CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2003 Rhif 2292 (Cy.228)

BWYD, CYMRU

Rheoliadau Bwyd (Ffigys, Cnau Cyll a Chnau Pistasio o Dwrci) (Rheolaeth Frys) (Cymru) (Diwygio) 2003

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gymwys i Gymru'n unig. Maent yn diwygio Rheoliadau Bwyd (Ffigys, Cnau Cyll a Chnau Pistasio o Dwrci) (Rheolaeth Frys) (Cymru) (Rhif 2) 2002 (O.S.2002/2296) (Cy.225) (*rheoliad 2*) O.S. 2002/2296 (Cy.225) sy'n gweithredu Penderfyniad y Comisiwn 2002/2296/EC sy'n gosod amodau arbennig ar fewnforio ffigys, cnau cyll a chnau pistasio a chynhyrchion penodol sy'n deillio ohonynt ac sy'n tarddu o Dwrci neu'n cael eu traddodi oddi yno (OJ Rhif L34, 5.2.2002, t.26) fel y'i diwygiwyd gan Benderfyniad y Comisiwn 2002/233/EC (OJ Rhif L78, 21.3.2002, t.14) a Phenderfyniad y Comisiwn 2002/679/EC (Rhif OJ L229, 27.8.2002, t. 37).

Effaith y diwygio a wneir gan y Rheoliadau hyn yw bod O.S. 2002/2296 (Cy.225) yn awr yn gweithredu Penderfyniad y Comisiwn 2002/80/EC fel y'i diwygiwyd bellach gan Benderfyniad y Comisiwn 2003/552/EC (Rhif OJ L187, 26.7.2003, t. 47). Pennir y categorïau o gynhyrchion sydd yn ddarostyngedig i'r amodau mewnforio arbennig y cyfeirir atynt uchod yn Erthygl 1 o Benderfyniad y Comisiwn 1/2002/EC fel y'i diwygiwyd gan Benderfyniad y Comisiwn 2003/552/EC.

Dyma'r prif newidiadau sy'n cael eu hachosi gan y Rheoliadau hyn -

(a) mae'r diffiniad o "Penderfyniad y Comisiwn" yn rheoliad 2(1) o O.S. 2002/2296 (Cy.225) yn cael ei ddiweddaru i adlewyrchu'r diwygiad a wneir iddo gan Benderfyniad y Comisiwn 2003/552/EC;

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2003 No. 2292 (W.228)

FOOD, WALES

The Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (Wales) (Amendment) Regulations 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales only, amend the Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (Wales) (No. 2) Regulations 2002 (S.I. 2002/2296) (W.225) (*regulation 2*). S.I. 2002/2296 (W.225) implements Commission Decision 2002/80/EC imposing special conditions on the import of figs, hazelnuts and pistachios and certain products derived thereof originating in or consigned from Turkey (OJ No. L34, 5.2.2002, p.26) as amended by Commission Decision 2002/233/EC (OJ No. L78, 21.3.2002, p.14) and Commission Decision 2002/679/EC (OJ No. L229, 27.8.2002, p.37).

The effect of the amendment made by these Regulations is that S.I. 2002/2296 (W.225) now implements Commission Decision 2002/80/EC as now also amended by Commission Decision 2003/552/EC (OJ No. L187, 26.7.2003, p.47). The categories of products which are subject to the special import conditions referred to above are specified in Article 1(1) of Commission Decision 2002/80/EC as amended by Commission Decision 2002/679/EC and Commission Decision 2003/552/EC.

The principal changes effected by these Regulations are that -

(a) the definition of "the Commission Decision" in regulation 2(1) of S.I. 2002/2296 (W.225) is updated to reflect the amendment made to it by Commission Decision 2003/552/EC;

(b) mae diwygiad canlyniadol i'r diffiniad o "Turkish products" yn rheoliad 2(1) o O.S. 2002/2296 (Cy. 225); ac

(c) addaswyd y gofyniad blaenorol bod bob llwyth o gynhyrchion Twrcaidd o dan reolaeth yn ddarostyngedig i samplu a dadansoddi er mwyn sicrhau cydymffurfedd â Phenderfyniad y Comisiwn 2002/80/EC, fel y'i diwygiwyd, drwy ddarparu -

(i) bod samplu a dadansoddi mewn perthynas ag afflatocsin B1 a'r cyfanswm o lefelau afflatocsin yn digwydd mewn perthynas â llwythi o ffigys sychion, cnau cyll a chnau pistasio a chynhyrchion penodol sy'n deillio ohonynt,

(ii) bod rhaid i'r cyfnod cadw at ddibenion hapsamplu a hapddadansoddi beidio â bod yn hwy na 15 diwrnod gwaith, a

(iii) bod rhaid i gopi o'r dystysgrif iechyd a'r dogfennau sy'n mynd gyda hi fynd gyda phob rhan o lwyth hollt.

Nid oes arfarniad rheoliadol wedi'i baratoi mewn cysylltiad â'r Rheoliadau hyn.

(b) there is a consequential amendment to the definition of "Turkish Products" in regulation 2(1) of S.I. 2002/2296 (W. 225); and

(c) the previous requirement that consignments of controlled Turkish products be subjected to random sampling and analysis to ensure compliance with Commission Decision 2002/80/EC, as amended, is modified by providing that -

(i) sampling and analysis in relation to aflatoxin B1 and total aflatoxin shall be undertaken in respect of consignments of dried figs, hazelnuts and pistachios and certain products derived thereof,

(ii) the period of detention for the purpose of random sampling and analysis must not exceed 15 working days, and

(iii) each part of a split consignment must be accompanied by a copy of the health certificate and accompanying documents.

No regulatory appraisal has been prepared in relation to these Regulations.

OFFERYNNAU STATUDOL

2003 Rhif 2292 (Cy.228)

BWYD, CYMRU

Rheoliadau Bwyd (Ffigys, Cnau Cyll a Chnau Pistasio o Dwrci) (Rheolaeth Frys) (Cymru) (Diwygio) 2003

Wedi'u gwneud	*5 Medi 2003*
Yn dod i rym	*6 Medi 2003*

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 arfer y pwerau a roddwyd iddo gan yr adran honno, drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Bwyd (Ffigys, Cnau Cyll a Chnau Pistasio o Dwrci) (Rheolaeth Frys) (Cymru) (Diwygio) 2003 a deuant i rym ar 6 Medi 2003.

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

Diwygio Rheoliadau Bwyd (Ffigys, Cnau Cyll a Chnau Pistasio o Dwrci) (Rheolaeth Frys) (Cymru) (Rhif 2) 2002

2.-(1) Diwygir paragraff (1) o reoliad 2 (dehongli) i Reoliadau Bwyd (Ffigys, Cnau Cyll a Chnau Pistasio o Dwrci) (Rheolaeth Frys) (Cymru) (Rhif 2)(**c**) yn unol â pharagraffau (2) a (3).

(2) Yn lle'r diffiniad o "the Commission Decision", rhodder y diffiniad a ganlyn -

""the Commission Decision" means Commission Decision 2002/80/EC imposing special conditions on the import of figs, hazelnuts and pistachios and certain products derived thereof

(a) O.S. 1999/2788.

(b) 1972 (p. 68).

(c) O.S. 2002/2296 (Cy.225).

STATUTORY INSTRUMENTS

2003 No. 2292 (W.228)

FOOD, WALES

The Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (Wales) (Amendment) Regulations 2003

Made	*5th September 2003*
Coming into force	*6th September 2003*

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, in exercise of the powers conferred on it by that section, makes the following Regulations:

Title, commencement and application

1.-(1) These Regulations may be cited as the Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (Wales) (Amendment) Regulations 2003 and shall come into force on 6th September 2003.

(2) These Regulations apply in relation to Wales only.

Amendment to the Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) Wales) (No. 2) Regulations 2002

2.-(1) Paragraph (1) of regulation 2 (interpretation) to the Food (Figs, Hazelnuts and Pistachios from Turkey) (Emergency Control) (Wales) (No. 2) Regulations(**c**) is amended in accordance with paragraphs (2) and (3).

(2) The definition of "the Commission Decision" shall be replaced by the following definition -

""the Commission Decision" means Commission Decision 2002/80/EC imposing special conditions on the import of figs, hazelnuts and pistachios and certain products derived thereof

(a) S.I. 1999/2788.

(b) 1972 (c. 68).

(c) S.I. 2002/2296 (W.225).

originating in or consigned from Turkey(**a**) as amended by Commission Decision 2002/233/EC(**b**), Commission Decision 2002/679/EC(**c**) and Commission Decision 2003/552/EC(**ch**);".

(3) Yn lle paragraff (4) o reoliad 4 rhoddir y paragraff a ganlyn -

"(4) The requirements are those specified in -

(a) Article 1.4 of the Commission Decision (which is concerned with documentary checks relating to consignments of controlled Turkish products);

(b) Article 1.5 and 1.6 of that Decision (which provisions are concerned with the sampling and analysis of such consignments), other than the requirement under Article 1.5 to supply the Commission with specified information; and

(c) Article 1.7 of that Decision (which is concerned with the case where consignments are split).".

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

5 Medi 2003

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol

(a) OJ Rhif L34, 5.2.2002, t.26.

(b) OJ Rhif L78, 31.3.2002, t.14.

(c) OJ Rhif L229, 27.8.2002, t.37.

(ch) OJ Rhif L187, 26.7.2003, t.47.

(d) 1998 p.38.

originating in or consigned from Turkey(**a**) as amended by Commission Decision 2002/233/EC(**b**), Commission Decision 2002/679/EC(**c**) and Commission Decision 2003/552/EC(**d**);".

(3) The following paragraph is substituted for paragraph (4) of regulation 4 -

"(4) The requirements are those specified in -

(a) Article 1.4 of the Commission Decision (which is concerned with documentary checks relating to consignments of controlled Turkish products);

(b) Article 1.5 and 1.6 of that Decision (which provisions are concerned with the sampling and analysis of such consignments), other than the requirement under Article 1.5 to supply the Commission with specified information; and

(c) Article 1.7 of that Decision (which is concerned with the case where consignments are split)".

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

5th September 2003

Jane Hutt

Minister for Health and Social Services

(a) OJ No. L34, 5.2.2002, p.26.

(b) OJ No. L78, 31.3.2002, p.14.

(c) OJ No. L229, 27.8.2002, p.37.

(d) OJ No. L187, 26.7.2003, p.47.

(e) 1998 c.38.

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