



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 47 (Cy.6)

2002 No. 47 (W.6)

**BWYD, CYMRU**

**FOOD, WALES**

Rheoliadau Cig Dofednod, Cig Adar Hela wedi'i Ffermio a Chig Cwningod (Hylendid ac Archwilio) (Diwygio) (Cymru) 2002

The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2002

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Regulations)*

1. Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cig Dofednod, Cig Adar Hela wedi'i Ffermio a Chig Cwningod (Hylendid ac Archwilio) 1995 ("Rheoliadau 1995") i'r graddau y mae'r Rheoliadau hynny'n gymwys i Gymru. Mae'r Rheoliadau yn gymwys i Brydain Fawr gyfan. Mae'r Rheoliadau diwygio tebyg yn cael eu gwneud ar gyfer Lloegr a'r Alban. Effaith y diwygiadau yw -

1. These Regulations amend the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995 ("the 1995 Regulations") insofar as those Regulations extend to Wales. The Regulations extend to the whole of Great Britain. Similar amending Regulations are being made for England and Scotland. The amendments have effect to -

- (a) datgymhwyso Rheoliadau 1995 i'r graddau y mae ffermwyr sy'n cynhyrchu nifer cynfyngedig o adar neu gwningod bob blwyddyn yn cyflawni gwerthiannau penodol, sef drwy adwerthu yn bennaf (*rheoliad 2(2) i (5)*);
- (b) gwahardd person rhag gweithredu lladd-dy sydd â thrwybwn isel oni bai ei fod wedi hysbysu'r Asiantaeth Safonau Bwyd am nifer a tharddiad yr adar a'r cwningod sydd i'w cigyddu yno (*rheoliad 2(6)*);
- (c) diddymu rheoliad 15(3) (esemptio rhag y gofyniad i anfon dogfennau cludiant gyda chig ffres) a gwneud diwygiadau canlyniadol i reoliad 15(1) a (2) (*rheoliad 2(7) ac (8)*);
- (ch) diwygio rheoliad 18(1)(a) (dyletswydd meddiannydd i gadw cofnodion) i'w gwneud yn ofynnol i feddiannydd safle trwyddedig gofnodi tarddiad cig sy'n dod i'r safle (*rheoliad 2(9)*);

- (a) disapply the 1995 Regulations insofar as farmers and producers with a limited annual production of birds or rabbits make certain sales, primarily of a retail nature (*regulation 2(2) to (5)*);
- (b) prohibit a person from operating a low throughput slaughterhouse unless the person has notified the Food Standards Agency of the number and origin of the birds and rabbits to be slaughtered there (*regulation 2(6)*);
- (c) revoke regulation 15(3) (exemption from requirement for fresh meat to be accompanied by transport documentation) and make consequential amendments to regulation 15(1) and (2) (*regulation 2(7) and (8)*);
- (d) amend regulation 18(1)(a) (duty of occupier to keep records) to require the occupier of licensed premises to record the origin of meat entering the premises (*regulation 2(9)*);

- (d) diwygio gofynion paragraff 5 o Ran I o Atodlen 5 mewn perthynas ag offer oeri mewn lladd-dai trwybwn isel a safleoedd torri trwybwn isel (*rheoliad 2(10)*);
- (dd) cywiro gwall ym mharagraff 11 o Atodlen 8 (*rheoliad 2(11)*);
- (e) diwygio gofynion paragraff 1(a) o Atodlen 14 i Reoliadau 1995 mewn perthynas â chludo cig ffres adar o ladd-dai trwybwn isel a safleoedd torri trwybwn isel (*rheoliad 2(12)*).

- (e) amend the requirements in paragraph 5 of Part I of Schedule 5 in relation to refrigeration equipment in low throughput slaughterhouses and low throughput cutting premises (*regulation 2(10)*);
- (f) correct an error in paragraph 11 of Schedule 8 (*regulation 2(11)*);
- (g) amend the requirements in paragraph 1(a) of Schedule 14 to the 1995 Regulations in relation to transport of fresh meat of birds from low throughput slaughterhouses and low throughput cutting premises (*regulation 2(12)*).

2. Daw'r diwygiadau a wneir gan y Rheoliadau hyn i rym ar 1 Chwefror 2002 ac eithrio'r rhai ym mharagraffau (2), (3), (4) a (5) o reoliad 2 sy'n dod i rym ar 1 Rhagfyr 2002.

2. The amendments made by these Regulations come into force on 1st February 2002 except for those made by paragraphs (2), (3), (4) and (5) of regulation 2 which come into force on 1st December 2002.

3. Mae'r Rheoliadau hyn yn gweithredu, yn rhannol, ddarpariaethau -

3. These Regulations implement in part the provisions of -

- (a) Cyfarwyddeb y Cyngor 91/495/EEC ynghylch iechyd y cyhoedd a phroblemau iechyd anifeiliaid sy'n effeithio ar osod cig cwningod a chig adar hela wedi'i ffermio ar y farchnad (OJ Rhif L268, 24.9.91, t.41); a
- (b) Cyfarwyddeb y Cyngor 71/118/EEC ynghylch problemau iechyd sy'n effeithio ar gynhyrchu cig dofednod ffres a'i osod ar y farchnad, y ceir ei destun wedi'i gydgrynhoi yn atodiad i Gyfarwyddeb y Cyngor 92/116/EEC (OJ Rhif L62, 15.3.93, t.1).

- (a) Council Directive 91/495/EEC concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game bird meat (OJ No. L268, 24.9.91, p.41); and
- (b) Council Directive 71/118/EEC on health problems affecting the production and placing on the market of fresh poultry meat, a consolidated text of which is annexed to Council Directive 92/116/EEC (OJ No. L62, 15.3.93, p.1).

4. Mae Rheoliad 3 (a wneir o dan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972) yn gwneud diwygiad canlyniadol i Reoliadau Cynhyrchion sy'n Deillio o Anifeiliaid (Mewnforio ac Allforio) 1996 i'r graddau y maent yn gymwys i Gymru.

4. Regulation 3 (made under s.2(2) of the European Communities Act 1972) makes a consequential amendment to the Products of Animal Origin (Import and Export) Regulations 1996 insofar as they extend to Wales.

5. Mae arfarniad rheoliadol yn unol ag adran 65 o Ddeddf Llywodraeth Cymru 1998 wedi'i baratoi mewn perthynas â'r Rheoliadau hyn ac wedi'i osod yn llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copiâu oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 1, Southgate House, Wood Street, Caerdydd, CF10 1EW.

5. A regulatory appraisal pursuant to section 65 of the Government of Wales Act 1998 has been prepared in respect of these Regulations and placed in the library of the National Assembly for Wales. Copies can be obtained from the Food Standards Agency, 1st Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.

## 2002 Rhif 47 (Cy.6)

## 2002 No. 47 (W.6)

## BWYD, CYMRU

## FOOD, WALES

Rheoliadau Cig Dofednod, Cig  
Adar Hela wedi'i Ffermio a Chig  
Cwningod (Hylendid ac Archwilio)  
(Diwygio) (Cymru) 2002

The Poultry Meat, Farmed Game  
Bird Meat and Rabbit Meat  
(Hygiene and Inspection)  
(Amendment) (Wales) Regulations  
2002

*Wedi'u gwneud* 14 Ionawr 2002

*Made* 14th January 2002

*Yn dod i rym* 1 Chwefror 2002  
(ac eithrio paragraffau (2), (3), (4) a  
(5), o reoliad 2, a ddaw i rym ar 1  
Rhagfyr 2002)

*Coming into force* 1st February 2002  
(save for paragraphs (2), (3), (4) and  
(5) of regulation 2, which shall come  
into force on 1st December 2002)

Drwy arfer y pwerau a roddir gan adrannau 16(1)(b), (c), (d), (e) ac (f), (3), 17(1), 19(1)(b), 26 a 48(1) o Ddeddf Diogelwch Bwyd 1990(a), a pharagraffau 5(1)(a) a (2)(a) a 6(1)(a) o Atodlen 1 iddi, sydd bellach yn arferadwy mewn perthynas â Chymru gan Gynulliad Cenedlaethol Cymru(b), gan roi sylw yn unol ag adran 48(4A) o'r Ddeddf honno i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd ac ar ôl ymgynghori yn unol ag adran 48(4) o'r Ddeddf honno;

A chan ei fod wedi'i ddynodi(c) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(ch) mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, drwy arfer y pwerau a roddir gan yr adran honno i'r graddau y mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynhyrchion sy'n Deillio o Anifeiliaid (Mewnforio ac Allforio) 1996(d);

mae Cynulliad Cenedlaethol Cymru drwy hyn yn gwneud y Rheoliadau canlynol:

In exercise of the powers conferred by sections 16(1)(b), (c), (d), (e) and (f), (3), 17(1), 19(1)(b), 26 and 48(1) of, and paragraphs 5(1)(a) and (2)(a) and 6(1)(a) of Schedule 1 to, the Food Safety Act 1990(a), which are now exercisable in relation to Wales by the National Assembly for Wales(b) having had regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) of that Act;

And being designated(c) for the purposes of section 2(2) of the European Communities Act 1972(d) in relation to the common agricultural policy of the European Community in exercise of the powers conferred by that section insofar as these Regulations amend the Products of Animal Origin (Import and Export) Regulations 1996(e);

the National Assembly for Wales makes the following Regulations:

(a) 1990 p.16.

(b) Cafodd swyddogaethau "the Secretary of State" i'r graddau y maent yn arferadwy mewn perthynas â Chymru eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan O.S. 1999/672, fel y'i diwygiwyd gan adran 40(3) o Ddeddf Safonau Bwyd 1999 (1999 p.28).

(c) O.S. 1999/2788

(ch) 1972 p.68.

(d) OS 1996/3124, fel y'i diwygiwyd gan OS 1997/3023, OS 1998/994, OS 1999/683, OS 2000/656, OS 2000/1885 (Cy. 131), OS 2000/2257 (Cy.150), OS 2001/1660 (Cy.119), OS 2001/2198 (Cy. 158) ac OS 2001/2219 (Cy. 159)

(a) 1990 c.16.

(b) Functions of "the Secretary of State" so far as exercisable in relation to Wales were transferred to the National Assembly for Wales by S.I. 1999/672, as amended by s.40(3) of the Food Standards Act 1999 (1999 c.28).

(c) SI 1999/2788

(d) 1972 c.68

(e) SI 1996/3124, as amended by SI 1997/3023, SI 1998/994, SI 1999/683, SI 2000/656, SI 2000/1885 (W.131), SI 2000/2257 (W.150), SI 2001/1660 (W.119), SI 2001/2198 (W.158) and SI 2001/2219 (W.159).

## Teitl, cymhwyso a chychwyn

1.-(1) Teitl y Rheoliadau hyn yw Rheoliadau Cig Dofednod, Cig Adar Hela wedi'i Ffermio a Chig Cwningod (Hylendid ac Archwilio) (Diwygio) (Cymru) 2001 a byddant yn gymwys i Gymru yn unig.

(2) Daw'r Rheoliadau hyn i rym ar 1 Chwefror 2002, ac eithrio paragraffau (2), (3), (4) a (5) o reoliad 2, a ddaw i rym ar 1 Rhagfyr 2002.

## Diwygiadau i Reoliadau Cig Dofednod, Cig Adar Hela wedi'i Ffermio a Chig Cwningod (Hylendid ac Archwilio) 1995

2. -(1) I'r graddau y maent yn gymwys i Gymru, caiff Rheoliadau Cig Dofednod, Cig Adar Hela wedi'i Ffermio a Chig Cwningod (Hylendid ac Archwilio) 1995(a) eu diwygio yn unol â'r paragraffau canlynol yn y rheoliad hwn.

(2) Yn rheoliad 2(1) (dehongli) caiff y diffinïadau canlynol eu mewnosod yn y lle priodol yn yr wyddor -

""farmer" means any person who is an agricultural producer and manages a holding;"  
a

""holding" means an agricultural production unit situated in Great Britain managed by a farmer;"

(3) Ym mharagraff (1) o reoliad 3 (esemptiadau ac eithriad ar gyfer trwyddedau presennol) -

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

"(b)subject to paragraphs (2), (3) and (4) below, in so far as a farmer who annually rears and slaughters on the aggregate of all his holdings under 10,000 birds or under 10,000 rabbits sells small quantities of fresh poultry meat, small quantities of fresh farmed game bird meat or small quantities of fresh rabbit meat derived from those birds or rabbits -

- (i) direct to the final consumer at the holding where the birds or the rabbits were reared and slaughtered;
- (ii) direct to the final consumer at the local market nearest to the holding where the birds or the rabbits were reared and slaughtered;
- (iii) direct to retailers for sale direct to the final consumer, provided the retailers make such sales in the same locality as, or in a neighbouring locality to, the holding where the birds or the rabbits were reared and slaughtered;

(a) O.S. 1995/540, a ddiwygiwyd gan O.S. 1995/1763, O.S. 1995/2148, O.S. 1995/2200, O.S. 1995/3205, O.S. 1997/1729, O.S. 2000/656 ac O.S. 2001/2198 (Cy.158).

## Title, extent and commencement

1.-(1) These Regulations may be cited as the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2001 and shall extend to Wales only.

(2) These Regulations shall come into force on 1st February 2002, except for paragraphs (2), (3), (4) and (5) of regulation 2, which shall come into force on 1st December 2002.

## Amendments to the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995

2.-(1) Insofar as they extend to Wales, the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995(a) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) (interpretation) the following definitions shall be inserted in the appropriate alphabetical positions -

""farmer" means any person who is an agricultural producer and manages a holding;"  
and

""holding" means an agricultural production unit situated in Great Britain managed by a farmer;"

(3) In paragraph (1) of regulation 3 (exemptions and saving for existing licences) -

(a) sub-paragraph (b) shall be replaced with the following sub-paragraphs-

"(b)subject to paragraphs (2), (3) and (4) below, in so far as a farmer who annually rears and slaughters on the aggregate of all his holdings under 10,000 birds or under 10,000 rabbits sells small quantities of fresh poultry meat, small quantities of fresh farmed game bird meat or small quantities of fresh rabbit meat derived from those birds or rabbits -

- (i) direct to the final consumer at the holding where the birds or the rabbits were reared and slaughtered;
- (ii) direct to the final consumer at the local market nearest to the holding where the birds or the rabbits were reared and slaughtered;
- (iii) direct to retailers for sale direct to the final consumer, provided the retailers make such sales in the same locality as, or in a neighbouring locality to, the holding where the birds or the rabbits were reared and slaughtered;

(a) SI 1995/540, as amended by SI 1995/1763, SI 1995/2148, SI 1995/2200, SI 1995/3205, SI 1997/1729, SI 2000/656 and SI 2001/2198 (W.158).

or

(iv) at a market (other than a local market) during the period of two weeks which immediately precede Christmas Day and Easter Sunday each year;

(bA) in so far as a producer who annually rears and slaughters under 10,000 rabbits sells fresh rabbit meat derived from rabbits the producer has reared and slaughtered at premises under the producer's control direct to a person who buys the meat for the person's own consumption;" a

(b) yn is-baragraff (g), mewnosodir "(bA)" cyn "(c)".

(4) Yn rheoliad 3, yn lle paragraff (2) rhoddir y canlynol -

"(2) The exemption in paragraph (1)(b) above shall not apply to any itinerant sale or sale by mail order or, as regards a sale by a retailer, any sale by the retailer at a market."

(5) Yn rheoliad 3(3) a (4), yn lle'r gair "slaughterhouse" rhoddir y gair "holding".

(6) Yn rheoliad 13, ar ôl paragraff (3) ychwanegir y paragraff canlynol -

"(4) No person shall operate any licensed low throughput slaughterhouse unless he has notified the Agency, in accordance with paragraph (1) above, of the number and origin of the birds or rabbits to be slaughtered there."

(7) Ym mhob un o baragraffau (1) a (2) o reoliad 15 (dogfennau cludo) diddymir yr ymadrodd "Subject to paragraph (3) below".

(8) Diddymir paragraff (3) o reoliad 15.

(9) Ym mharagraff (1)(a)(i) o reoliad 18 (dyletswyddau meddiannydd), mewnosodir y geiriau "and origin" ar ôl y gair "species".

(10) Yn Rhan I o Atodlen 5 (adeiladwaith, cynllun, ac offer lladd-dai trwybwn isel a safleoedd torri trwybwn isel) yn lle paragraff 5 rhoddir y canlynol -

"5. Refrigeration equipment which-

(a) is adequate to keep the internal temperature of meat at the levels required by Schedule 12; and

(b) has a drainage system linked to the waste water pipes which minimises the risk of contamination of meat;"

(11) Ym mharagraff 11(j) o Atodlen 8, yn lle'r gair "producer" rhoddir y gair "occupier".

or

(iv) at a market (other than a local market) during the period of two weeks which immediately precede Christmas Day and Easter Sunday each year;

(bA) in so far as a producer who annually rears and slaughters under 10,000 rabbits sells fresh rabbit meat derived from rabbits the producer has reared and slaughtered at premises under the producer's control direct to a person who buys the meat for the person's own consumption;" and

(b) in sub-paragraph (g), "(bA)" shall be inserted before "(c)".

(4) In regulation 3, paragraph (2) shall be replaced with the following-

"(2) The exemption in paragraph (1)(b) above shall not apply to any itinerant sale or sale by mail order or, as regards a sale by a retailer, any sale by the retailer at a market."

(5) In regulation 3(3) and (4), for the word "slaughterhouse" there shall be substituted the word "holding".

(6) In regulation 13, after paragraph (3) there shall be added the following paragraph -

"(4) No person shall operate any licensed low throughput slaughterhouse unless he has notified the Agency, in accordance with paragraph (1) above, of the number and origin of the birds or rabbits to be slaughtered there."

(7) In each of paragraphs (1) and (2) of regulation 15 (transport documentation) the phrase "Subject to paragraph (3) below" shall be revoked.

(8) Paragraph (3) of regulation 15 shall be revoked.

(9) In paragraph (1)(a)(i) of regulation 18 (duties of occupier), the words "and origin" shall be inserted after the word "species".

(10) In Part I of Schedule 5 (construction, layout and equipment of low throughput slaughterhouses and low throughput cutting premises), paragraph 5 shall be replaced with the following-

"5. Refrigeration equipment which-

(a) is adequate to keep the internal temperature of meat at the levels required by Schedule 12; and

(b) has a drainage system linked to the waste water pipes which minimises the risk of contamination of meat;"

(11) In paragraph 11(j) of Schedule 8, for the word "producer" there shall be substituted the word "occupier".

(12) Yn lle paragraff 1(a) o Atodlen 14 (cludiant) rhoddir y canlynol -

"(a) fresh meat shall be transported -

- (i) from a licensed slaughterhouse or licensed cutting premises, other than any low throughput slaughterhouse or low throughput cutting premises, by means of transport fitted with a hermetic closing system or, in the case of fresh meat imported from or intended to be transported through a third country, in a sealed means of transport, which in each case is designed and equipped in such a way that the temperatures specified in Schedule 12 are maintained throughout transportation; and
- (ii) from a slaughterhouse licensed as a low throughput slaughterhouse, or cutting premises licensed as low throughput cutting premises, by means of transport designed and equipped in such a way that the temperatures specified in Schedule 12 are maintained throughout transportation;"

### **Diwygiad Canlyniadol**

3. I'r graddau y mae Rheoliadau Cynhyrchion sy'n Deillio o Anifeiliaid (Mewnforio ac Allforio) 1996 yn gymwys i Gymru, diwygir paragraff 7 o Atodlen 2 iddynt (rheoliadau sy'n berthnasol i fasnach o fewn y Gymuned) drwy osod y cyfeiriadau canlynol yn lle'r geiriau "The Meat (Disease Control) (Wales) Regulations 2000;"

"SI 2000/2257 (Cy.150);

The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2001;"

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

14 Ionawr 2002

*Rhodri Morgan*

Prif Ysgrifennydd y Cynulliad Cenedlaethol

(12) Paragraph 1(a) of Schedule 14 (transport) shall be replaced with the following -

"(a) fresh meat shall be transported -

- (i) from a licensed slaughterhouse or licensed cutting premises, other than any low throughput slaughterhouse or low throughput cutting premises, by means of transport fitted with a hermetic closing system or, in the case of fresh meat imported from or intended to be transported through a third country, in a sealed means of transport, which in each case is designed and equipped in such a way that the temperatures specified in Schedule 12 are maintained throughout transportation; and
- (ii) from a slaughterhouse licensed as a low throughput slaughterhouse, or cutting premises licensed as low throughput cutting premises, by means of transport designed and equipped in such a way that the temperatures specified in Schedule 12 are maintained throughout transportation;"

### **Consequential Amendment**

3. In so far as the Products of Animal Origin (Import and Export) Regulations 1996 apply to Wales, paragraph 7 of Schedule 2 thereto (regulations relevant to intra-Community trade) shall be amended by substituting the following references for the words "The Meat (Disease Control) (Wales) Regulations 2000;"

"SI 2000/2257 (W.150);

The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) (Amendment) (Wales) Regulations 2001;"

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

14th January 2002

The First Secretary of the National Assembly

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(a) 1998 p.38.

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(a) 1998 c.38.



**2002 Rhif 47 (Cy.6)**

**BWYD, CYMRU**

Rheoliadau Cig Dofednod, Cig  
Adar Hela wedi'i Ffermio a Chig  
Cwningod (Hylendid ac Archwilio)  
(Diwygio) (Cymru) 2002

**2002 No. 47 W.6)**

**FOOD, WALES**

The Poultry Meat, Farmed Game  
Bird Meat and Rabbit Meat  
(Hygiene and Inspection)  
(Amendment) (Wales) Regulations  
2002

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