preparation of feeding-stuffs for ruminant animals are authorised for the production of feeding-stuffs containing hydrolysed protein for feeding to farmed animals other than ruminants.

(3) The prohibition in paragraph (1) above shall not apply to premises used for the preparation of feeding-stuffs for ruminant animals which are used for the production of feeding-stuffs containing hydrolysed protein for other animal species if -

- (a) the hydrolysed protein satisfies the requirements of regulation 4(2)(d) above;
- (b) the transport and storage of feed material destined for ruminant animals is completely separate from feed material prohibited for feeding to ruminant animals;
- (c) the storage, transport, manufacturing and packaging facilities for compound feeding-stuffs destined for ruminant animals is completely separate; and
- (d) the person using the premises for the preparation of feeding-stuffs for ruminant animals which are used for the production of feeding-stuffs containing hydrolysed protein for other animal species carries out routine tests on the feeding-stuffs destined for ruminant animals to ensure that any processed animal protein the feeding of which to farmed animals is prohibited by regulation 4 above are not present in those feeding-stuffs.

(4) No person shall produce any feeding-stuff containing hydrolysed protein for feeding to farmed animals other than ruminants unless the feeding-stuff is labelled clearly to indicate the words "contains hydrolysed protein - cannot be fed to ruminant animals".

(5) No person shall use any vehicle for the transport of bulk feeding-stuffs containing hydrolysed protein for feeding to farmed animals other than ruminants at the same time as it is used for the transport of any feed for ruminant animals.

(6) Where a vehicle used for the transport of bulk feeding-stuffs containing hydrolysed protein for

fwydo i anifeiliaid a ffermir heblaw cilgnowyr ei ddefnyddio wedyn i gludo cynhyrchion eraill, rhaid i'r person sy'n defnyddio'r cerbyd ar gyfer cludo'r porthiant swmp sy'n cynnwys protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr sicrhau y caiff ei lanhau'n drwyndl a'i archwilio cyn cludo'r porthiant swmp hwnnw ac wedyn.

Defnyddio a storio porthiant sy'n cynnwys blawd pysgod, dicalcium phosphate neu brotein wedi'i hydroleiddio

16.-(1) Yn ddarostyngedig i baragraff (2) isod, ni chaiff neb ddefnyddio na storio unrhyw borthiant, heblaw'r bwyd anifeiliaid anwes y cyfeirir ato gan bennod 4 o Atodiad I i Gyfarwyddeb y Cyngor 92/118/EEC(a), sy'n cynnwys unrhyw -

- (a) blawd pysgod;
- (b) dicalcium phosphate sy'n deillio o esgyrn wedi'u diseimio; neu
- (c) protein wedi'i hydroleiddio,

ar fferm lle mae anifeiliaid cnoi cil yn cael eu cadw, eu pesgi neu eu bridio i gynhyrchu bwyd.

(2) Ni fydd paragraff (1) uchod yn gymwys i ddefnyddio neu storio unrhyw borthiant sy'n cynnwys unrhyw flawd pysgod, dicalcium phosphate sy'n deillio o esgyrn wedi'u diseimio neu brotein wedi'i hydroleiddio ar unrhyw fferm lle mae anifeiliaid cnoi cil yn cael eu cadw os oes mesurau digonol yn cael eu rhoi ar waith ar y fferm i atal y porthiant rhag cael ei fwydo i'r anifeiliaid cnoi cil hynny.

Cofnodion sy'n ymwneud â phrotein anifeiliaid wedi'i brosesu

17.-(1) Rhaid i unrhyw berson sy'n traddodi protein anifeiliaid wedi'i brosesu gadw, am ddwy flynedd ar ôl dyddiad y traddodi, (neu, yn achos protein anifeiliaid wedi'i brosesu a gynhyrchwyd y tu allan i'r Deyrnas Unedig, am ddwy flynedd ar ôl y dyddiad y cafodd ei fewnforio i'r Deyrnas Unedig) gofnod sy'n dangos -

- (a) dyddiad y traddodi a natur y protein anifeiliaid wedi'i brosesu a draddodwyd;
- (b) pwysau'r llwyth a draddodwyd ac, oni bai ei fod wedi'i draddodi'n rhydd, nifer a phwysau'r pecynnau, y paletau neu'r cynwysyddion eraill y mae'n cael ei draddodi ynddynt;
- (c) cyrchfan y llwyth a draddodwyd;
- (ch) enw a chyfeiriad y traddodai;
- (d) rhif cofrestru'r cerbyd y caiff y llwyth ei gludo ynddo; ac
- (dd) enw a chyfeiriad gweithredydd y cerbyd hwnnw.

(2) Rhaid i unrhyw berson sy'n derbyn llwyth o

feeding to farmed animals other than ruminants is subsequently used for the transport of other products, the person using the vehicle for the transport of the bulk feeding-stuffs containing hydrolysed protein for feeding to farmed animals other than ruminants shall ensure it is thoroughly cleaned and inspected before and after the transport of those bulk feeding-stuffs.

Use and storage of feeding-stuffs containing fishmeal, dicalcium phosphate or hydrolysed protein

16.-(1) Subject to paragraph (2) below, no person shall use or store any feeding-stuff, other than petfood referred to by chapter 4 of Annex I to Council Directive 92/118/EEC(a), containing any -

- (a) fishmeal;
- (b) dicalcium phosphate derived from defatted bones; or
- (c) hydrolysed protein,

on a farm where ruminant animals are kept, fattened or bred for the production of food.

(2) Paragraph (1) above shall not apply to the use or storage of any feeding-stuff containing any fishmeal, dicalcium phosphate derived from defatted bones or hydrolysed protein on any farm where ruminant animals are kept if measures are implemented on the farm sufficient to prevent the feeding-stuff being fed to those ruminant animals.

Records relating to processed animal protein

17.-(1) Any person who consigns processed animal protein shall keep for two years from the date of consignment (or, in the case of processed animal protein produced outside the United Kingdom, for two years from the date on which it was imported into the United Kingdom) a record indicating -

- (a) the date of consignment and the nature of the processed animal protein consigned;
- (b) the weight consigned and unless consigned loose, the number and weight of the packages, pallets or other containers in which it is consigned;
- (c) the destination of the consignment;
- (d) the name and address of the consignee;
- (e) the registration number of the vehicle in which the consignment is transported; and
- (f) the name and address of the operator of that vehicle.

(2) Any person receiving a consignment of processed

(a) OJ Rhif L62, 15.3.1993, t.49.

(a) OJ No. L62, 15.3.1993, p.49.

brotein anifeiliaid wedi'i brosesu gadw, am ddwy flynedd ar ôl dyddiad derbyn y llwyth, gofnod sy'n dangos -

- (a) dyddiad derbyn y llwyth a natur y protein anifeiliaid wedi'i brosesu a dderbyniwyd ;
- (b) ei bwysau pan ddaeth i law ac, oni bai ei fod wedi'i draddodi'n rhydd, nifer a phwysau'r pecynnau, y paletau neu'r cynwysyddion eraill y cafodd ei draddodi ynddynt;
- (c) o ba le y cafodd ei draddodi;
- (ch) enw a chyfeiriad y person a'i traddododd;
- (d) rhif cofrestru'r cerbyd y cafodd ei draddodi ynddy; ac
- (dd)enw a chyfeiriad gweithredydd y cerbyd hwnnw.

(3) Rhaid i unrhyw berson sy'n derbyn llwyth o brotein anifeiliaid wedi'i brosesu gadw, am ddwy flynedd ar ôl dyddiad unrhyw ddefnyddio, gwaredu neu draddodi pellach, gofnod sy'n dangos -

- (a) yn achos unrhyw ddefnyddio, natur y protein anifeiliaid wedi'i brosesu a ddefnyddiwyd a manylion pob defnyddio, pwysau unrhyw ran o'r llwyth a ymgorfforwyd mewn cynnyrch a natur a dyddiad gweithgynhyrchu unrhyw gynnyrch o'r fath;
- (b) yn achos gwaredu, y pwysau a waredwyd, dyddiad y gwaredu hwnnw, ble a sut y cafodd ei waredu ac enw'r person a'i gwareddodd; ac
- (c) yn achos traddodi pellach, yr wybodaeth a fynnir gan baragraff (1) uchod.

(4) Rhaid i unrhyw berson sy'n rheoli cerbyd y caiff protein anifeiliaid wedi'i brosesu ei gludo ynddy gadw, am ddwy flynedd o ddyddiad dechrau cludo llwyth penodol o brotein o'r fath (neu, yn achos mewnsforio, o'r dyddiad y daeth y deunydd i'r Deyrnas Unedig), gofnod o'r canlynol -

- (a) y person a'r lle y cafodd y llwyth ei gludo oddi wrth y natur y protein anifeiliaid wedi'i brosesu a draddodwyd;
- (b) y dyddiad y cafodd ei gasglu oddi wrth y person hwnnw;
- (c) y pwysau a draddodwyd ac, oni bai ei fod wedi'i draddodi'n rhydd, nifer a phwysau'r pecynnau, y paletau neu'r cynwysyddion eraill y mae'n cael ei draddodi ynddynt;
- (ch) rhif cofrestru'r cerbyd y cafodd ei gludo ynddy, ac enw a chyfeiriad y gyrrwr ac, os yw'r cerbyd yn cynnwys ôl-gerbyd, rhif yr ôl-gerbyd ;
- (d) y person a'r lle y cafodd neu yr oedd i gael ei

animal protein shall keep for two years from the date of receipt of the consignment a record indicating -

- (a) the date on which it was received and the nature of the processed animal protein received;
- (b) its weight on receipt, and unless consigned loose, the number and weight of the packages, pallets or other containers in which it was consigned;
- (c) the place from which it was consigned;
- (d) the name and address of the person by whom it was consigned;
- (e) the registration number of the vehicle in which it was consigned; and
- (f) the name and address of the operator of that vehicle.

(3) Any person receiving a consignment of processed animal protein shall keep for two years from the date of any use, disposal or further consignment a record indicating -

- (a) in the case of any use, the nature of the processed animal protein used and details of each use, the weight of any part of the consignment incorporated into a product and the nature and date of manufacture of any such product;
- (b) in the case of disposal, the weight disposed of, the date of such disposal, and the place in which, method by which and name of the person by whom it was disposed of; and
- (c) in the case of further consignment, the information required by paragraph (1) above.

(4) Any person who controls a vehicle in which processed animal protein is transported shall keep, for two years from the date on which transport of a particular consignment of such protein commenced (or, in the case of an import, from the date on which that material entered the United Kingdom), a record of -

- (a) the person and place from which that consignment was transported and the nature of the processed animal protein consigned;
- (b) the date on which it was collected from that person;
- (c) the weight consigned and, unless consigned loose, the number and weight of the packages, pallets or other containers in which it is consigned;
- (d) the registration number, and the name and address of the driver, of the vehicle in which it was transported and, if the vehicle includes a trailer, the number of the trailer;
- (e) the person and place to which it was to be or

anfon atynt; ac
(dd) dyddiad neu ddyddiad arfaethedig ei anfon at y person hwnnw.

(5) Rhaid i yrrwr cerbyd y mae llwyth o brotein anifeiliaid wedi'i brosesu yn cael ei gludo ynddo gael dogfen sy'n cofnodi'r wybodaeth a fynnir gan baragraff (4) uchod yn ei feddiant ar bob adeg pan fydd ganddo ofal y cerbyd hwnnw.

(6) Mewn perthynas â cherbyd sydd heb rif cofrestru, bydd y gofyniad i gadw cofnod o'r rhif cofrestru yn unol â pharagraffau (1)(d), (2)(d) a (4)(ch) uchod yn ofyniad i gadw unrhyw fanylion sy'n caniatáu i'r cerbyd y cafodd y llwyth ei gludo ynddo gael ei adnabod.

Pwerau mynediad

18.-(1) Os gofynnir iddo wneud hynny, bydd gan arolygydd, ar ôl cyflwyno rhyw ddogfen sydd wedi'i diliysu'n briodol ac sy'n dangos ei awdurdod, hawl ar bob adeg resymol i fynd i unrhyw safle (heblaw safle sy'n cael ei ddefnyddio fel annedd yn unig) er mwyn darganfod -

- (a) a oes unrhyw un o ddarpariaethau'r Rheoliadau hyn yn cael ei thorri neu wedi cael ei thorri ar y safle; neu
- (b) a oes unrhyw dystiolaeth ar y safle i unrhyw un o ddarpariaethau'r Rheoliadau hyn gael ei thorri.

(2) Os oes Ynad Heddwch, ar ôl cael hysbysiaeth ysgrifenedig ar lw, wedi'i fodloni bod yna sail resymol dros fynd i unrhyw safle (ac eithrio safle sy'n cael ei ddefnyddio fel annedd yn unig) at unrhyw ddiben a grybwyllir ym mharagraff (1) uchod a naill ai -

- (a) bod mynediad i'r safle wedi'i wrthod, neu y disgwylir iddo gael ei wrthod, a bod hysbysiad o'r bwriad i wneud cais am warant wedi'i roi i'r meddiannydd; neu
- (b) y byddai gwneud cais am fynediad, neu roi hysbysiad o'r fath, yn rhwystro bwriad y mynediad, neu fod yna frys ynglŷn â'r achos, neu nad yw'r safle'n cael ei feddiannu neu fod y meddiannydd yn absennol dros dro;

caiff yr Ynad Heddwch drwy gyfrwng gwarant a lofnodir ganddo awdurdodi arolygydd i fynd i'r safle, drwy ddefnyddio grym rhesymol os oes ei angen.

(3) Caiff arolygydd sy'n mynd i unrhyw safle yn rhinwedd y rheoliad hwn, neu yn rhinwedd gwarant a roddir odano, fynd ag unrhyw bersonau eraill gydag ef y mae'n credu eu bod yn angenheidol, ac wrth ymadael ag unrhyw safle gwag y mae wedi mynd iddo yn rhinwedd gwarant o'r fath, rhaid iddo sicrhau ei fod yn cael ei gau yr un mor effeithiol yn erbyn mynediad diawdurdod â phan ddaeth o hyd iddo.

was delivered; and

(f) the date or intended date of delivery to that person.

(5) The driver of a vehicle in which a consignment of processed animal protein is transported shall have a document recording the information required by paragraph (4) above in his or her possession at all times when he or she is in charge of that vehicle.

(6) In relation to a vehicle not having a registration number, the requirement to keep a record of the registration number pursuant to paragraphs (1)(e), (2)(e) and (4)(d) above shall be a requirement to keep such details as permit the identification of the vehicle in which the consignment was transported.

Powers of entry

18.- (1) An inspector shall, on producing, if required to do so, some duly authenticated document showing his authority, have the right at all reasonable hours to enter any premises (excluding premises used only as a dwelling) for the purpose of ascertaining whether-

- (a) there is or has been on the premises any contravention of any provisions of these Regulations; or
- (b) there is on the premises any evidence of any contravention of any provisions of these Regulations.

(2) If a Justice of the Peace, on sworn information in writing is satisfied that there is reasonable ground for entry into any premises (excluding premises used only as a dwelling) for any purpose as is mentioned in paragraph (1) above and that either-

- (a) admission to the premises has been refused, or a refusal is apprehended, and that notice of the intention to apply for a warrant has been given to the occupier; or
- (b) an application for admission, or the giving of such a notice, would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or the occupier temporarily absent,

the Justice of the Peace may by warrant signed by him or her authorise an inspector to enter the premises, if need be by reasonable force.

(3) An inspector entering any premises by virtue of this regulation, or of a warrant issued under it, may take with him or her such other persons as he or she considers necessary, and on leaving any unoccupied premises which he or she has entered by virtue of such a warrant shall ensure that they are secured as effectively against unauthorised entry as when he or she found them.

Samplu a gwiriadau ac archwiliadau eraill

19.-(1) Bydd gan arolygydd bŵer i gyflawni'r holl wiriadau ac archwiliadau sy'n angenrheidiol er mwyn gorfodi'r Rheoliadau hyn.

(2) Caiff arolygydd -

- (a) cymryd samplau o unrhyw brotein, bwyd neu borthiant (ac anfon y samplau, os oes angen hynny, i gael eu profi mewn labordy);
- (b) archwilio unrhyw gofnod (gan gynnwys unrhyw gofnod a gedwir ar ffurf electronig) y mae'n credu ei fod yn berthnasol i unrhyw wiriadau ac archwiliadau o dan y Rheoliadau hyn;
- (c) cipio a chadw unrhyw gofnod y mae ganddo neu ganddi reswm dros greedu y gall fod ei angen yn dystiolaeth mewn achos o dan unrhyw un o ddarpariaethau'r Rheoliadau hyn, a'i gwneud yn ofynnol bod y cofnod hwnnw'n cael ei gyflwyno;
- (ch) mynd ag unrhyw berson arall gydag ef neu hi y mae'n credu eu bod yn angenrheidiol i gyflawni unrhyw wiriadau ac archwiliadau o dan y Rheoliadau hyn;
- (d) archwilio unrhyw gynhyrchu, storio, cludo neu weithrediad arall sy'n cael ei gyflawni o dan y Rheoliadau hyn ac unrhyw beth sy'n cael ei ddefnyddio i farcio ac adnabod protein, bwyd neu borthiant; ac
- (dd) mynd â chynrychiolydd o'r Comisiwn sy'n gweithredu at unrhyw un o ddibenion y Comisiwn sy'n ymwneud â'r Rheoliadau hyn gydag ef neu hi.

Rhwystro

20.- (1) Ni chaiff neb -

- (a) rhwystro yn fwriadol unrhyw berson sydd wrthi yn gweithredu'r Rheoliadau hyn;
- (b) methu, heb esgus rhesymol, â rhoi i unrhyw berson sydd wrthi'n gweithredu'r Rheoliadau hyn unrhyw gymorth neu wybodaeth y gall y person hwnnw ofyn yn rhesymol amdano neu amdani er mwyn cyflawni ei swyddogaethau o dan y Rheoliadau hyn; neu
- (c) rhoi gwybodaeth y mae'n gwybod ei bod yn ffug neu'n gamarweiniol i unrhyw berson sydd wrthi'n gweithredu'r Rheoliadau hyn.

(2) Rhaid peidio â dehongli dim ym mharagraff (1)(b) uchod fel pe bai'n ei gwneud yn ofynnol i unrhyw berson ateb unrhyw gwestiwn na rhoi unrhyw wybodaeth a allai daflu bai arno pe bai'n gwneud hynny.

Sampling and other checks and examinations

19.- (1) An inspector shall have power to carry out all checks and examinations necessary for the enforcement of these Regulations.

(2) An inspector may-

- (a) take samples (and, if necessary, send the samples for laboratory testing) from any protein, feed or feeding-stuff;
- (b) examine any record (including any record held in electronic form) which he or she believes to be relevant to any checks and examinations under these Regulations;
- (c) seize, detain and require the production of any record which he or she has reason to believe may be required as evidence in proceedings under any of the provisions of these Regulations;
- (d) take with him or her such other person as he or she considers necessary to carry out any checks and examinations under these Regulations;
- (e) inspect any production, storage, transport or other operation carried out under these Regulations and anything used for the marking and identification of protein, feed or feeding-stuff; and
- (f) take with him or her a representative of the Commission acting for any purposes of the Commission related to these Regulations.

Obstruction

20.- (1) No person shall-

- (a) intentionally obstruct any person acting in the execution of these Regulations;
- (b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of him or her for the purpose of carrying out his or her functions under these Regulations; or
- (c) furnish to any person acting in the execution of these Regulations any information which he or she knows to be false or misleading.

(2) Nothing in paragraph (1)(b) above shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him or her.

Tramgwyddo a chosbi

21.- (1) Bydd person sy'n torri unrhyw ddarpariaeth yn y Rheoliadau hyn neu'n methu â chydymffurfio â hwy yn euog o dramgwydd a bydd yn agored -

- (a) o'i gollfarnu'n ddiannod, i ddirwy heb fod yn fwy na'r uchafswm statudol neu i garchar am gyfnod na fydd yn fwy na thri mis neu'r ddau;
- (b) o'i gollfarnu ar ddiadiad, i ddirwy neu i garchar am gyfnod heb fod yn fwy na dwy flynedd neu'r ddau.

(2) Pan yw corff corfforaethol yn euog o dramgwydd o dan y Rheoliadau hyn, ac y profir bod y tramgwydd hwnnw wedi'i gyflawni gyda chydysniad neu ymoddefiad un o'r canlynol, neu y gellir ei briodoli i unrhyw esgeulustod ar eu rhan -

- (a) unrhyw gyfarwyddwr, rheolwr, ysgrifennydd neu berson tebyg arall i'r corff corfforaethol, neu
- (b) unrhyw berson a fu'n honni ei fod yn gweithredu mewn unrhyw swyddogaeth o'r fath,

bydd ef neu hi, yn ogystal â'r corff corfforaethol, yn euog o'r tramgwydd ac yn agored i achos a chosb yn unol â hynny.

(3) At ddibenion paragraff (2) uchod, ystyr "cyfarwyddwr", mewn perthynas â chorff corfforaethol y mae ei faterion yn cael ei reoli gan ei aelodau, yw aelod o'r corff corfforaethol.

Tramgwyddau oherwydd bai person arall ac amddiffyniad gofal dyladwy

22.-(1) Os bydd unrhyw dramgwydd o dan unrhyw un o ddarpariaethau'r Rheoliadau hyn yn cael ei gyflawni gan unrhyw berson oherwydd gweithred neu ddiffyg gweithred rhyw berson arall, bydd y person arall hwnnw yn euog o'r tramgwydd; a gall person gael ei gyhuddo a'i gollfarnu o'r tramgwydd yn rhinwedd y paragraff hwn yn y rheoliad hwn p'un a ddygir achos yn erbyn y person cyntaf a grybwyllyd neu beidio.

(2) Mewn unrhyw achos am dragwydd o dan unrhyw un o ddarpariaethau'r Rheoliadau hyn, yn ddarostyngedig i baragráff (3) isod, bydd yn amddiffyniad i'r person a gyhuddir brofi ei fod wedi cymryd pob rhagofal rhesymol ac wedi arfer pob gofal daladwy i osgoi cyflawni'r tramgwydd ganddo ef ei hun neu gan berson o dan ei reolaeth.

(3) Os yw'r amddiffyniad a ddarperir gan baragráff (2) uchod mewn unrhyw achos yn cynnwys honni bod y tramgwydd wedi'i gyflawni oherwydd gweithred neu ddiffyg gweithred person arall, neu oherwydd dibynnu ar wybodaeth a roddwyd gan berson arall, ni fydd gan y person a gyhuddir hawl i ddibynnu ar yr amddiffyniad hwnnw, heb ganiatâd y llys, oni bai -

- (a) o leiaf saith diwrnod clir cyn y gwrandawiad; a
- (b) o fewn un mis i'w ymddangosiad cyntaf os yw wedi ymddangos o'r blaen gerbron llys mewn

Offences and penalties

21.- (1) A person contravening or failing to comply with any provision of these Regulations, shall be guilty of an offence and shall be liable-

- (a) on summary conviction to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or to both;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

(2) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of-

- (a) any director, manager, secretary or other similar person of the body corporate, or
- (b) any person who was purporting to act in any such capacity,

he or she, as well as the body corporate, shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(3) For the purposes of paragraph (2) above, "director", in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

Offences due to fault of another person and defence of due diligence

22.-(1) Where the commission by any person of an offence under any of the provisions of these Regulations is due to the act or default of some other person, that other person shall be guilty of the offence; and a person may be charged with and convicted of the offence by virtue of this paragraph of this regulation whether or not proceedings are taken against the first-mentioned person.

(2) In any proceedings for an offence under any of the provisions of these Regulations, it shall, subject to paragraph (3) below, be a defence for the person charged to prove that he or she took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by himself or herself or by a person under his or her control.

(3) If in any case the defence provided by paragraph (2) above involves the allegation that the commission of the offence was due to an act or default of another person, or to reliance on information supplied by another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless-

- (a) at least seven clear days before the hearing; and
- (b) where he or she has previously appeared before a court in connection with the alleged

cysylltiad â'r tramgwydd honedig,

ei fod wedi cyflwyno hysbysiad ysgrifenedig i'r erlynydd yn rhoi unrhyw wybodaeth i enwi neu i helpu i enwi'r person arall hwnnw ag a oedd yn ei feddiant bryd hynny.

(4) Ym mharagraff (3) uchod dehonglir unrhyw gyfeiriad at ymddangos gerbron llys fel pe bai'n cynnwys cyfeiriad at gael eich dwyn gerbron llys.

Gorfodi

23.- (1) Ac eithrio fel y darperir ym mharagraff (2) isod, caiff y Rheoliadau hyn eu gorfodi a'u gweithredu gan yr awdurdod lleol.

(2) Caiff y Cynulliad Cenedlaethol, mewn perthynas ag achosion o ddisgrifiad penodol neu ag unrhyw achos penodol, gyfarwyddo bod rhaid i'r ddyletswydd a osodir ar awdurdod lleol o dan y rheoliad hwn gael ei chyflawni gan y Cynulliad Cenedlaethol ac nid gan yr awdurdod lleol.

Cyflwyno hysbysiadau a dogfennau eraill

24.- (1) Gall unrhyw hysbysiad neu ddogfen arall sydd i'w rhoi neu i'w cyflwyno i unrhyw berson o dan y Rheoliadau hyn gael eu rhoi neu eu cyflwyno naill ai -

- (a) drwy fynd ag ef at y person hwnnw;
- (b) yn achos corff corfforaethol, drwy fynd ag ef at eu hysgrifennydd neu eu cleric yn eu swyddfa gofrestredig neu eu prif swyddfa, neu drwy ei anfon drwy'r post ato ef neu ati hi yn y swyddfa honno; neu
- (c) yn achos unrhyw berson arall, drwy ei adael, neu drwy ei anfon drwy'r post ato ef neu ati hi, yn eu cyfeiriad arferol neu'r un diwethaf a oedd yn hysbys.

(2) Os oes hysbysiad neu ddogfen arall i gael eu rhoi neu eu cyflwyno i berchennog, gweithredwr neu feddiannydd unrhyw safle ac nad yw, ar ôl ymholiadau rhesymol, yn ymarferol cael enw a chyfeiriad y person y dylent gael eu rhoi neu eu cyflwyno iddo, neu os yw'r safle heb feddiannydd, gall y ddogfen gael ei rhoi neu ei chyflwyno drwy ei chyfeirio at y person o dan sylw drwy gyfrwng disgrifiad "perchennog", "gweithredwr", neu "mediannydd" y safle (gan enwi'r safle) a -

- (a) ei chyflwyno i ryw berson ar y safle; neu
- (b) os nad oes person ar y safle y gellir ei chyflwyno iddo, drwy ei gosod, neu drwy osod copi ohoni, ar ryw ran amlwg o'r safle.

offence, within one month of his or her first such appearance,

he or she has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that other person as was then in his or her possession.

(4) In paragraph (3) above any reference to appearing before a court shall be construed as including a reference to being brought before a court.

Enforcement

23.- (1) Except as provided in paragraph (2) below, these Regulations shall be enforced and executed by the local authority.

(2) The National Assembly may direct, in relation to cases of a particular description or any particular case, that the duty imposed on a local authority under this regulation shall be discharged by the National Assembly and not by the local authority.

Service of notices and other documents

24.- (1) Any notice or other document to be given or served on any person under these Regulations may be given or served either-

- (a) by delivering it to that person;
- (b) in the case of an incorporated body, by delivering it to their secretary or clerk at their registered or principal office, or by sending it by post to him or her at that office; or
- (c) in the case of any other person, by leaving it, or sending it by post to him or her, at his or her usual or last known address.

(2) Where a notice or other document is to be given or served on the owner, proprietor, operator or occupier of any premises and it is not practicable, after reasonable enquiry, to ascertain the name and address of the person to or on whom it should be given or served, or the premises are unoccupied, the document may be given or served by addressing it to the person concerned by the description of "owner", "proprietor", "operator" or "occupier" of the premises (naming them) and-

- (a) by delivering it to some person on the premises; or
- (b) if there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

**Diwygio Rheoliadau Enseffalopathi Sbyngffurf
Buchol (Porthiant ac Arolygu) 1999**

25.-(1) Diwygir Rheoliadau Enseffalopathi Sbyngffurf Buchol (Porthiant ac Arolygu) 1999(a) i'r graddau y maent yn gymwys i Gymru yn unol â darpariaethau canlynol y rheoliad hwn.

(2) Yn rheoliad 2(1), ar ôl y diffiniad o "premises" mewnosodir y diffiniad canlynol -"processed animal protein has the same meaning as in the Processed Animal Protein (Wales) Regulations 2001"(b);.

(3) Yn rheoliad 3, yn lle paragraff (1) mewnosodir y paragraff canlynol -(1) An authorised officer, on producing, if so required, a duly authenticated document showing his authority, shall have the right at all reasonable hours to enter any premises and there take such samples -

- (a) as are necessary to enable the Official ELISA tests for the identification of ruminant protein in feeding-stuff intended for ruminants to be carried out; or
- (b) of any protein, feed or feeding-stuff, whether or not intended for ruminants, as are necessary to enable -
 - (i) the Official ELISA tests to be carried out for the identification of ruminant protein; or
 - (ii) tests to be carried out for the identification of processed animal protein, or the identification of any type or description of processed animal protein, in the protein, feed or feeding-stuff.".

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

19 Gorffennaf 2001

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

(a) O.S. 1999/882.

(b) SI 2001/2780 (Cy. 233).

(c) 1998 p.38.

**Amendment of the Bovine Spongiform
Encephalopathy (Feeding Stuffs and Surveillance)
Regulations 1999**

25.-(1) The Bovine Spongiform Encephalopathy (Feeding Stuffs and Surveillance) Regulations 1999(a) shall be amended in so far as they apply to Wales in accordance with the following provisions of this regulation.

(2) In regulation 2(1), after the definition of "premises" there shall be inserted the following definition -"processed animal protein has the same meaning as in the Processed Animal Protein (Wales) Regulations 2001" (b);

(3) In regulation 3, for paragraph (1) there shall be substituted the following paragraph -(1) An authorised officer, on producing, if so required, a duly authenticated document showing his authority, shall have the right at all reasonable hours to enter any premises and there take such samples -

- (a) as are necessary to enable the Official ELISA tests for the identification of ruminant protein in feeding-stuff intended for ruminants to be carried out; or
- (b) of any protein, feed or feeding-stuff, whether or not intended for ruminants, as are necessary to enable -
 - (i) the Official ELISA tests to be carried out for the identification of ruminant protein; or
 - (ii) tests to be carried out for the identification of processed animal protein, or the identification of any type or description of processed animal protein, in the protein, feed or feeding-stuff.".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(c).

19th July 2001

The Presiding Officer of the National Assembly

(a) S.I. 1999/882.

(b) S.I. 2001/2780 (W.233).

(c) 1998 c.38.

ATODLEN 1

rheoliadau 4(2)(a) a 5

Yr amodau ar gyfer cludo blawd pysgod i'w fwydo i anifeiliaid a ffermir heblaw cilgnowyr

1. Rhaid i flawd pysgod sy'n cael ei fewnforio o Aelod-wladwriaeth arall neu o drydedd wlad i'w ddefnyddio i weithgynhyrchu bwyd i anifeiliaid a ffermir heblaw cilgnowyr gael ei gludo'n uniongyrchol o'r safle archwilio ar y ffin i'r sefydliad sy'n gweithgynhyrchu'r bwyd anifeiliaid drwy gyfrwng cerbyd nad yw'n cael ei ddefnyddio i gludo deunyddiau bwyd eraill ar yr un pryd.

2. Os oes cerbyd sy'n cael ei ddefnyddio i gludo blawd pysgod sy'n cael ei fewnforio o Aelod-wladwriaeth eraill neu o drydedd wlad i'w ddefnyddio i weithgynhyrchu bwyd i anifeiliaid a ffermir heblaw cilgnowyr yn cael ei ddefnyddio wedyn i gludo cynhyrchion eraill, rhaid ei lanhau'n drwyndl a'i archwilio cyn cludo'r blawd pysgod ac ar ôl hynny.

3. Rhaid i flawd pysgod i'w ddefnyddio wrth weithgynhyrchu bwyd i anifeiliaid a ffermir heblaw cilgnowyr gael ei gludo'n uniongyrchol o'r safle lle mae'r blawd pysgod yn cael ei gynhyrchu i'r safle sy'n gweithgynhyrchu'r bwyd anifeiliaid drwy gyfrwng cerbyd nad yw'n cael ei ddefnyddio ar yr un pryd i gludo deunyddiau bwyd eraill.

4. Os oes cerbyd sy'n cael ei ddefnyddio i gludo blawd pysgod i'w ddefnyddio i weithgynhyrchu bwyd i anifeiliaid a ffermir heblaw cilgnowyr yn cael ei ddefnyddio wedyn i gludo cynhyrchion eraill, rhaid ei lanhau'n drwyndl a'i archwilio cyn cludo'r blawd pysgod ac ar ôl hynny.

5. Dim ond os gwneir hynny mewn safleoedd storio neilltuedig y caniateir storio blawd pysgod yn y cyfamser.

ATODLEN 2

rheoliad 6

Yr amodau ar gyfer cynhyrchu dicalcium phosphate i'w fwydo i anifeiliaid a ffermir

1. Rhaid i dicalcium phosphate i'w fwydo i anifeiliaid a ffermir gael ei gynhyrchu o esgyrn sydd wedi'u diseimio.

2. Rhaid i'r dicalcium phosphate ddeillio o esgyrn o anifeiliaid sy'n ffit i bobl eu bwyta a hynny yn sgîl archwiliad ante mortem ac archwiliad post mortem.

3. Rhaid i'r dicalcium phosphate gael ei gynhyrchu drwy broses sy'n sicrhau y caiff holl ddeunydd yr esgyrn ei falu'n fân a'i ddiseimio â dwr poeth a'i drin â hydrochloric acid gwanhaëdig (sef crynodiad o 4% o leiaf a pH<1.5) dros gyfnod o ddua ddiwrnod o leiaf gan drin y toddiant ffosfforig a geir drwy wneud hyn â chalch, sy'n arwain at waddod o dicalcium phosphate gyda pH 4 i 7, sy'n derfynol yn cael ei sychu ag aer

SCHEDULE 1

regulations 4(2)(a) and 5

Conditions for the transport of fishmeal for feeding to farmed animals other than ruminants

1. Fishmeal imported from another member State or a third country for use in the manufacture of feed for farmed animals other than ruminants shall be transported directly from the border inspection post to the establishment manufacturing the animal feed by means of a vehicle which at the same time is not used for the transport of other feed materials.

2. If a vehicle used for the transport of fishmeal imported from another member State or a third country for use in the manufacture of feed for farmed animals other than ruminants is subsequently used for the transport of other products, it shall be thoroughly cleaned and inspected before and after the transport of the fishmeal.

3. Fishmeal for use in manufacture of feed for farmed animals other than ruminants shall be transported directly from the premises where the fishmeal is produced to the premises manufacturing the animal feed by means of a vehicle which at the same time is not used for the transport of other feed materials.

4. If a vehicle used for the transport of fishmeal for use in the manufacture of feed for farmed animals other than ruminants is subsequently used for the transport of other products, it shall be thoroughly cleaned and inspected before and after the transport of the fishmeal.

5. Intermediate storage of fishmeal is allowed only if it is carried out in dedicated storage plants.

SCHEDULE 2

regulation 6

Conditions for the production of dicalcium phosphate for feeding to farmed animals

1. Dicalcium phosphate for feeding to farmed animals shall be produced from defatted bones.

2. The dicalcium phosphate shall be derived from bones from animals fit for human consumption following ante and post mortem inspection.

3. The dicalcium phosphate shall be produced by a process which ensures that all bone material is finely crushed and degreased with hot water and treated with dilute hydrochloric acid (at a minimum concentration of 4% and pH<1.5) over a period of at least two days followed by a treatment of the obtained phosphoric liquor with lime, resulting in a precipitate of dicalcium phosphate at pH 4 to 7, which is finally air dried with

wedyn gyda thymheredd wrth y fewnfan o 65°C - 325°C a thymheredd yn y pen draw rhwng 30°C-65°C neu drwy gyfrwng proses gynhyrchu gyfatebol a gymeradwyir yn unol â'r weithdrefn yn erthygl 17 o Gyfarwyddeb y Cyngor 89/662/EEC(a) ynghylch gwiriadau milfeddygol yn y fasnach o fewn y Gymuned gyda golwg ar gwblhau'r farchnad fewnol.

ATODLEN 3

rheoliad 7

Yr amodau ar gyfer cynhyrchu protein wedi'i hydroleiddio i'w fwydo i anifeiliaid a ffermir

1. Rhaid i brotein wedi'i hydroleiddio o grwyn -

- (a) tarddu o grwyn a gafwyd oddi ar anifeiliaid sydd wedi'u cifydda mewn lladd-dy ac y cafwyd bod eu carcasau'n ffit i bobl eu fwyta ar ôl archwiliad ante mortem ac archwiliad post mortem; a
- (b) cael ei gynhyrchu drwy gyfrwng proses gynhyrchu sy'n cynnwys mesurau priodol i gadw halogiad y crwyn i'r lleiaf possibl, gan baratoi'r deunydd crai drwy ei halltu, ei galchu, a'i olchi'n drwyndl ac wedyn datguddio'r deunydd i pH o >11 am > 3 awr ar dymheredd >80°C ac wedyn ei drin â gwres ar >140°C am 30 munud ar >3.6 bar; neu drwy gyfrwng proses gynhyrchu gyfatebol a gymeradwyir yn unol â'r weithdrefn yn erthygl 17 o Gyfarwyddeb y Cyngor 89/662/EEC ynghylch gwiriadau milfeddygol yn y fasnach o fewn y Gymuned gyda golwg ar gwblhau'r farchnad fewnol.

2. Rhaid i'r protein wedi'i hydroleiddio o bysgod, plu a chrywng gael ei samplu ar ôl ei brosesu a chael bod ei bwysau molecylaidd o dan 10000 Dalton.

inlet temperature of 65°C-325°C and end temperature between 30°C-65°C or by an equivalent process approved in accordance with the procedure of article 17 of Council Directive 89/662/EEC(a) concerning veterinary checks in intra-Community trade with a view to the completion of the internal market.

SCHEDULE 3

regulation 7

Conditions for the production of hydrolysed protein for feeding to farmed animals

1. Hydrolysed protein from hides and skins shall -

- (a) be derived from hides and skins obtained from animals which have been slaughtered in a slaughterhouse and whose carcases have been found fit for human consumption following ante and post mortem inspection; and
- (b) be produced by a production process which involves appropriate measures to minimise contamination of hides and skins, preparation of the raw material by brining, liming and intensive washing followed by exposure of the material to a pH of >11 for >3 hours at temperature >80°C and followed by heat treatment at >140°C for 30 minutes at >3.6 bar; or by an equivalent production process approved in accordance with the procedure of article 17 of Council Directive 89/662/EEC concerning veterinary checks in intra-Community trade with a view to the completion of the internal market.

2. Hydrolysed protein from fish, feather, hides and skins shall be sampled after processing and found to have a molecular weight below 10000 Dalton.

(a) OJ Rhif L395, 30.12.1989, t.13, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb 1992/118/EEC (OJ Rhif L62, 15.3.1993, t.49).

(a) OJ No. L395, 30.12.1989, p.13, as last amended by Directive 1992/118/EEC (OJ No. L62, 15.3.1993, p.49).

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wedi'i Brosesu (Cymru) 2001

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The Processed Animal Protein
(Wales) Regulations 2001

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