CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2002 Rhif 330 (Cy.43)

BWYD, CYMRU

Rheoliadau Melysyddion mewn Bwyd (Diwygio) (Cymru) 2002

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn, sy'n gymwys i Gymru yn unig, yn diwygio ymhellach ar Reoliadau Melysyddion mewn Bwyd 1995 (O.S. 1995/3123 fel y'i diwygiwyd eisoes) sy'n gymwys i Brydain Fawr, drwy wneud y canlynol-

(a) diweddaru'r diffiniad o "Directive 95/31/EC" (sy'n ymwneud â meini prawf purdeb penodol) er mwyn ymdrin â diwygiad i'r diffiniad gan Gyfarwyddeb 2001/52/EC (OJ Rhif L190, 12.7.2001, t.18) i amnewid meini prawf purdeb newydd ar gyfer mannitol ac acesulfane K 9 (rheoliad 2(2)(a));

(b) rhoi awdurdod dros dro ar gyfer marchnata a defnyddio sucralose fel melysydd, fel a ganiateir gan Erthygl 5 o Gyfarwyddeb 89/107/EEC ar gyd-ddynesiad cyfreithiau'r Aelod-wladwriaethau sy'n ymwneud ag ychwanegion bwyd a awdurdodir i'w defnyddio mewn bwydydd a fwriadwyd ar gyfer eu bwyta gan bobl (OJ Rhif L40, 11.2.1989, t.27) (rheoliadau 2(2)(b) a 2(3); ac

(c) diweddaru cyfeiriadau at Reoliadau 1995 mewn Rheoliadau eraill.

Gellir cael copïau o'r ddogfen y cyfeirir ati yn rheoliad 2(2)(b) oddi wrth:

Y Llyfrfa

Blwch Post 29

St Crispin's House

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2002 No. 330 (W.43)

FOOD, WALES

The Sweeteners in Food (Amendment) (Wales) Regulations 2002

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Wales only, further amend the Sweeteners in Food Regulations 1995 (S.I. 1995/3123 as already amended) which extend to Great Britain, by -

(a) bringing up to date the definition of "Directive 95/31/EC" (which relates to specific purity criteria) so as to cover its amendment by Directive 2001/52/EC (OJ No. L190, 12.7.2001, p.18) to substitute new purity criteria for mannitol and acesulfame K (regulation 2(2)(a));

(b) granting provisional authorisation for the marketing and use as a sweetener of sucralose, as permitted by Article 5 of Directive 89/107/EEC on the approximation of the laws of the member States concerning food additives authorised for use in foodstuffs intended for human consumption (OJ No. L40, 11.2.1989, p.27) (regulations 2(2)(b) and 2(3); and

(c) bringing up to date references to the 1995 Regulations in other Regulations.

Copies of the document referred to in regulation 2(2)(b) may be obtained from:

The Stationery Office

PO Box 29

St Crispin's House

Norwich

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OFFERYNNAU STATUDOL

2002 Rhif 330 (Cy.43)

BWYD, CYMRU

Rheoliadau Melysyddion mewn Bwyd (Diwygio) (Cymru) 2002

Wedi'u gwneud	*13 Chwefror 2002*
Yn dod i rym	*1 Mawrth 2002*

Drwy arfer y pwerau a roddir gan adrannau 16(1)(a) ac (e), 17(1), 26(1) a (3) a 48(1) o Ddeddf Diogelwch Bwyd 1990(**a**), a pharagraff 1 o Atodlen 1 iddi, ac sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(**b**), mae Cynulliad Cenedlaethol Cymru ar ôl rhoi sylw, yn unol ag adran 48(4A) o'r Ddeddf honno, i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd ac ar ôl ymgynghori yn unol ag adran 48(4) a (4B) o'r Ddeddf honno, yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn, cymhwyso a dehongli

1. -(1) Enw'r Rheoliadau hyn yw Rheoliadau Melysyddion mewn Bwyd (Diwygio) (Cymru) 2002, deuant i rym ar 1 Mawrth 2002 a byddant yn gymwys i Gymru yn unig.

(2) Yn y Rheoliadau hyn ystyr "y prif Reoliadau" ("the principal Regulations") yw Rheoliadau Melysyddion mewn Bwyd 1995(**c**).

Diwygio'r prif Reoliadau

2. -(1) Caiff y prif Reoliadau eu diwygio, i'r graddau y maent yn gymwys i Gymru, yn unol â pharagraffau (2) a (3) isod.

(2) Ym mharagraff (1) o reoliad 2 (dehongli) -

(a) yn y diffiniad o "Directive 95/31/EC" caiff y geiriau "and by Directive 2001/52/EC" eu

(a) 1990 p.16.

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

(c) O.S. 1995/3123; yr offerynnau diwygio perthnasol yw O.S. 1996/1477, 1997/814, 1999/982 a 2001/2679.

STATUTORY INSTRUMENTS

2002 No. 330 (W.43)

FOOD, WALES

The Sweeteners in Food (Amendment) (Wales) Regulations 2002

Made	*13th February 2002*
Coming into force	*1st March 2002*

In exercise of the powers conferred by sections 16(1)(a) and (e), 17(1), 26(1) and (3) and 48(1) of, and paragraph 1 of Schedule 1 to, the Food Safety Act 1990(**a**), and now vested in the National Assembly for Wales(**b**), the National Assembly for Wales, having had regard, in accordance with section 48(4A) of that Act, to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) and (4B) of that Act, makes the following Regulations:

Citation, commencement, extent and interpretation

1.-(1) These Regulations may be cited as the Sweeteners in Food (Amendment) (Wales) Regulations 2002, shall come into force on 1st March 2002 and shall extend to Wales only.

(2) In these Regulations "the principal Regulations" ("y prif Reoliadau") means the Sweeteners in Food Regulations 1995(**c**).

Amendment of the principal Regulations

2.-(1) The principal Regulations shall be amended, insofar as they extend to Wales, in accordance with paragraphs (2) and (3) below.

(2) In paragraph (1) of regulation 2(interpretation) -

(a) in the definition of "Directive 95/31/EC" there shall be added at the end the words "and by

(a) 1990 c.16.

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

(c) S.I. 1995/3123; relevant amending instruments are S.I. 1996/1477, 1997/814, 1999/982 and 2001/2679.

hychwanegu ar y diwedd(**a**); a

(b) yn lle'r diffiniad "permitted sweetener" rhoddir y diffiniad canlynol-

""permitted sweetener" means any sweetener specified in column 2 of Schedule 1 which satisfies the specific purity criteria for that sweetener set out -

(a) in the case of any sweetener other than sucralose, in the Annex to Directive 95/31/EC; and

(b) in the case of sucralose, at pages 119 to 124 of the Food and Agriculture Organisation's Compendium of Food Additives Specifications Addendum 2 (1993) FAO Food and Nutrition Paper 52 Addendum 2;".

(3) Yn Atodlen 1 (melysyddion a ganiateir a'r bwydydd y gellir eu defnyddio arnynt neu ynddynt), caiff y darpariaethau a bennir yn yr Atodlen i'r Rheoliadau hyn eu hychwanegu ar ddiwedd colofnau 2 i 4.

Diwygiadau canlyniadol

3.-(1) Bydd paragraff (2) o reoliad 4 (diwygiadau canlyniadol) o Reoliadau Melysyddion mewn Bwyd (Diwygio) (Cymru) 2001(**b**) yn peidio â bod yn effeithiol.

(2) Yn y darpariaethau a bennir ym mharagraff (3) isod, i'r graddau y maent yn gymwys i Gymru, rhaid dehongli cyfeiriadau at y prif Reoliadau fel cyfeiriadau at y Rheoliadau hynny fel y'u diwygiwyd hyd at a chan gynnwys y diwygiadau a weithredir gan y Rheoliadau hyn.

(3) Dyma'r darpariaethau y mae paraagraff (2) uchod yn cyfeirio atynt -

(a) y diffiniad o "permitted sweetener" ym mharagraff (1) o reoliad 2 (interpretation) o Reoliadau Jam a Chynnyrch Tebyg 1981(**c**);

(b) y diffiniad o "additive" ym mharagraff (1) o reoliad 2 (dehongli) o Reoliadau Cynhyrchion Cig a Chynhyrchion Pysgod y gellir eu Taenu 1984(**ch**);

(c) y diffiniad o "sweetener" yn Rhan II o Atodlen 1 (categorïau o ychwanegion bwyd) i

(a) Y cyfeiriad ar gyfer Cyfarwyddeb 2001/52/EC yw OJ Rhif L190, 12.7.2001, t.18.

(b) O.S. 2001/2679.

(c) O.S. 1981/1063; yr offerynnau diwygio perthnasol yw O.S. 1983/1211 a 1995/3123.

(ch) O.S. 1984/1566; yr offerynnau diwygio perthnasol yw O.S. 1995/3123, 1995/3124 a 1995/3187.

Directive 2001/52/EC"(**a**); and

(b) for the definition of "permitted sweetener" there shall be substituted the following definition -

""permitted sweetener" means any sweetener specified in column 2 of Schedule 1 which satisfies the specific purity criteria for that sweetener set out -

(a) in the case of any sweetener other than sucralose, in the Annex to Directive 95/31/EC; and

(b) in the case of sucralose, at pages 119 to 124 of the Food and Agriculture Organisation's Compendium of Food Additives Specifications Addendum 2 (1993) FAO Food and Nutrition Paper 52 Addendum 2;".

(3) In Schedule 1 (permitted sweeteners and the foods in or on which they may be used) there shall be added at the end, in columns 2 to 4, the provisions specified in the Schedule to these Regulations.

Consequential amendments

3.-(1) Paragraph (2) of regulation 4 (consequential amendments) of the Sweeteners in Food (Amendment) (Wales) Regulations 2001(**b**) shall cease to have effect.

(2) In the provisions specified in paragraph (3) below, insofar as they extend to Wales, references to the principal Regulations shall be construed as references to those Regulations as amended up to and including the amendments effected by these Regulations.

(3) The provisions to which paragraph (2) above refers are -

(a) the definition of "permitted sweetener" in paragraph (1) of regulation 2 (interpretation) of the Jam and Similar Products Regulations 1981(**c**);

(b) the definition of "additive" in paragraph (1) of regulation 2 (interpretation) of the Meat Products and Spreadable Fish Products Regulations 1984(**d**);

(c) the definition of "sweetener" in Part II of Schedule 1 (categories of food additives) to the

(a) The reference for Directive 2001/52/EC is OJ No. L190, 12.7.2001, p.18.

(b) S.I. 2001/2679.

(c) S.I. 1981/1063; the relevant amending instruments are S.I. 1983/1211 and 1995/3123.

(d) S.I. 1984/1566; the relevant amending instruments are S.I. 1995/3123, 1995/3124 and 1995/3187.

Reoliadau Labelu Ychwanegion Bwyd 1992(**a**);

(ch) y diffiniad o "sweetener" ym mharagraff (1) o reoliad 2 (dehongli) o Reoliadau Ychwanegion Bwyd Amrywiol 1995(**b**); a

(d) yn Rheoliadau Labelu Bwyd 1996(**c**) -

(i) paragraff (1) o reoliad 34 (bwydydd sy'n cynnwys melysyddion, siwgr ychwanegol a melysyddion, aspartame neu polyols); a

(ii) yn Atodlen 8 (disgrifiadau camarweiniol) Rhan I (cyffredinol), yr amod yng ngholofn 2 gyferbyn â'r disgrifiad "ice cream" yng ngholofn 1.

Food Additives Labelling Regulations 1992(**a**);

(d) the definition of "sweetener" in paragraph (1) of regulation 2 (interpretation) of the Miscellaneous Food Additives Regulations 1995(**b**); and

(e) in the Food Labelling Regulations 1996(**c**) -

(i) paragraph (1) of regulation 34 (foods containing sweeteners, added sugar and sweeteners, aspartame or polyols); and

(ii) in Schedule 8 (misleading descriptions) Part I (general), the condition in column 2 opposite the description "ice cream" in column 1.

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

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

13 Chwefror 2002

13th February 2002

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

The Deputy Presiding Officer of the National Assembly

(a) O.S. 1992/1978; yr offeryn diwygio perthnasol yw O.S. 1995/3123.

(b) O.S. 1995/3187 sy'n cynnwys diwygiad nad yw'n berthnasol i'r Rheoliadau hyn.

(c) O.S. 1996/1499 sy'n cynnwys diwygiadau nad ydynt yn berthnasol i'r Rheoliadau hyn.

(ch) 1998 p.38.

(a) S.I. 1992/1978; the relevant amending instrument is S.I. 1995/3123.

(b) S.I. 1995/3187 to which there is an amendment not relevant to these Regulations.

(c) S.I. 1996/1499 to which there are amendments not relevant to these Regulations.

(d) 1998 c.38.

YR ATODLEN

Rheoliad 2(3)

DARPARIAETHAU A YCHWANEGWYD I GOLOFNAU 2 I 4 O ATODLEN 1 I'R PRIF REOLIADAU

SCHEDULE

Sucralose(***a***)	**Non-alcoholic**	
	Water-based flavoured drinks, energy-reduced or with no added sugar	300 mg/1
	Milk-and milk-derivative-based or fruit-juice-based drinks, energy-reduced or with no added sugar	300 mg/1
	Desserts and similar products	
	Water-based flavoured desserts, energy-reduced or with no added sugar	400 mg/kg
	Milk-and milk-derivative-based preparations, energy-reduced or with no added sugar	400 mg/kg
	Fruit-and vegetable-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Egg-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Cereal-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Breakfast cereals with a fibre content of more than 15%, and containing at least 20% bran, energy-reduced or with no added sugar	400 mg/kg
	Fat-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Confectionery	
	Confectionery with no added sugar	1000 mg/kg
	Breath-freshening micro-sweets, with no added sugar	2400 mg/kg
	Tablet-form confectionery, energy-reduced	200 mg/kg
	Cocoa-or dried-fruit-based confectionery, energy-reduced or with no added sugar	800 mg/kg
	Starch-based confectionery, energy-reduced or with no added sugar	1000 mg/kg
	Chewing gum with no added sugar	3000 mg/kg
	Strongly flavoured freshening throat pastilles with no added sugar	1000 mg/kg
	Miscellaneous	
	'Snacks': certain flavours of ready to eat, prepacked, dry, savoury starch products and coated nuts	400mg/kg
	Cornets and wafers, for ice-cream, with no added sugar	800mg/kg
	Essoblaten	800mg/kg
	Cocoa-, milk-, dried-fruit- or fat-based sandwich spreads, engery-reduced or with no added sugar	400mg/kg
	Drinks consisting of a mixture of a non-alcoholic drink and beer, cider, perry, spirits or wine	250mg/l
	Cider and perry	250mg/l

(a) Awdurdodwyd hyd 29 Chwefror 2004 yn unol ag Erthygl 5 o Gyfarwyddeb 89/107/EEC (OJ Rhif L40, 11.2.89, t.27) tra'n disgwyl ystyried ei gynnwys yng Nghyfarwyddeb 94/35/EC (OJ Rhif L237, 10.9.94, t.2).

	Alcohol-free beer or with an alcohol content not exceeding 1.2% vol	250mg/l
	'Bière de table/Tafelbier/Table beer' (original wort content less than 6%) except for 'Obergäriges Einfachbier	250mg/l
	'Beers with a minimum acidity of 30 milli-equivalents expressed as NaOH	250mg/l
	Brown beers of the 'oud bruin' type	250mg/l
	Energy-reduced beer	10mg/l
	Spirit drinks containing less than 15% alcohol by volume	250mg/l
	Edible ices, energy-reduced or with no added sugar	320mg/kg
	Canned or bottled fruit, energy-reduced or with no added sugar	400mg/kg
	Energy-reduced jams, jellies and marmalades	400mg/kg
	Energy-reduced fruit and vegetable preparations	400mg/kg
	Feinkostsalat	140mg/kg
	Sweet-sour preserves of fruit and vegetables	180mg/kg
	Sweet-sour preserves and semi-preserves of fish and marinades of fish, crustaceans and molluscs	120mg/kg
	Sauces	450mg/kg
	Energy-reduced soups	45mg/l
	Mustard	140mg/kg
	Fine bakery products: energy-reduced or with no added sugar	700mg/kg
	Complete formulae for weight control intended to replace total daily food intake or an individual meal	320mg/kg
	Complete formulae and nutritional supplements for use under medical supervision	400mg/kg
	Liquid food supplements/dietary integrators	240mg/kg
	Solid food supplements/dietary integrators	800mg/kg
	Food supplements/diet integrators based on vitamins and/or mineral elements, syrup-type or chewable	2400mg/kg

SCHEDULE

Regulation 2(3)

PROVISIONS ADDED TO COLUMNS 2 TO 4 OF SCHEDULE 1 TO THE PRINCIPAL REGULATIONS

*Sucralose(**a**)*	**Non-alcoholic**	
	Water-based flavoured drinks, energy-reduced or with no added sugar	300 mg/1
	Milk-and milk-derivative-based or fruit-juice-based drinks, energy-reduced or with no added sugar	300 mg/1
	Desserts and similar products	
	Water-based flavoured desserts, energy-reduced or with no added sugar	400 mg/kg
	Milk-and milk-derivative-based preparations, energy-reduced or with no added sugar	400 mg/kg
	Fruit-and vegetable-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Egg-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Cereal-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Breakfast cereals with a fibre content of more than 15%, and containing at least 20% bran, energy-reduced or with no added sugar	400 mg/kg
	Fat-based desserts, energy-reduced or with no added sugar	400 mg/kg
	Confectionery	
	Confectionery with no added sugar	1000 mg/kg
	Breath-freshening micro-sweets, with no added sugar	2400 mg/kg
	Tablet-form confectionery, energy-reduced	200 mg/kg
	Cocoa-or dried-fruit-based confectionery, energy-reduced or with no added sugar	800 mg/kg
	Starch-based confectionery, energy-reduced or with no added sugar	1000 mg/kg
	Chewing gum with no added sugar	3000 mg/kg
	Strongly flavoured freshening throat pastilles with no added sugar	1000 mg/kg
	Miscellaneous	
	'Snacks': certain flavours of ready to eat, prepacked, dry, savoury starch products and coated nuts	400mg/kg
	Cornets and wafers, for ice-cream, with no added sugar	800mg/kg
	Essoblaten	800mg/kg
	Cocoa-, milk-, dried-fruit- or fat-based sandwich spreads, engery-reduced or with no added sugar	400mg/kg
	Drinks consisting of a mixture of a non-alcoholic drink and beer, cider, perry, spirits or wine	250mg/l
	Cider and perry	250mg/l
	Alcohol-free beer or with an alcohol content not exceeding 1.2% vol	250mg/l
	'Bière de table/Tafelbier/Table beer' (original wort content less than 6%)	250mg/l

(a) Authorised until 29 February 2004 in accordance with Article 5 of Directive 89/107/EEC (OJ No. L40, 11.2.89, p.27) pending consideration for inclusion in Directive 94/35/EC (OJ No. L237, 10.9.94, p.2).

	except for 'Obergäriges Einfachbier	
	'Beers with a minimum acidity of 30 milli-equivalents expressed as NaOH	250mg/l
	Brown beers of the 'oud bruin' type	250mg/l
	Energy-reduced beer	10mg/l
	Spirit drinks containing less than 15% alcohol by volume	250mg/l
	Edible ices, energy-reduced or with no added sugar	320mg/kg
	Canned or bottled fruit, energy-reduced or with no added sugar	400mg/kg
	Energy-reduced jams, jellies and marmalades	400mg/kg
	Energy-reduced fruit and vegetable preparations	400mg/kg
	Feinkostsalat	140mg/kg
	Sweet-sour preserves of fruit and vegetables	180mg/kg
	Sweet-sour preserves and semi-preserves of fish and marinades of fish, crustaceans and molluscs	120mg/kg
	Sauces	450mg/kg
	Energy-reduced soups	45mg/l
	Mustard	140mg/kg
	Fine bakery products: energy-reduced or with no added sugar	700mg/kg
	Complete formulae for weight control intended to replace total daily food intake or an individual meal	320mg/kg
	Complete formulae and nutritional supplements for use under medical supervision	400mg/kg
	Liquid food supplements/dietary integrators	240mg/kg
	Solid food supplements/dietary integrators	800mg/kg
	Food supplements/diet integrators based on vitamins and/or mineral elements, syrup-type or chewable	2400mg/kg

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