



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2003 Rhif 3041 (Cy.286)

2003 No. 3041 (W.286)

BWYD, CYMRU

FOOD, WALES

**Rheoliadau Suddoedd Ffrwythau a
Neithdarau Ffrwythau (Cymru)
2003**

**The Fruit Juices and Fruit Nectars
(Wales) Regulations
2003**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn, sy'n gymwys i Gymru ac sy'n dod i rym ar 28 Tachwedd 2003, yn gweithredu Cyfarwydddeb y Cyngor 2001/112/EC sy'n ymwneud â suddoedd ffrwythau a chynhyrchion eraill tebyg a fwriadwyd ar gyfer eu bwyta gan bobl (OJ Rhif L10, 12.1.2002, t.58). Maent yn dirymu ac yn disodli Rheoliadau Suddoedd Ffrwythau a Neithdarau Ffrwythau 1977, fel y'u diwygiwyd, mewn perthynas â Chymru.

These Regulations, which apply to Wales and come into force on 28th November 2003, implement Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption (OJ No. L10, 12.1.2002, p.58). They revoke and replace the Fruit Juices and Fruit Nectars Regulations 1977, as amended, in relation to Wales.

Mae'r Rheoliadau -

The Regulations -

- (a) yn rhagnodi diffiniadau a disgrifiadau neilltuedig ar gyfer cynhyrchion suddoedd ffrwythau penodedig (*rheoliad 2(2) ac Atodlen 1*);
- (b) yn rhagodi'r deunyddiau crai, prosesau triniaeth a chynhwysion ychwanegol sydd i'w defnyddio wrth baratoi cynhyrchion penodedig (*rheoliad 2(2) ac Atodlenni 2, 3 a 4*);
- (c) yn rhagnodi'r isafswm o sudd ffrwythau ar gyfer cynhyrchion sy'n dwyn y disgrifiad neilltuedig "neithdar ffrwythau" (*rheoliad 2(2) ac Atodlen 5*);
- (ch) yn darparu ar gyfer yr amgylchiadau y mae'r Rheoliadau yn gymwys iddynt (*rheoliad 3*);
- (d) yn cyfyngu ar y disgrifiadau neilltuedig fel na ellir eu defnyddio ond ar gyfer y cynhyrchion dynodedig y maent yn berthnasol iddynt (*rheoliad 4*);
- (dd) yn rhagnodi'r gofynion labelu i'r cynhyrchion hynny (*rheoliad 5*);

- (a) prescribe definitions and reserved descriptions for certain designated fruit juice products (*regulation 2(2) and Schedule 1*);
- (b) prescribe the raw materials, treatment processes and additional ingredients to be used in preparation of designated products (*regulation 2(2) and Schedules 2,3 and 4*);
- (c) prescribe minimum fruit juice content for products bearing the reserved description "fruit nectar" (*regulation 2(2) and Schedule 5*);
- (d) provide for the circumstances in which the Regulations apply (*regulation 3*);
- (e) restrict the use of reserved descriptions to the designated products to which they relate (*regulation 4*);
- (f) prescribe labelling requirements for such products (*regulation 5*);

- (e) yn darparu ar gyfer dulliau nodi a labelu cynhyrchion dynodedig (*rheoliadau 5 a 6*);
- (f) yn pennu cosb am fynd yn groes i'r rheoliadau a phennu awdurdodau gorfodi (*rheoliad 7*);
- (ff) yn unol ag Erthyglau 2 a 3 o Gyfarwyddeb y Cyngor 89/397/EEC ar reoli swyddogol bwydydd (OJ Rhif L186, 30.6.1989, t.23) a Chytundeb yr Ardal Economaidd Ewropeaidd, yn pennu amddiffyniad mewn cysylltiad ag allforion (*rheoliad 8*);
- (g) yn cymhwyso amryw ddarpariaethau Deddf Diogelwch Bwyd 1990 (*rheoliad 9*);
- (ng) yn dirymu'r Rheoliadau blaenorol ac yn gwneud diwygiadau canlyniadol a darpariaeth drosiannol (*rheoliad 10 ac 11*).

Mae Arfarniad rheoliadol wedi cael ei baratoi yn unol ag adran 65 o Ddeddf Llywodraeth Cymru 1998 a'i roi yn llyfrgell Cynulliad Cenedlaethol Cymru ynghyd â Nodyn Trosi sy'n nodi sut y mae prif elfennau deddfwriaeth Ewropeaidd y cyfeirir ati uchod wedi'u trawsosod yn y Rheoliadau hyn. Gellir cael copïau oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 11, Southgate House, Caerdydd, CF10 1EW.

- (g) make provision as to the manner of marking and labelling of designated products (*regulations 5 and 6*);
- (h) specify a penalty for contraventions and enforcement authorities (*regulation 7*);
- (i) in accordance with Articles 2 and 3 of Council Directive 89/397/EEC on the official control of foodstuffs (OJ No. L186, 30.6.1989, p.23) and the European Economic Area Agreement, specify a defence in relation to exports (*regulation 8*);
- (j) apply various provisions of the Food Safety Act 1990 (*regulation 9*);
- (k) revoke the previous Regulations and make consequential amendments and transitional provision (*regulation 10 and 11*).

A Regulatory appraisal has been prepared pursuant to section 65 of the Government of Wales Act 1998 and placed in the library of the National Assembly for Wales together with a Transposition Note setting out how the main elements of the European legislation referred to above are transposed in these Regulations. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Cardiff CF10 1EW.

2003 Rhif 3041 (Cy.286)**2003 No. 3041 (W.286)****BWYD, CYMRU****FOOD, WALES****Rheoliadau Suddoedd Ffrwythau a
Neithdarau Ffrwythau (Cymru)
2003****The Fruit Juices and Fruit Nectars
(Wales) Regulations
2003***Wedi'u gwneud* 26 Tachwedd 2003*Made* 26th November 2003*Yn dod i rym* 28 Tachwedd 2003*Coming into force* 28th November 2003

Wrth arfer y pwerau a roddwyd iddo gan adrannau 16(1)(a), (c) ac (e), 17(1), 26(1) a (3) a 48(1) o Ddeddf Diogelwch Bwyd 1990(a) ac sydd bellach wedi'u breinio ynddo(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 fel y mae'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor(c) sy'n pennu egwyddorion a gofynion cyffredinol cyfraith fwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewropeaidd ac yn pennu gweithdrefnau o ran materion diogelwch bwyd, ac yn unol ag adran 48(4) a (4B) o'r Ddeddf honno, drwy hyn yn gwneud y Rheoliadau canlynol:

The National Assembly for Wales, in exercise of the powers conferred by sections 16(1)(a), (c) and (e), 17(1), 26(1) and (3) and 48(1) of the Food Safety Act 1990(a) and now vested in it(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 both as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(c) laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, and in accordance with section 48(4) and (4B) of the said Act, hereby makes the following Regulations:

Enwi, cychwyn a chymhwys**Citation, commencement and application****1. Ynghylch y Rheoliadau hyn -****1. These Regulations -**

eu henw yw Rheoliadau Suddoedd Ffrwythau a Neithdarau Ffrwythau (Cymru) 2003, deuant i rym ar 28 Tachwedd 2003 ac maent yn gymwys i Gymru'n unig.

may be cited as the Fruit Juices and Fruit Nectars (Wales) Regulations 2003, shall come into force on 28th November 2003 and shall apply to Wales only.

Dehongli**Interpretation****2.-(1) Yn y Rheoliadau hyn -****2.-(1) In these Regulations -**

mae i "awdurdod bwyd" yr un ystyr ag y sydd i "food authority" yn adran 5(1A) a (3)(a) a (b) o Ddeddf Diogelwch Bwyd 1990;

"the Act" ("y *Ddeddf*") means the Food Safety Act 1990;

ystyr "Cyfarwyddeb 95/2/EC" ("*Directive 95/2/EC*") yw Cyfarwyddeb 95/2/EC Senedd

"catering establishment" ("*sefydliad arlwygo*") means a restaurant, canteen, club, public house, school, hospital or similar

(a) 1990 p.16.

(a) 1990 c.16.

(b) Trosglwyddwyd swyddogaethau yr Ysgrifennydd Gwladol o dan Ddeddf Diogelwch Bwyd 1990, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru drwy Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(b) Functions of the Secretary of State 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) OJ Rhif L31, 1.2.2002, t.1.

(c) OJ No. L31, 1.2.2002, p.1.

Ewrop a'r Cyngor ar ychwanegion bwyd heblaw lliwiau a melysyddion(a);

ystyr "cynnyrch dynodedig" ("*designated product*"), yn ddarostyngedig i baragraff (2), yw unrhyw fwyd a bennir yng Ngholofn 2 o Atodlen 1;

ystyr "defnyddiwr olaf" ("*ultimate consumer*") yw unrhyw berson sy'n prynu heblaw am y canlynol -

- (a) at ddibenion ailwerthu;
- (b) at ddibenion sefydliad arlwygo; neu
- (c) at ddibenion busnes gweithgynhyrchu.

ystyr "disgrifiad neilltuedig" ("*reserved description*"), o ran unrhyw gynnyrch dynodedig yw unrhyw ddisgrifiad a bennir mewn perthynas â'r cynnyrch hwnnw yng Ngholofn 1 o Atodlen 1;

ystyr "y Ddeddf" ("*the Act*") yw Deddf Diogelwch Bwyd 1990;

ystyr "Gwladwriaeth AEE" ("*EEA State*") yw Gwladwriaeth sydd yn Barti Contractio i'r Cytundeb ar yr Ardal Economaidd Ewropeaidd(b) a lofnodwyd yn Oporto ar 2 Mai 1992, fel y'i haddaswyd gan y Protocol(c) a lofnodwyd ym Mrwsel ar 17 Mawrth 1993;

ystyr "Rheoliadau 1996" ("*the 1996 Regulations*") yw Rheoliadau Labelu Bwyd 1996(ch); ac

ystyr "sefydliad arlwygo" ("*catering establishment*") yw bwyty, ffretur, clwb, tafarn, ysgol, ysbyty neu sefydliad tebyg (gan gynnwys cerbyd neu stondin sefydlog neu symudol) os yw bwyd, wrth gynnal busnes, yn cael ei baratoi i'w gyflenwi i'r defnyddiwr olaf ac yn barod i'w fwyta heb baratoi pellach.

(2) Er gwaethaf y ffaith bod bwyd yn cael ei bennu yng Ngholofn 2 o Atodlen 1, caiff ei drin fel "cynnyrch dynodedig" ar gyfer dibenion y Rheoliadau hyn dim ond -

- (a) os cafodd ei baratoi o unrhyw ddeunydd ffrwythau a ddisgrifir yn Atodlen 2 a hynny naill ai gyda neu heb unrhyw ddeunydd crai arall a restrir yn yr Atodlen honno;
- (b) os yw'n cynnwys unrhyw gynhwysyn ychwanegol, os yw'r cynhwysyn hwnnw wedi'i awdurdodi ar gyfer y bwyd dan sylw gan Atodlen 3;

establishment (including a vehicle or a fixed or mobile stall) where, in the course of a business, food is prepared for delivery to the ultimate consumer and is ready for consumption without further preparation;

"designated product" ("*cynnyrch dynodedig*") means, subject to paragraph (2), any food specified in Column 2 of Schedule 1;

"Directive 95/2/EC" ("*Cyfarwyddeb 95/2/EC*") means Directive 95/2/EC of the European Parliament and of the Council on food additives other than colours and sweeteners(a);

"EEA State" ("*Gwladwriaeth AEE*") means a State which is a Contracting Party to the Agreement on the European Economic Area(b) signed at Oporto on 2nd May 1992 as adjusted by the Protocol(c) signed at Brussels on 17th March 1993;

"food authority" ("*awdurdod bwyd*") has the same meaning as in section 5(1A) and (3)(a) and (b) of the Food Safety Act 1990;

"reserved description" ("*disgrifiad neilltuedig*"), as respects any designated product, means any description specified in relation to that product in Column 1 of Schedule 1;

"the 1996 Regulations" means the Food Labelling Regulations 1996(d)

"ultimate consumer" ("*defnyddiwr olaf*") means any person who buys otherwise than -

- (a) for the purpose of resale;
- (b) for the purposes of a catering establishment; or
- (c) for the purposes of a manufacturing business.

(2) Notwithstanding the fact that a food is specified in Column 2 of Schedule 1, it will only be treated as a "designated product" for the purposes of these Regulations if-

- (a) it has been prepared from any fruit material described in Schedule 2 either with or without any other raw material listed in that Schedule;
- (b) where it contains any additional ingredient, that ingredient is authorised for the food in question by Schedule 3;

(a) OJ Rhif L61, 18.3.1995, t.1, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb 98/72/EC (OJ Rhif L295, 4.11.1998, t.18).

(b) OJ Rhif L1, 3.1.94, t.1.

(c) OJ Rhif L1, 3.1.94, t.571.

(ch) O.S. 1996/1499, a ddiwygiwyd gan O.S. 1998/141, O.S. 1998/1398, O.S. 1998/2424, O.S. 1999/747, O.S. 1999/1136, O.S. 1999/1483, O.S. 1999/1540, O.S. 2000/768, O.S. 2000/2254, O.S. 2000/3323, O.S. 2001/2294, O.S. 2001/3442, O.S. 2001/3775 ac O.S. 2002/379.

(a) OJ No. L61, 18.3.1995, p.1, as last amended by Directive 98/72/EC (OJ No. L295, 4.11.1998, p.18).

(b) OJ No. L1, 3.1.94, p.1.

(c) OJ No. L1, 3.1.94, p.571.

(d) S.I. 1996/1499, amended by S.I. 1998/141, S.I. 1998/1398, S.I. 1998/2424, S.I. 1999/747, S.I. 1999/1136, S.I. 1999/1483, S.I. 1999/1540, S.I. 2000/768, S.I. 2000/2254, S.I. 2000/3323, S.I. 2001/2294, S.I. 2001/3442, S.I. 2001/3775 and S.I. 2002/379.

- (c) ac yntau'n fwyd ac iddo'r disgrifiad neilltuedig "sudd ffrwythau", "sudd ffrwythau dwysedig", "sudd ffrwythau o ddwysfwyd", neu "sudd ffrwythau dadhydradedig neu sudd powdr", os nad yw wedi'i baratoi drwy ychwanegu ato-
 - (i) siwgrau a sudd lemon ill dau (boed ddwysedig neu beidio), neu
 - (ii) siwgrau a chyfryngau asideiddio ill dau fel a ganiateir gan Gyfarwyddeb 95/2/EC,
- (ch) os y'i paratowyd drwy ddefnyddio unrhyw driniaeth neu sylwedd ychwanegol, os yw'r driniaeth neu'r sylwedd wedi'u pennu yn Atodlen 4; a
- (d) ac yntau'n fwyd ac iddo'r disgrifiad neilltuedig "neithdar ffrwythau", os yw'n cynnwys yr isafswm o sudd neu biwrí a bennir yn Atodlen 5 ynghyd â'r Nodyn i'r Atodlen honno.

- (c) being a food bearing the reserved description "fruit juice", "concentrated fruit juice", "fruit juice from concentrate" or "dehydrated or powdered fruit juice" it has not been prepared by adding to it-
 - (i) both sugars and lemon juice (whether concentrated or not), or
 - (ii) both sugars and acidifying agents as permitted by Directive 95/2/EC;
- (d) where it has been prepared by using any treatment or additional substance, that treatment or substance is specified in Schedule 4; and
- (e) being a food bearing the reserved description "fruit nectar", it contains the minimum juice or purée content specified in Schedule 5 together with the Note to that Schedule.

Ystod y Rheoliadau

3. Yn ddarostyngedig i reoliad 5(e), mae'r Rheoliadau hyn yn gymwys mewn perthynas â chynhyrchion dynodedig a fwriadwyd ar gyfer eu bwyta gan bobl ac sy'n barod i'w cyflenwi i'r defnyddiwr olaf neu i sefydliad arlwyyo.

Scope of Regulations

3. Subject to regulation 5(g), these Regulations apply in relation to designated products intended for human consumption and ready for delivery to the ultimate consumer or to a catering establishment.

Disgrifiadau neilltuedig

4. Ni chaiff unrhyw berson werthu unrhyw fwyd â label (boed y label wedi'i gysylltu i'r deunydd lapio neu i'r cynhwysydd neu wedi'i argraffu arnynt) sy'n ddisgrifiad neilltuedig neu'n ddisgrifiad sy'n deillio ohono neu sy'n dwyn neu'n cynnwys unrhyw ddisgrifiad o'r fath, neu sy'n air neu'n ddisgrifiad sylweddol o debyg iddo neu sy'n dwyn neu'n cynnwys unrhyw air neu ddisgrifiad o'r fath oni bai-

Reserved descriptions

4. No person shall sell any food with a label (whether or not attached to or printed on the wrapper or container) which bears, comprises or includes any reserved description or any derivative thereof or any word or description substantially similar thereto unless-

- (a) bod bwyd o'r fath yn gynnrych dynodedig y mae'r disgrifiad neilltuedig yn berthnasol iddo;
- (b) bod disgrifiad, disgrifiad sy'n deillio ohono neu air o'r fath yn cael ei ddefnyddio mewn cyd-destun o'r fath er mwyn dangos yn bendant neu drwy oblygiad clir mai dim ond cynhwysyn yn y bwyd hwnnw yw'r sylwedd y mae'n berthnasol iddo; neu
- (c) bod disgrifiad, disgrifiad sy'n deillio ohono neu air o'r fath yn cael ei ddefnyddio mewn cyd-destun o'r fath er mwyn dangos yn bendant neu drwy oblygiad clir nad yw'r bwyd hwnnw yn gynnrych dynodedig nac yn cynnwys cynnyrch dynodedig.

- (a) such food is the designated product to which the reserved description relates;
- (b) such description, derivative or word is used in such a context as to indicate explicitly or by clear implication that the substance to which it relates is only an ingredient of that food; or
- (c) such description, derivative or word is used in such a context as to indicate explicitly or by clear implication that such food is not and does not contain a designated product.

Labelu a disgrifio cynnyrch dynodedig

5. Heb ragfarnu cyffredinolrwydd Rhan II o Reoliadau 1996, ni chaiff unrhyw berson werthu unrhyw gynnrych dynodedig oni bai -

Labelling and description of designated products

5. Without prejudice to the generality of Part II of the 1996 Regulations, no person shall sell any designated product unless -

- (a) ei fod, yn ddarostyngedig i baragraff (ch)(i), wedi'i farcio neu wedi'i labelu â disgrifiad neilltuedig o'r cynnyrch;

- (a) subject to paragraph (d)(i), it is marked or labelled with the reserved description of the product;

- (b) yn achos sudd ffrwythau, sudd ffrwythau dwysedig, sudd ffrwythau o ddwysfwyd neu o sudd ffrwythau dadhydradedig neu bowdr, a felyswyd drwy ychwanegu siwgrau, yr ychwanegir y gair "sweetened" neu'r geiriau "with added sugar" at y disgrifiad neilltuedig o'r cynnyrch hwnnw, a bod disgrifiad o'r fath neu enw arall yn cael ei ddilyn gan ddatganiad (wedi'i gyfrifo fel mater sych, a'i fynegi mewn gramiau fesul litr) o fwyafswm y siwgr a ychwanegwyd;
- (c) yn achos sudd ffrwythau, sudd ffrwythau dwysedig neu sudd ffrwythau o ddwysfwyd yr ychwanegwyd mwydion neu gelloedd ar wahân i, wedi'u ychwanegol at, y mwydion neu'r celloedd a echdynnwyd yn wreiddiol o'r cynnyrch hwnnw, fod ei labelu'n cynnwys datganiad o ychwanegiad o'r fath;

(ch) yn achos -

- (i) cymysgedd o sudd ffrwythau a sudd ffrwythau o ddwysfwyd sydd wedi'i farcio neu wedi'i labelu â'r un disgrifiad neilltuedig "fruit juice" (neu ddisgrifiad arall o'r fath y mae'n ofynnol ei gael yn lle'r disgrifiad "fruit juice" yn unol â'r amodau sy'n rhagflaenu Colofn 1 (disgrifiadau neilltuedig) yn Atodlen 1), neu
- (ii) neithdar ffrwythau a gafwyd yn rhannol o un neu fwy o gynhyrchion dwysedig,

bod ei labelu yn dwyn y geiriau "partially made from concentrate" neu, yn ôl y digwydd, "partially made from concentrates", bod y geiriau hynny'n ymddangos yn agos at y disgrifiad neilltuedig, mewn llythrennau y gellir eu gweld yn eglur ac y gellir eu gwahaniaethu'n hawdd oddi wrth eu cefndir;

- (d) yn achos neithdar ffrwythau a gafwyd yn rhannol o un neu fwy o gynhyrchion dwysedig, y mae ei labelu yn dwyn y geiriau "made with concentrate" neu, yn ôl y digwydd, "made with concentrates", a bod y geiriau hynny'n ymddangos yn agos at y disgrifiad neilltuedig, mewn llythrennau y gellir eu gweld yn eglur ac y gellir eu gwahaniaethu'n hawdd oddi wrth eu cefndir;
- (dd) yn achos neithdar ffrwythau, mae ei labelu yn dwyn datganiad o'r isafswm o sudd ffrwythau, neu biwrî ffrwythau, neu gymysgedd o sudd ffrwythau a phiwrî ffrwythau, ei fod yn cynnwys, gyda'r geiriau "fruit content :[x] % minimum" (yn lle "[x]" mewnosoder y ffigur priodol) yn ymddangos yn yr un cylch golwg â'r disgrifiad neilltuedig; ac
- (e) yn achos sudd ffrwythau dwysedig na fwriadwyd ar gyfer ei gyflenwi i'r defnyddiwr olaf, ei fod yn dwyn datganiad ar y pecyn sydd amdano, ar label sydd wedi'i gysylltu â'r pecyn sydd amdano, neu mewn dogfen sydd gydag ef, o bresenoldeb y canlynol a'r swm ohonynt sydd ynddo -

- (b) in the case of a fruit juice, a concentrated fruit juice, a fruit juice from concentrate or a dehydrated or powdered fruit juice which has been sweetened by the addition of sugars there is added to the reserved description for that product the word "sweetened" or the words "with added sugar", and such description or other name is followed by an indication (calculated as dry matter, and expressed in grams per litre) of the maximum quantity of sugar added;
- (c) in the case of a fruit juice, a concentrated fruit juice or a fruit juice from concentrate, to which there has been added pulp or cells other than, or in excess of, the pulp or cells originally extracted from that product, its labelling includes an indication of such addition;

(d) in the case of -

- (i) a mixture of fruit juice and fruit juice from concentrate and which is marked or labelled with the single reserved description "fruit juice" (or such other description as, in accordance with the conditions which preface Column 1 (reserved descriptions) of Schedule 1, is required in place of the description "fruit juice"), or
- (ii) a fruit nectar obtained partly from one or more concentrated products,

its labelling bears the words "partially made from concentrate" or, as the case may be, "partially made from concentrates", such words to appear close to the reserved description, in letters that are clearly visible and easily distinguished from the background against which they appear;

- (e) in the case of a fruit nectar obtained wholly from one or more concentrated products, its labelling bears the words "made with concentrate" or, as the case may be, "made with concentrates", such words to appear close to the reserved description, in letters that are clearly visible and easily distinguished from the background against which they appear;
- (f) in the case of a fruit nectar, its labelling bears an indication of the minimum amount of fruit juice, or fruit purée, or mixture of fruit juice and fruit purée, that it contains, with the words "fruit content :[x] % minimum" (there being substituted for "[x]" the appropriate figure) appearing in the same field of vision as the reserved description; and
- (g) in the case of a concentrated fruit juice not intended for delivery to the final consumer, it bears an indication on its packaging, on a label attached to its packaging, or in an accompanying document, of the presence and quantity in it of any -

- (i) siwgrau ychwanegol,
- (ii) sudd lemon ychwanegol, neu
- (iii) cyfryngau asideiddio fel a ganiateir gan Gyfarwyddeb 95/2/EC.

Dull marcio neu labelu

6. Bydd rheoliadau 35, 36(1) a (5) a 38 o Reoliadau 1996 (sy'n ymwneud â dull marcio neu labelu bwyd) yn gymwys i'r manylion y mae rheoliad 5 o'r Rheoliadau hyn yn ei gwneud yn ofynnol eu cynnwys wrth farcio neu labelu cynnyrch dynodedig fel pe baent yn fanylion y mae Rheoliadau 1996 yn ei gwneud yn ofynnol eu cynnwys wrth farcio neu labelu bwyd.

Cosbi a gorfodi

7.-(1) Bydd unrhyw berson sy'n mynd yn groes i reoliad 4 neu 5 yn euog o dramgwydd ac yn agored ar gollfarn ddiannod i ddirwy heb fod yn fwy na lefel 5 ar y raddfa safonol.

(2) Rhaid i bob awdurdod bwyd orfodi a gweithredu'r Rheoliadau hyn o fewn ei ardal.

Amddiffyniad mewn perthynas ag allforion

8. Mewn unrhyw achosion o dramgwydd o dan y Rheoliadau hyn bydd yn amddiffyniad i unrhyw berson a gyhuddir i brofi -

- (a) bod y bwyd yr honnir bod tramgwydd wedi'i gyflawni mewn perthynas ag ef wedi'i fwriadu ar gyfer ei allforio i wlad (heblaw Gwladwriaeth AEE) y mae ganddi ddeddfwriaeth gyfatebol i'r Rheoliadau hyn a bod y bwyd yn cydymffurfio â'r ddeddfwriaeth honno; a
- (b) yn achos allforio i Wladwriaeth AEE, bod y ddeddfwriaeth yn cydymffurfio â darpariaethau Cyfarwyddeb y Cyngor 2001/112/EC sy'n ymwneud â suddoedd ffrwythau a chynhyrchion penodol tebyg a fwriedir ar gyfer eu bwyta gan bobl(a).

Cymhwyso amryw o ddarpariaethau Deddf Diogelwch Bwyd 1990.

9. Bydd darpariaethau canlynol y Ddeddf yn gymwys ar gyfer dibenion y Rheoliadau hyn gyda'r addasiad y bydd unrhyw gyfeiriad yn y darpariaethau hynny at y Ddeddf neu Ran ohoni yn cael eu dehongli at ddibenion y Rheoliadau hyn fel cyfeiriad at y Rheoliadau hyn -

- (a) adran 2 (ystyr estynedig "sale" etc.);
- (b) adran 3 (rhagdybiaeth bod bwyd wedi'i fwriadu i bobl ei fwyta);
- (c) adran 20 (tramgwyddau oherwydd bai person arall);

(a) OJ Rhif L10, 12.1.2002, t.58, fel y'i mabwysiadwyd gan Benderfyniad Cyd-bwyllgor AEE 99/2002 (OJ Rhif L298, 31.10.2002, t.10).

- (i) added sugars,
- (ii) added lemon juice, or
- (iii) acidifying agents as permitted by Directive 95/2/EC.

Manner or marking or labelling

6. Regulations 35, 36(1) and (5) and 38 of the 1996 Regulations (which relate to the manner of marking or labelling of food) shall apply to the particulars with which a designated product is required to be marked or labelled by regulation 5 of these Regulations as if they were particulars with which food is required to be marked or labelled by the 1996 Regulations.

Penalties and enforcement

7.-(1) Any person who contravenes regulation 4 or 5 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) Each food authority shall enforce and execute these Regulations in its area.

Defence in relation to exports

8.-(1) In any proceedings for an offence under these Regulations it shall be a defence for the person accused to prove -

- (a) that the food in respect of which the offence is alleged to have been committed was intended for export to a country (other than an EEA State) which has legislation analogous to these Regulations and that the food complies with that legislation; and
- (b) in the case of export to an EEA State, that the legislation complies with the provisions of Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption(a).

Application of various provisions of the Food Safety Act 1990

9. The following provisions of the Act shall apply for the purposes of these Regulations with the modification that any reference in those provisions to the Act or Part thereof shall be construed for the purposes of these Regulations as a reference to these Regulations -

- (a) section 2 (extended meaning of "sale", etc.);
- (b) section 3 (presumption that food intended for human consumption);
- (c) section 20 (offences due to fault of another person);

(a) OJ No. L10, 12.1.2002, p.58, as adopted by EEA Joint Committee Decision 99/2002 (OJ No. L298, 31.10.2002, p.10).

- (ch) adran 21 (amddiffyniad diwydrwydd dyladwy) fel y mae'n gymwys at ddibenion adrannau 8, 14 neu 15 o'r Ddeddf;
- (d) adran 22 (amddiffyniad o gyhoeddi wrth gynnal busnes);
- (dd) adran 30(8) (sy'n ymwneud â thystiolaeth ddogfennol);
- (e) adran 33(1) (rhwystro swyddogion etc.);
- (f) adran 33(2), gyda'r addasiad y bernir bod y cyfeiriad at "any such requirement as is mentioned in subsection 1(b) above" yn gyfeiriad at unrhyw ofynion o'r fath a grybwyllir yn adran 33(1)(b) fel y'i cymhwysir gan is-baragraff (e);
- (ff) adran 35(1) (cosbi tramgwyddau), i'r graddau y mae'n ymwneud â thrangwyddau o dan adran 33(1) fel y'i cymhwysir gan is-baragraff (e);
- (g) adran 35(2) a (3), i'r graddau y mae'n ymwneud â thrangwyddau o dan adran 33(2) fel y'i cymhwysir gan is-baragraff (f);
- (ng) adran 36 (tramgwyddau gan gyrrff corfforaethol); a
- (h) adran 44 (amddiffyn swyddogion sy'n gweithredu'n ddidwyll).

- (d) section 21 (defence of due diligence) as it applies for the purposes of sections 8, 14 or 15 of the Act;
- (e) section 22 (defence of publication in the course of business);
- (f) section 30(8) (which relates to documentary evidence);
- (g) section 33(1) (obstruction etc. of officers);
- (h) section 33(2), with the modification that the reference to "any such requirement as is mentioned in subsection 1(b) above" shall be deemed to be a reference to any such requirement as is mentioned in section 33(1)(b) as applied by sub-paragraph (g);
- (i) section 35(1) (punishment of offences), insofar as it relates to offences under section 33(1) as applied by sub-paragraph (g);
- (j) section 35(2) and (3), insofar as it relates to offences under section 33(2) as applied by sub-paragraph (h);
- (k) section 36 (offences by bodies corporate); and
- (l) section 44 (protection of officers acting in good faith).

Diwygio a dirymu

10.-(1)

- (a) yn Rheoliadau Lliwiau mewn Bwyd 1995(a) (i'r graddau y maent yn gymwys i Gymru), yn eitem 17 o Atodlen 2, yn lle'r geiriau "Directive 93/77/EEC" rhodder y geiriau "Council Directive 2001/112/EC";
- (b) yn Rheoliadau Ychwanegion Bwyd Amrywiol 1995(b) (i'r graddau y maent yn gymwys i Gymru), yn Atodlen 7 -
 - (i) yn lle'r geiriau "Fruit juices and nectars as defined in Directive 93/77/EEC" rhodder y geiriau "Fruit juices and nectars as defined in Council Directive 2001/112/EC";
 - (ii) yn lle'r geiriau "Pineapple juice as defined in Directive 93/77/EEC" rhodder y geiriau "Pineapple juice as defined in Council Directive 2001/112/EC";
 - (iii) yn lle'r geiriau "Nectars as defined in Directive 93/77/EEC" rhodder y geiriau "Nectars as defined in Council Directive 2001/112/EC";

(a) O.S. 1995/3124, y mae diwygiadau eraill iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn.

(b) O.S. 1995/3187, y mae diwygiadau eraill iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn.

Amendments and revocations

10.-(1)

- (a) in the Colours in Food Regulations 1995(a) (insofar as they apply to Wales), in item 17 of Schedule 2, for the words "Directive 93/77/EEC" there shall be substituted the words "Council Directive 2001/112/EC";
- (b) in the Miscellaneous Food Additives Regulations 1995(b) (insofar as they apply to Wales), in Schedule 7 -
 - (i) for the words "Fruit juices and nectars as defined in Directive 93/77/EEC" there shall be substituted the words "Fruit juices and nectars as defined in Council Directive 2001/112/EC";
 - (ii) for the words "Pineapple juice as defined in Directive 93/77/EEC" there shall be substituted the words "Pineapple juice as defined in Council Directive 2001/112/EC";
 - (iii) for the words "Nectars as defined in Directive 93/77/EEC" there shall be substituted the words "Nectars as defined in Council Directive 2001/112/EC";

(a) S.I. 1995/3124, to which there are amendments not relevant to these Regulations.

(b) S.I. 1995/3187, to which there are amendments not relevant to these Regulations.

- (iv) yn lle'r geiriau "Grape juice as defined in Directive 93/77/EEC" rhodder y geiriau "Grape juice as defined in Council Directive 2001/112/EC";
- (v) yn lle'r geiriau "Fruit juices as defined in Directive 93/77/EEC" rhodder y geiriau "Fruit juices as defined in Council Directive 2001/112/EC".

(2) Yn narpariaethau'r Rheoliadau a bennir ym mharagraff (3) (ym mhob achos i'r graddau y maent yn gymwys i Gymru) dileer y cofnodion sy'n ymwneud â Rheoliadau Suddoedd Ffrwythau a Suddoedd Neithdar 1977(a).

(3) Dyma'r darpariaethau -

- (a) Atodlen 1 i Reoliadau Bwyd (Adolygu Cosbau) 1982(b);
- (b) Rhan I o'r Atodlen i Reoliadau Bwyd (Adolygu Cosbau) 1985(c);
- (c) Rhan I o Atodlen 1, Atodlen 2, Rhan I o Atodlen 3, Atodlen 6 ac Atodlen 12 i Orchymyn Deddf Diogelwch Bwyd 1990 (Darpariaethau Canlyniadol) (Cymru a Lloegr) 1990(ch);
- (ch) Rhan I o Atodlen 1 i Reoliadau Diogelwch Bwyd (Allforion) 1991(d);
- (d) Rhan I o'r Atodlen i Reoliadau Bwyd (Esemptiadau'r Lluoedd) (Dirymu) 1992(dd); ac
- (dd) Atodlen 9 i Reoliadau Ychwanegion Bwyd Amrywiol 1995(e).

(4) Dirymir y Rheoliadau canlynol drwy hyn (i'r graddau y maent yn gymwys i Gymru) -

- (a) Rheoliadau Suddoedd Ffrwythau a Neithdarau Ffrwythau 1977;
- (b) Rheoliadau Suddoedd Ffrwythau a Neithdarau Ffrwythau (Diwygio) 1982(f);
- (c) Rheoliadau Suddoedd Ffrwythau a Neithdarau Ffrwythau (Cymru, Lloegr a'r Alban) (Diwygio) 1991(ff);

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- (a) O.S. 1977/927.
 - (b) O.S.1982/1727.
 - (c) O.S.1985/67.
 - (ch) O.S.1990/2486.
 - (d) O.S.1991/1476.
 - (dd) O.S.1992/2596.
 - (e) O.S.1995/3187; y diwygiadau perthnasol yw O.S. 1997/1413, 1999/1136, 2001/1787(Cy. 128), 1440 (Cy. 102).
 - (f) O.S.1982/1311.
 - (ff) O.S.1991/1284

- (iv) for the words "Grape juice as defined in Directive 93/77/EEC" there shall be substituted the words "Grape juice as defined in Council Directive 2001/112/EC";
- (v) for the words "Fruit juices as defined in Directive 93/77/EEC" there shall be substituted the words "Fruit juices as defined in Council Directive 2001/112/EC".

(2) In the provisions of the Regulations specified in paragraph (3) (in each case insofar as they apply to Wales) the entries relating to the Fruit Juices and Fruit Nectars Regulations 1977(a) shall be deleted.

(3) The provisions are -

- (a) Schedule 1 to the Food (Revision of Penalties) Regulations 1982(b);
- (b) Part I of the Schedule to the Food (Revision of Penalties) Regulations 1985(c);
- (c) Part I of Schedule 1, Schedule 2, Part I of Schedule 3, Schedule 6 and Schedule 12 to the Food Safety Act 1990 (Consequential Provisions) (England and Wales) Order 1990(d);
- (d) Part I of Schedule 1 to the Food Safety (Exports) Regulations 1991(e);
- (e) Part I of the Schedule to the Food (Forces Exemptions) (Revocations) Regulations 1992(f); and
- (f) Schedule 9 to the Miscellaneous Food Additives Regulations 1995(g).

(4) The following Regulations are hereby revoked (insofar as they apply to Wales) -

- (a) the Fruit Juices and Fruit Nectars Regulations 1977;
- (b) the Fruit Juices and Fruit Nectars (Amendment) Regulations 1982(h);
- (c) the Fruit Juices and Fruit Nectars (England, Wales and Scotland) (Amendment) Regulations 1991(i);

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- (a) S.I. 1977/927.
 - (b) S.I. 1982/1727.
 - (c) S.I. 1985/67.
 - (d) S.I. 1990/2486.
 - (e) S.I. 1991/1476.
 - (f) S.I. 1992/2596.
 - (g) S.I. 1995/3187; relevant amendments are S.I. 1997/1413, 1999/1136, 2001/1787 (W. 128), 1440 (W. 102).
 - (h) S.I. 1982/1311.
 - (i) S.I. 1991/1284.

(ch) Rheoliadau Suddoedd Ffrwythau a Neithdarau Ffrwythau (Cymru, Lloegr a'r Alban) (Diwygio) 1995(a).

(d) the Fruit Juices and Fruit Nectars (England, Wales and Scotland) (Amendment) Regulations 1995(a).

Darpariaethau trosiannol

11. Mewn unrhyw achosion mewn perthynas â thrangwydd o dan reoliad 7 bydd yn amddiffyniad i'r person a gyhuddir brofi -

- (a) bod y bwyd dan sylw wedi'i farcio neu wedi'i labelu cyn 12 Gorffennaf 2004; a
- (b) na fyddai'r materion sy'n dramgwydd honedig wedi bod yn dramgwydd o dan Reoliadau Suddoedd Ffrwythau a Neithdarau Ffrwythau 1977 fel yr oeddynt yn union cyn dyddiad dod i rym y Rheoliadau hyn.

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

Transitional provision

11. In any proceedings for an offence under regulation 7 it shall be a defence for the person accused to prove that -

- (a) the food concerned was marked or labelled before 12th July 2004; and
- (b) the matters constituting the alleged offence would not have constituted an offence under the Fruit Juices and Fruit Nectars Regulations 1977 as they stood immediately before the date of coming into force of these Regulations.

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

26 Tachwedd 2003

26th November 2003

D. Elis-Thomas

Llywydd y Cynulliad

The Presiding Officer of the Assembly

(a) O.S.1995/236.

(b) 1998 p.38

(a) S.I. 1995/236.

(b) 1998 c.38.

ATODLEN 1

SCHEDULE 1

Rheoliad 2

Regulation 2

**DISGRIFIADAU NEILLTUEDIG AR
GYFER CYNHYRCHION DYNODEDIG**

**RESERVED DESCRIPTIONS FOR
DESIGNATED PRODUCTS**

Colofn 1	Colofn 2
Disgrifiadau Neilltuedig	Cynhyrchion Dynodedig
<p>Yn y disgrifiadau a restrir yn eitemau 1 i 5 isod -</p> <p>(a) os caiff y cynnyrch ei weithgynhyrchu o fath unigol o ffrwyth rhoddir enw'r ffrwyth hwnnw yn lle'r gair "fruit";</p> <p>(b) yn ddarostyngedig i amod (c), os caiff y cynnyrch ei weithgynhyrchu o ddau fath o ffrwyth neu fwy (ac eithrio'r defnydd o naill ai sudd lemon neu sudd lemon dwysedig neu'r ddau os yw hyn yn unol â'r awdurdodiad a ddisgrifir ym mharagraff 4 o Atodlen 3 ategir y disgrifiad neilltuedig gan enwau'r ffrwythau a ddefnyddir, mewn trefn ddisgynnol o'r cyfaint (wedi'i gyfrifo fel sudd neu biwrî dwysedig) o'r sudd neu'r piwrî a gynhwysir o bob un math o ffrwyth; ac</p> <p>(c) os yw'r cynnyrch wedi'i weithgynhyrchu o dri math o ffrwyth neu fwy, yna os nad ategwyd y</p>	

Column 1	Column 2
Reserved Descriptions	Designated Products
<p>In the descriptions listed in items 1 to 5 below -</p> <p>(a) if the product is manufactured from a single kind of fruit the name of that fruit shall be substituted for the word "fruit";</p> <p>(b) subject to condition (c), if the product is manufactured from two or more kinds of fruit (excluding the use of one or both of lemon juice or concentrated lemon juice where this is in accordance with the authorisation described in paragraph 4 of Schedule 3 the reserved description shall be supplemented by the names of the fruits used, in descending order of the volume (calculated as unconcentrated juice or purée) of the juice or purée included from each kind of fruit; and</p> <p>(c) if the product is manufactured from three or more kinds of fruit, then unless its reserved</p>	

Colofn 1	Colofn 2
Disgrifiadau Neilltuedig	Cynhyrchion Dynodedig
<p>disgrifiad neilltuedig fel y mae'n ofynnol gan amod (b) ategir ef, ar y llaw arall, gyda'r geiriau "several fruits" neu gan eiriau tebyg, neu gan y nifer o fathau o ffrwythau a ddefnyddiwyd.</p> <p>1. Fruit juice</p>	<p>Y cynnyrch eplesiadwy ond na chafodd ei eplesu a gafwyd o ffrwyth sy'n iach ac aeddfed, yn ffres neu wedi'i gadw drwy ei oeri, o un math neu fwy nag un math a gymysgwyd ynghyd, y mae ganddo hynodrwydd lliw, blas a chyflas nodweddiadol sudd y ffrwyth y daw ohono;</p> <p>y gellir adfer iddo gyflas, mwydion a chelloedd o'r sudd a wahanwyd yn ystod y prosesu yn ôl at yr un sudd;</p> <p>y mae'n rhaid bod y sudd, yn achos ffrwythau sitrws heblaw leimiau, yn dod o endocarp; ac</p> <p>yn achos leimiau, gellir cael y sudd o'r ffrwyth cyfan, drwy brosesau cynhyrchu addas y mae cyfrannedd cyfansoddol y rhan allanol o'r ffrwyth yn cael ei leihau i isafswm.</p>
<p>2. Concentrated fruit juice</p>	<p>Y cynnyrch a geir o sudd ffrwythau o un math neu fwy drwy dynnu'n ffisegol gyfran benodol o'i gynnwys dŵr. Os bwriedir y cynnyrch ar gyfer ei yfed neu ei fwyta'n uniongyrchol rhaid tynnu o leiaf 50% o gyfran y cynnwys dŵr.</p>
<p>3. Fruit juice from concentrate</p>	<p>Y cynnyrch a geir wrth roi yn ôl, mewn sudd ffrwythau dwysedig, ddŵr a echdynnwyd o'r sudd</p>

Column 1	Column 2
Reserved Descriptions	Designated Products
<p>description is supplemented as required by condition (b) it shall, in the alternative, be supplemented by the words "several fruits" or by similar wording, or by the number of the kinds of fruit used.</p> <p>1. Fruit juice</p>	<p>The fermentable but unfermented product obtained from fruit which is sound and ripe, fresh or preserved by chilling, of one or more kinds mixed together, having the characteristic colour, flavour and taste typical of the juice of the fruit from which it comes;</p> <p>in which flavour, pulp and cells from the juice which are separated during processing may be restored to the same juice;</p> <p>in which, in the case of citrus fruits other than limes, the juice must come from the endocarp; and</p> <p>in which, in the case of limes, the juice may be obtained from the whole fruit, by suitable production processes whereby the proportion of constituents of the outer part of the fruit is reduced to a minimum.</p>
<p>2. Concentrated fruit juice</p>	<p>The product obtained from fruit juice of one or more kinds by the physical removal of a specific proportion of its water content. Where the product is intended for direct consumption the proportion of water content removed must be at least 50%.</p>
<p>3. Fruit juice from concentrate</p>	<p>The product obtained by replacing, in concentrated fruit juice, water extracted from that juice during concentration, and by</p>

Colofn 1	Colofn 2
Disgrifiadau Neilltuedig	Cynhyrchion Dynodedig
	<p>hwnnw yn ystod y broses ddwyso, a thrwy adfer y cyflasau ac, os yw hynny'n briodol, y mwydion a'r celloedd a gollwyd o'r sudd ond a adferwyd yn ystod y broses o gynhyrchu'r sudd ffrwythau o dan sylw neu'r sudd ffrwythau o'r un math;</p> <p>y mae'n rhaid i'r dŵr a ychwanegwyd ddangos y nodweddion cemegol, microbiolegol, organoleptig ac, os ydynt yn briodol, nodweddion eraill a fydd yn gwarantu ansoddau hanfodol y suddoedd;</p> <p>a</p> <p>mae'n rhaid i'r cynnyrch ddangos nodweddion organoleptig a dadansoddol sydd o leiaf yn gyfartal â'r rhai hynny mewn math arferol o sudd ffrwythau a gafwyd o ffrwythau neu ffrwythau o'r un math.</p>
4. Dehydrated <i>neu</i> powdered fruit juice	Y cynnyrch a geir o sudd ffrwythau o un math neu fwy drwy dynnu'n ffisegol ei holl gynnwys dŵr.
5. Fruit nectar	<p>Cynnyrch eplesiadwy ond na chafodd ei eplesu a geir wrth ychwanegu dŵr (mewn swm nad yw'n fwy na 20% o gyfanswm pwysau'r cynnyrch gorffenedig) ac unrhyw un neu fwy o'r canlynol -</p> <p>(a) siwgrau, neu</p> <p>(b) melysyddion, neu</p> <p>(c) mêl,</p> <p>at -</p> <p>(i) sudd ffrwythau, neu</p> <p>(ii) sudd ffrwythau dwysedig, neu</p> <p>(iii) sudd ffrwythau o ddwysfwyd, neu</p> <p>(iv) sudd ffrwythau dadhydradedig, neu</p> <p>(v) sudd ffrwythau powdr, neu</p> <p>(vi) piwrî ffrwythau, neu</p>

Column 1	Column 2
Reserved Descriptions	Designated Products
	<p>restoring the flavours and, if appropriate, pulp and cells lost from the juice but recovered during the process of producing the fruit juice in question or fruit juice of the same kind;</p> <p>in which the water added must display such chemical, microbiological, organoleptic and, if appropriate, other characteristics as will guarantee the essential qualities of the juice; and</p> <p>the product must display organoleptic and analytical characteristics at least equivalent to those of an average type of fruit juice obtained from fruit or fruits of the same kind.</p>
4. Dehydrated <i>or</i> powdered fruit juice	The product obtained from fruit juice of one or more kinds by the physical removal of virtually all of its water content.
5. Fruit nectar	<p>The fermentable but unfermented product obtained by adding water and (in an amount not exceeding 20% of the total weight of the finished product) any one or more of -</p> <p>(a) sugars, or</p> <p>(b) sweeteners, or</p> <p>(c) honey,</p> <p>to -</p> <p>(i) fruit juice, or</p> <p>(ii) concentrated fruit juice, or</p> <p>(iii) fruit juice from concentrate, or</p> <p>(iv) dehydrated fruit juice, or</p> <p>(v) powdered fruit juice, or</p> <p>(vi) a fruit purée, or</p>

Colofn 1	Colofn 2
Disgrifiadau Neilltuedig	Cynhyrchion Dynodedig
	<p>(vii) at unrhyw gymysgedd o gynhyrchion yn (i) i (vi) uchod,</p> <p>ac mae'r cynnyrch hwnnw i fodloni safon isaf y gofynion ynghylch cynnwys (boed sudd ffrwythau, piwrî ffrwythau, neu gymysgedd o sudd o'r fath a phiwrî) a bennir yn Atodlen 4, ac os defnyddir melysyddion mae'r defnydd ohonynt hwy hefyd i fod yn unol â gofynion Cyfarwyddeb 94/35/EC Senedd Ewrop a'r Cyngor ar felysyddion ar gyfer eu defnyddio mewn bwydydd(a).</p> <p>Os un neu fwy o fricyll neu o ffrwythau a restrir yn Rhan II a III o Atodlen 4 yw'r math o ffrwyth a ddefnyddir, gellir gweithgynhyrchu'r cynnyrch heb ychwanegu unrhyw siwgrau, melysyddion neu fêl.</p>

Column 1	Column 2
Reserved Descriptions	Designated Products
	<p>(vii) to any mixture of products in (i) to (vi) above,</p> <p>such product to meet the minimum content requirement (as to fruit juice, fruit purée, or a mixture of such juice and purée) specified in Schedule 4, and where sweeteners are used their use is to be also in accordance with the requirements of Directive 94/35/EC of the European Parliament and of the Council on sweeteners for use in foodstuffs(a).</p> <p>Where the kind of fruit used is any one or more of apricots or the fruits listed in Part II and III of Schedule 4, the product may be manufactured without the addition of any sugars, sweeteners or honey.</p>

(a) OJ Rhif L237, 10.9.94, t.3, fel y'i diwygiwyd ddiwethaf gan Gyfarwyddeb 96/83/EC (OJ Rhif L48, 19.2.97, t.16).

(a) OJ No. L237, 10.9.94, p.3, as amended by Directive 96/83/EC (OJ No. L48, 19.2.97, p.16).

ATODLEN 2

SCHEDULE 2

Rheoliad 2(2)(a)

Regulation 2(2)(a)

DEUNYDDIAU CRAI A GANIATEIR WRTH BARATOI CYNHYRCHION DYNODEDIG

1. Ffrwythau, o unrhyw fath heblaw tomatos.
2. Piwrî ffrwythau, sef y cynnyrch eplesadwy ond heb ei eplesu a geir drwy hidlo'r rhan fwydadwy o'r ffrwyth cyfan neu'r ffrwyth wedi'i bilio heb dynnu'r sudd ohono.
3. Piwrî ffrwythau dwysedig, sef y cynnyrch a geir o'r pwrî ffrwythau drwy dynnu cyfran benodol o'i gynnwys dŵr.
4. Siwgrau, sef -
 - (a) wrth baratoi neithdar ffrwythau -
 - siwgrau fel y'u diffinnir yng Nghyfarwyddeb y Cyngor 2001/111/EC sy'n ymwneud â siwgrau penodol y bwriadwyd i bobl eu bwyta (a);
 - surop ffrwctos;
 - siwgrau sy'n deillio o ffrwythau;
 - (b) wrth baratoi sudd ffrwythau o ddwysfwyd -
 - siwgrau fel y'u diffinnir yng Nghyfarwyddeb 2001/111/EC a enwyd;
 - surop ffrwctos;
 - (c) wrth baratoi sudd ffrwythau -
 - unrhyw siwgr a ganiateir ym mharagraff (b) uchod o ran sudd ffrwythau o ddwysfwyd ar yr amod ei fod yn cynnwys llai na 2% o ddŵr.
5. Mêl, sef y cynnyrch a ddiffinnir fel "honey" yng Nghyfarwyddeb y Cyngor 2001/110/EC mewn perthynas â mêl(b).
6. Mwydion neu gelloedd, sef -
 - mewn perthynas â ffrwythau sitrws, y codennau sudd a geir o'r endocarp;
 - mewn perthynas ag unrhyw ffrwythau eraill, y cynhyrchion a geir o rannau bwydadwy o'r ffrwyth heb dynnu'r sudd ohonynt.

PERMITTED RAW MATERIALS IN PREPARATION OF DESIGNATED PRODUCTS

1. Fruit, of any kind other than tomatoes.
2. Fruit purée, being the fermentable but unfermented product obtained by sieving the edible part of whole or peeled fruit without removing the juice.
3. Concentrated fruit purée, being the product obtained from fruit purée by the removal of a specific proportion of its water content.
4. Sugars, being -
 - (a) in the preparation of fruit nectars -
 - sugars as defined in Council Directive 2001/111/EC relating to certain sugars intended for human consumption(a);
 - fructose syrup;
 - sugars derived from fruit;
 - (b) in the preparation of fruit juice from concentrate -
 - sugars as defined in the said Directive 2001/111/EC;
 - fructose syrup;
 - (c) in the preparation of fruit juice -
 - any sugar permitted in paragraph (b) above in respect of fruit juice from concentrate provided it contains less than 2% water.
5. Honey, being the product defined as "honey" in Council Directive 2001/110/EC relating to honey(b).
6. Pulp or cells, being -
 - in respect of citrus fruit, the juice sacs obtained from the endocarp;
 - in respect of any other fruit, the products obtained from the edible parts of the fruit without removing the juice.

(a) OJ Rhif L10, 12.1.2002, t.53.

(b) OJ Rhif L10, 12.1.2002, t.47.

(a) OJ No. L10, 12.1.2002, p.53.

(b) OJ No. L10, 12.1.2002, p.47.

ATODLEN 3

SCHEDULE 3

Rheoliad 2(2)(b)

Regulation 2(2)(b)

CYNHWYSION YCHWANEGOL A GANIATEIR MEWN CYNHYRCHION DYNODEDIG PENODOL

ADDITIONAL INGREDIENTS PERMITTED IN PARTICULAR DESIGNATED PRODUCTS

1. Ceir ychwanegu fitaminau a mwynau at unrhyw gynnyrch dynodedig.

2. Mewn sudd grawnwin ceir adfer halwynau o asidau tartarig.

3. At sudd ffrwythau, sudd ffrwythau dwysedig, sudd ffrwythau o ddwysfwyd, a sudd ffrwythau dadhydradedig neu bowdr, heblaw unrhyw sudd ffrwythau a baratowyd o rawnwin neu ellyg, ceir ychwanegu siwgrau -

(a) at ddibenion rheoleiddio blas asidig, mewn swm (a fynegir fel mater sych) nad yw'n fwy na 15g y litr o sudd;

(b) at ddibenion melysu, mewn swm (a fynegir fel mater sych) nad yw'n fwy na 150g y litr o sudd;

nid yw cyfanswm y siwgrau a ychwanegir felly at y naill ddiben neu'r llall i fod yn fwy na 150g y litr o sudd.

4. Mewn unrhyw gynnyrch dynodedig, at ddibenion rheoleiddio blas asidig, ceir ychwanegu -

(a) sudd lemon, neu

(b) sudd lemon dwysedig, neu

(c) sudd lemon a sudd lemon dwysedig ill dau,

(a fynegir fel asid sitrig anhydros), nid yw cyfanswm y sudd hwnnw a ychwanegir i fod yn fwy na 3g y litr o'r cynnyrch.

5. Mewn unrhyw gynnyrch dynodedig, ceir ychwanegu deuocsid carbon.

6. Mewn unrhyw gynnyrch dynodedig, ceir ychwanegu unrhyw sylwedd a ganiateir yn unol â Chyfarwyddeb y Cyngor 89/107/EEC ar gyd-ddynesiad cyfreithiau sy'n ymwneud ag ychwanegion bwyd yr awdurdodir eu defnyddio mewn bwydydd y bwriedir iddynt gael eu bwyta gan bobl(a).

1. Vitamins and minerals may be added to any designated product.

2. In grape juice, salts of tartaric acids may be restored.

3. In fruit juice, concentrated fruit juice, fruit juice from concentrate, and dehydrated or powdered fruit juice, other than any prepared from grapes or pears, sugars may be added -

(a) for the purpose of regulating acidic taste, in an amount (expressed as dry matter) not exceeding 15g per litre of the juice;

(b) for the purpose of sweetening, in an amount (expressed as dry matter) not exceeding 150g per litre of the juice,

the total amount of such added sugars for either purpose not to exceed 150g per litre of the juice.

4. In any designated product, for the purpose of regulating acidic taste -

(a) lemon juice, or

(b) concentrated lemon juice, or

(c) both lemon juice and concentrated lemon juice,

(expressed as anhydrous citric acid) may be added, the total amount of such added juice not to exceed 3g per litre of the product.

5. In any designated product, carbon dioxide may be added.

6. In any designated product, any substance permitted pursuant to Council Directive 89/107/EEC on the approximation of laws of Member States concerning food additives authorised for use in foodstuffs intended for human consumption(a) may be added.

(a) OJ Rhif L40, 11.2.1989, t.27.

(a) OJ No. L40, 11.2.1989, p.27.

TRINIAETHAU A GANIATEIR A SYLWEDDAU YCHWANEGOL

Triniaethau

1. Prosesau echdynnu mecanyddol.
2. Y prosesau ffisegol arferol (sef y rheiny a gynhwysir yn y disgrifiad hwnnw yn Atodiad I, Rhan II, pwynt 2, i Gyfarwyddeb y Cyngor 2001/112/EC sy'n ymwneud â suddoedd ffrwythau a chynhyrchion eraill tebyg a fwriedir ar gyfer eu bwyta gan bobl) a chan gynnwys, wrth gynhyrchu sudd ffrwythau dwysedig heblaw'r sudd a gynhyrchir o rawnwinn, echdynnu dŵr mewn-lein, neu dryledu rhannau bwytdwy o'r ffrwyth.
3. Wrth gynhyrchu sudd grawnwin pan sylffadwyd y grawnwin â deuocsid sylffwr, ddsylffadu drwy ddull ffisegol, ar yr amod nad yw cyfanswm y sudd grawnwin gorffenedig yn fwy na 10 mg y litr o sudd.

Sylweddau ychwanegol

4. Ensymau pectolytig.
5. Ensymau proteolytig.
6. Ensymau amylolytig.
7. Gelatin bwytdwy.
8. Taninau.
9. Bentonit.
10. Erogel silicon.
11. Siarcol.
12. Cyfryngau cynorthwyo hidlo a chyfryngau gwaddodi sy'n gemegol anadweithiol, gan gynnwys perlit, diatomit wedi'i olchi, seliwlos, polyamid annhoddadwy, polyfynilpolypyrolidon, a pholystyren, sy'n cydymffurfio â Chyfarwyddebau'r Gymuned ar ddeunyddiau a gwrthrychau y bwriedir iddynt ddod i gysylltiad â bwydydd(a).
13. Cymhorthion arsgugno cemegol anadweithiol sydd yn cydymffurfio â Chyfarwyddebau'r Gymuned a enwyd ac y defnyddir hwy i leihau cynnwys limonoid a naringin mewn sudd sitrws heb effeithio'n arwyddocaol ar gynnwys glwcosidau limonoisd, asid, siwgrau (gan gynnwys oligosacaridau) neu fwynau mewn sudd o'r fath.

PERMITTED TREATMENTS AND ADDITIONAL SUBSTANCES

Treatments

1. Mechanical extraction processes.
2. The usual physical processes (being those included in that description in Annex I, Part II, point 2, to Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption) and including, in the production of concentrated fruit juice other than that produced from grapes, in-line water extraction, or diffusion, of the edible parts of the fruit.
3. In the production of grape juice where sulfitation of the grapes with sulphur dioxide has been used, desulfitation by physical means, provided that the total quantity in the finished grape juice does not exceed 10 mg per litre of the juice.

Additional substances

4. Pectolytic enzymes.
5. Proteolytic enzymes.
6. Amylolytic enzymes.
7. Edible gelatine.
8. Tannins.
9. Bentonite.
10. Silicon aerogel.
11. Charcoal.
12. Chemically inert filtration adjuvant and precipitation agents, including perlite, washed diatomite, cellulose, insoluble polyamide, polyvinylpolypyrolidon and polystyrene, which comply with the Community Directives on materials and articles intended to come into contact with foodstuffs(a).
13. Chemically inert adsorption adjuvants which comply with the said Community Directives and which are used to reduce the limonoid and naringin content of citrus juice without significantly affecting the limonoid glucosides, acid, sugars (including oligosaccharides) or mineral content of such juice.

(a) Cyfarwyddeb y Cyngor 89/109/EEC ar gyd-ddynesiad cyfreithiau'r Aelod-wladwriaethau mewn perthynas â deunyddiau ac eitemau y bwriedir iddynt ddod i gyffyrddiad â bwydydd OJ Rhif L40, 11.2.1989 a Chyfarwyddeb y Comisiwn 2002/72/EC sy'n ymwneud â deunyddiau ac eitemau plastig y bwriedir iddynt ddod i gyffyrddiad â bwydydd OJ Rhif L220, 15.8.2002, t.18 yw'r Cyfarwyddebau.

(a) The Directives are Council Directive 89/109/EEC on the approximation of the laws of the Member States in relation to materials and articles intended to come into contact with foodstuffs OJ No. L40, 11.2.1989 and Commission Directive 2002/72/EC relating to plastic materials and articles intended to come into contact with foodstuffs OJ No. L220, 15.8.2002, p.18.

ATODLEN 5

SCHEDULE 5

Rheoliad 2(2)(e)

Regulation 2(2)(e)

**ISAFSWM CYNNWYS SUDD A PHIWRŪ
MEWN NEITHDARAU FFRWYTHAU**

**MINIMUM JUICE AND PUREE
CONTENT OF FRUIT NECTARS**

	Isafswm cynnwys sudd, piwrŪ neu sudd a phiwrŪ (% yn ôl cyfaint y cynnyrch gorffenedig)		Minimum juice, purée or juice and purée content (% by volume of finished product)
I. Neithdarau ffrwythau wedi'u gwneud o ffrwythau â sudd asidig annymunol yn eu cyflwr naturiol		I. Fruit nectars made from fruits with acidic juice unpalatable in the natural state	
Ffrwyth y dioddefaint	25	Passion fruit	25
Quito naranjillos	25	Quito naranjillos	25
Cyrains duon	25	Blackcurrants	25
Cyrains gwynion	25	Whitecurrants	25
Cyrains cochion	25	Redcurrants	25
Eirin Mair	30	Gooseberries	30
Aeron myrafnwydd	25	Sallow-thorn berries	25
Eirin tagu	30	Sloes	30
Eirin	30	Plums	30
Quetsches	30	Quetsches	30
Criafol	30	Rowanberries	30
Egroes	40	Rose hips	40
Ceirios sur	35	Sour cherries	35
Ceirios eraill	40	Other cherries	40
Llus	40	Bilberries	40
Eirin ysgaw	50	Elderberries	50
Mafon	40	Raspberries	40
Bricyll	40	Apricots	40
Mefus	40	Strawberries	40
Mwyar Mair/mwyar duon	40	Mulberries / blackberries	40

	Isafswm cynnwys sudd, piwrî neu sudd a phiwrî (% yn ôl cyfaint y cynnyrch gorffenedig)		Minimum juice, purée or juice and purée content (% by volume of finished product)
Llugaeron	30	Cranberries	30
Afalau cwins	50	Quinces	50
Lemonau a leimiau	25	Lemons and limes	25
Ffrwythau eraill sy'n perthyn i'r categori hwn	25	Other fruits belonging to this category	25
II. Neithdarau ffrwythau wedi'u gwneud o ffrwythau sy'n isel mewn asid, yn fwydiog neu'n annymunol iawn yn eu cyflwr naturiol		II. Fruit nectars made from low-acid, pulpy or highly flavoured fruits with juice unpalatable in the natural state	
Mangos	25	Mangoes	25
Bananas	25	Bananas	25
Gwafas	25	Guavas	25
Papaias	25	Papayas	25
Lytshis	25	Lychees	25
Azeroles (Merys Neapolitanaidd)	25	Azeroles (Neapolitan medlars)	25
Micasau sur	25	Soursop	25
Afalau cwstard	25	Bullock's heart or custard apple	25
Afalau siwgwr	25	Sugar apples	25
Pomgranadau	25	Pomegranates	25
Ffrwythau cashiw	25	Cashew fruits	25
Eirin Sbaen	25	Spanish plums	25
Wmbw	25	Umbu	25
Ffrwythau eraill sy'n perthyn i'r categori hwn		Other fruits belonging to this category	

	Isafswm cynnwys sudd, piwrî neu sudd a phiwrî (% yn ôl cyfaint y cynnyrch gorffenedig)
III. Neithdarau ffrwythau wedi'u gwneud o ffrwythau sy'n dymunol yn eu cyflwr naturiol	
Afalau	50
Gellyg	50
Eirin gwlanog	50
Ffrwythau sitrws heblaw lemonau a leimiau	50
Pinafalau	50
Ffrwythau eraill sy'n perthyn i'r categori hwn	50

Nodiadau:

1. Yn achos cynnyrch a gafodd ei baratoi o gymysgedd o fathau o ffrwythau, caiff yr Atodlen hon ei darllen fel pe bai'r isafsymiau a bennir ar gyfer yr amryw fathau o ffrwyth y sonnir amdanynt neu y cyfeirir atynt ynnddi yn cael eu lleihau yn gymesur â'r symiau cymharol o'r mathau o ffrwythau a ddefyddir.

	Minimum juice, purée or juice and purée content (% by volume of finished product)
III. Fruit nectars made from fruits with juice palatable in the natural state	
Apples	50
Pears	50
Peaches	50
Citrus fruits except lemons and limes	50
Pineapples	50
Other fruits belonging to this category	50

Notes:

1. In the case of a product prepared from a mixture of types of fruit, this Schedule shall be read as if the minimum quantities specified for the various types of fruit mentioned or referred to therein were reduced in proportion to the relative quantities of the types of fruit used.

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