



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2005 Rhif 3296 (Cy.254)

2005 No. 3296 (W.254)

BWYD, CYMRU

FOOD, WALES

**Rheoliadau Cynhyrchion Buchol
(Cyfyngu ar eu Rhoi ar y
Farchnad) (Cymru) (Rhif 2) 2005**

**The Bovine Products (Restriction
on Placing on the Market) (Wales)
(No. 2) Regulations 2005**

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 dirymu ac yn ailddeddfu gyda newidiadau penodol Rheoliadau Cynhyrchion Buchol (Cyfyngu ar eu Rhoi ar y Farchnad) (Cymru) 2005 (O.S. 2005/3501 (W.228) (Cy.228), a roes effaith o ran Cymru i Erthygl 1.1 o Benderfyniad y Comisiwn 2005/598/EC sy'n gwahardd rhoi ar y farchnad gynhyrchion sy'n dod o anifeiliaid buchol a anwyd neu a fagwyd o fewn y Deyrnas Unedig cyn 1 Awst 1996 at unrhyw ddiben ac sy'n esemptio'r anifeiliaid hynny rhag mesurau rheoli a difodi penodol a osodwyd yn Rheoliad (EC) Rhif 999/2001 (OJ Rhif L204, 5.8.2005, t.22). Wrth wneud hynny, mae'r Rheoliadau hyn yn sicrhau bod yr Erthygl honno yn parhau i fod yn effeithiol o ran Cymru. Mae dirymu Rheoliadau Cynhyrchion Buchol (Cyfyngu ar eu Rhoi ar y Farchnad) (Cymru) 2005 yn cael ei gyflawni gan reoliad 9 o'r Rheoliadau hyn.

2. Mae Erthygl 1.1 o Benderfyniad y Comisiwn 2005/598/EC yn darparu na chaniateir i gynhyrchion penodol sy'n dod o anifeiliaid buchol a anwyd neu a fagwyd o fewn y Deyrnas Unedig cyn 1 Awst 1996 gael eu rhoi ar y farchnad.

3. Rhoddir effaith bellach i'r gwaharddiad a gynhwysir yn Erthygl 1.1 o Benderfyniad y Comisiwn 2005/598/EC gan reoliad 3 o'r Rheoliadau hyn.

4. Mae'r newidiadau a gyflawnir gan y Rheoliadau hyn- nad ydynt yn berthnasol i'r gwaharddiad a gynhwysir yn Erthygl 1.1 o Benderfyniad y Comisiwn 2005/598/EC- yn angenrheidiol yng ngoleuni'r ffaith bod Rheoliadau Hylendid Bwyd (Cymru) 2005 (O.S. 2005/3292 (W.252) (Cy.252), sy'n darparu ar gyfer

1. These Regulations revoke and re-enact with certain changes the Bovine Products (Restriction on Placing on the Market) (Wales) Regulations 2005 (S.I. 2005/3501 (W.228) (Cy.228), which gave effect in relation to Wales to Article 1.1 of Commission Decision 2005/598/EC prohibiting the placing on the market of products derived from bovine animals born or reared within the United Kingdom before 1 August 1996 for any purpose and exempting such animals from certain control and eradication measures laid down in Regulation (EC) No. 999/2001 (OJ No. L204, 5.8.2005, p.22). In doing so, these Regulations ensure that that Article continues to have effect in relation to Wales. The revocation of the Bovine Products (Restriction on Placing on the Market) (Wales) Regulations 2005 is effected by regulation 9 of these Regulations.

2. Article 1.1 of Commission Decision 2005/598/EC provides that certain products derived from bovine animals born or reared within the United Kingdom before 1 August 1996 may not be placed on the market.

3. The prohibition contained in Article 1.1 of Commission Decision 2005/598/EC is now given effect by regulation 3 of these Regulations.

4. The changes effected by these Regulations- which are not relevant to the prohibition contained in Article 1.1 of Commission Decision 2005/598/EC- are necessary in the light of the coming into force of the Food Hygiene (Wales) Regulations 2005 (S.I. 2005/3292 (W.252) (Cy.252), which provide for the

gweithredu a gorfodi o ran Cymru offerynnau Cymunedol penodol ynghylch hylendid bwyd, yn dod i rym.

5. Mae'r Rheoliadau hyn hefyd-

- (a) yn cymhwyso gydag addasiadau ddarpariaethau penodol yn Neddf Diogelwch Bwyd 1990 (1990 p.16) at ddibenion y Rheoliadau hyn (rheoliad 4);
- (b) yn darparu ar gyfer arolygu cynhyrchion yr amheuir eu bod wedi'u rhoi ar y farchnad yn groes i reoliad 3 a chymryd meddiant o'r cynhyrchion hynny (rheoliad 5);
- (c) yn creu tramgwyddau a chosbau (rheoliad 6);
- (ch) yn gwneud darpariaeth ar gyfer eu gorfodi (rheoliad 7); a
- (d) yn gwneud diwygiad canlyniadol i Reoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) 1995 (O.S. 1995/614) i'r graddau y maent yn gymwys o ran Cymru (rheoliad 8).

6. Mae Arfarniad Rheoliadol llawn am yr effaith a gaiff y Rheoliadau hyn ar gostau busnes wedi'i baratoi a'i osod yn llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 11, Southgate House, Wood Street, Caerdydd, CF10 1EW.

execution and enforcement in relation to Wales of certain Community instruments relating to food hygiene.

5. These Regulations also-

- (a) apply with modifications certain provisions of the Food Safety Act 1990 (1990 c. 16) for the purposes of these Regulations (regulation 4);
- (b) provide for the inspection and seizure of products that are suspected of having been placed on the market in contravention of regulation 3 (regulation 5);
- (c) create offences and penalties (regulation 6);
- (d) make provision for their enforcement (regulation 7); and
- (e) make a consequential amendment to the Animal By-Products (Identification) Regulations 1995 (S.I. 1995/614) in so far as they apply in relation to Wales (regulation 8).

6. A full Regulatory Appraisal of the effect that these Regulations will have on the costs of business has been prepared and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.

2005 Rhif 3296 (Cy.254)**2005 No. 3296 (W.254)****BWYD, CYMRU****FOOD, WALES****Rheoliadau Cynhyrchion Buchol
(Cyfyngu ar eu Rhoi ar y
Farchnad) (Cymru) (Rhif 2) 2005****The Bovine Products (Restriction
on Placing on the Market) (Wales)
(No.2) Regulations 2005***Wedi'u gwneud* 30 Tachwedd 2005*Made* 30 November 2005*Yn dod i rym* 1 Ionawr 2006*Coming into force* 1 January 2006

Mae Cynulliad Cenedlaethol Cymru, gan ei fod wedi'i ddynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) o ran mesurau ym maes milfeddygaeth i ddiogelu iechyd y cyhoedd, drwy arfer y pwerau a roddwyd gan yr adran honno, ac ar ôl ymgynghoriad agored a thryloyw yn ystod y broses o baratoi'r Rheoliadau hyn, fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(4), fel y diwygiwyd y Rheoliad hwnnw ddiwethaf gan Reoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor(4), yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales, being designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to measures in the veterinary field for the protection of public health, in exercise of the powers conferred by that section, after open and transparent public consultation during the preparation of these Regulations as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council 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(3), as last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council(4), makes the following Regulations:

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Cynhyrchion Buchol (Cyfyngu ar eu Rhoi ar y Farchnad) (Cymru) (Rhif 2) 2005, maent yn gymwys o ran Cymru a deuant i rym ar 1 Ionawr 2006.

Title, application and commencement

1. The title of these Regulations is the Bovine Products (Restriction on Placing on the Market) (Wales) (No. 2) Regulations 2005, they apply in relation to Wales and come into force on 1 January 2006.

Dehongli

2.-(1) Yn y Rheoliadau hyn-

mae "anifail buchol" ("*bovine animal*") yn cynnwys-

(a) byfflo o rywogaeth *Bubalus bubalis*; a

Interpretation

2.-(1) In these Regulations-

"the Agency" ("*yr Asiantaeth*") means the Food Standards Agency;

"animal feed" ("*bwyd anifeiliaid*") and "human

(1) O.S. 2003/1246.

(2) 1972 p. 68.

(3) OJ Rhif L31, 1.2.2002, t.1. Diwygiwyd y Rheoliad hwnnw ddiwethaf gan Reoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor (OJ Rhif L245, 29.9.2003, t.4).

(4) OJ Rhif L245, 29.9.2003, t.4.

(1) S.I. 2003/1246.

(2) 1972 c. 68.

(3) OJ No. L31, 1.2.2002, p.1. That Regulation was last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (OJ No. L245, 29.9.2003, p.4).

(4) OJ No. L245, 29.9.2003, p.4.

(b) Bison bison;

ystyr "yr Asiantaeth" ("*the Agency*") yw'r Asiantaeth Safonau Bwyd;

mae i "awdurdod bwyd" yr ystyr y mae "*food authority*" yn ei ddwyn yn rhinwedd adran 5(1A) o Ddeddf Diogelwch Bwyd 1990(1);

ystyr "yr awdurdod gorfodi perthnasol" ("*the relevant enforcement authority*") yw'r corff y mae dyletswydd arno yn rhinwedd rheoliad 7 i weithredu a gorfodi'r Rheoliadau hyn;

ystyr "awdurdod iechyd porthladd" ("*port health authority*"), o ran unrhyw ddsbarth iechyd porthladd a sefydlwyd drwy orchymyn o dan adran 2(3) o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984(2), yw awdurdod iechyd porthladd ar gyfer y dosbarth hwnnw a sefydlwyd drwy orchymyn o dan adran 2(4) o'r Ddeddf honno;

mae i "bwyd anifeiliaid" a "bwyd i bobl" yr ystyrion y mae "*animal food*" a "*human food*" yn ôl eu trefn yn eu dwyn yn Rheoliad 999/2001;

ystyr "cig" ("*meat*") yw rhannau bwyttadwy anifail buchol gan gynnwys ei waed;

ystyr "cig ffres" ("*fresh meat*") yw cig nad yw wedi mynd drwy unrhyw broses breserfio (ac eithrio oeri, rhewi neu frysrewi) gan gynnwys cig a lapiwyd dan wactod neu a lapiwyd mewn awyrgylch a reolir;

mae i "Cyfarwyddeb 2004/41", "Penderfyniad 2005/598", "Rheoliad 999/2001", "Rheoliad 178/2002", "Rheoliad 852/2004", "Rheoliad 853/2004", "Rheoliad 854/2004", "Rheoliad 882/2004", "Rheoliad A", "Rheoliad B", "Rheoliad C", "Rheoliad D" a "Rheoliad E" ("*Decision 2005/598*", "*Directive 2004/41*", "*Regulation 999/2001*", "*Regulation 178/2002*", "*Regulation 852/2004*", "*Regulation 853/2004*", "*Regulation 854/2004*", "*Regulation 882/2004*", "*Regulation A*", "*Regulation B*", "*Regulation C*", "*Regulation D*" and "*Regulation E*") yr ystyrion a roddir iddynt yn ôl eu trefn yn yr Atodlen;

dehonglir "cynnyrch cig" yn unol â'r diffiniad o'r term "*meat products*" ym mhwynt 7.1 o Atodiad I i Reoliad 853/2004;

ystyr "cynorthwy-ydd swyddogol" ("*official auxiliary*") yw person sydd wedi cymhwyso yn unol â Rheoliad Rhif 854/2004 i weithredu yn rhinwedd y swyddogaeth honno, sydd wedi'i benodi gan yr Asiantaeth ac sy'n gweithio o dan awdurdod a chyfrifoldeb milfeddyg swyddogol;

dehonglir "deunydd" a "cynnyrch" yn ôl eu trefn yn unol â'r ystyrion y mae "*materials*" a "*products*" yn eu dwyn ym Mhenderfyniad 2005/598;

food" ("*bwyd i bobl*") have the meanings that they respectively bear in Regulation 999/2001;

"authorised officer" ("*swyddog awdurdodedig*"), in relation to the relevant enforcement authority, means any person (whether or not an officer of the authority) who is authorised by it in writing, either generally or specially, to act in matters arising under these Regulations and in relation to-

- (a) a slaughterhouse,
- (b) a cutting plant,
- (c) an establishment to which Chapter I of Section V of Annex III to Regulation 853/2004 applies, and
- (d) an establishment at which meat products are produced,

includes an official veterinarian and an official auxiliary;

"bovine animal" ("*anifail buchol*") includes-

- (a) buffalo of the species *Bubalus bubalis*; and
- (b) Bison bison;

"cutting plant" ("*safle torri*") means an establishment which is used for boning and/or cutting up fresh meat for placing on the market as defined in Article 3.8 of Regulation 178/2002 and which-

- (a) is approved or conditionally approved under Article 31.2 of Regulation 882/2004; or
- (b) (although lacking the approval or conditional approval that it requires under Article 4.3 of Regulation 853/2004) was, on 31 December 2005, operating as licensed cutting premises under the Fresh Meat (Hygiene and Inspection) Regulations 1995(1);

"cutting up" ("*torri*") has the meaning that it bears in Regulation 853/2004;

"Decision 2005/598", "Directive 2004/41", "Regulation 999/2001", "Regulation 178/2002", "Regulation 852/2004", "Regulation 853/2004", "Regulation 854/2004", "Regulation 882/2004", "Regulation A", "Regulation B", "Regulation C", "Regulation D" and "Regulation E" ("*Cyfarwyddeb 2004/41*", "*Penderfyniad 2005/98*", "*Rheoliad 999/2001*", "*Rheoliad 178/2002*", "*Rheoliad 852/2004*", "*Rheoliad 853/2004*", "*Rheoliad 854/2004*", "*Rheoliad 882/2004*", "*Rheoliad A*", "*Rheoliad B*", "*Rheoliad C*", "*Rheoliad D*" a "*Rheoliad E*") have the meanings respectively given to them in the Schedule;

"establishment" ("*sefydliad*") has the meaning given in Article 2.1(c) of Regulation No. 852/2004;

(1) 1990 p.16.

(2) 1984 p.22.

(1) S.I. 1995/539, revoked with effect from 1 January 2006 by S.I. 2005/2059.

mae i "gwrteithiau" yr ystyr a roddir i "fertilisers" yn Erthygl 3.1(k) o Reoliad 999/2001;

ystyr "lladd-dy" ("*slaughterhouse*") yw sefydliad a ddefnyddir ar gyfer cigyddia a thrin anifeiliaid buchol, y bwriedir defnyddio eu cig ar gyfer ei fwyta gan bobl ac-

- (a) sydd wedi'i gymeradwyo neu wedi'i gymeradwyo'n amodol o dan Erthygl 31.2 o Reoliad 882/2004; neu
- (b) a oedd (er ei fod heb y gymeradwyaeth neu'r gymeradwyaeth amodol y mae ei hangen arno o dan Erthygl 4.3 o Reoliad 853/2004) yn gweithredu ar 31 Rhagfyr 2005 fel lladd-dy trwyddedig o dan Reoliadau Cig Ffres (Hylendid ac Arolygu) 1995.

ystyr "milfeddyg swyddogol" ("*official veterinarian*") yw milfeddyg sydd wedi cymhwyso yn unol â Rheoliad 854/2004 i weithredu yn rhinwedd y swyddogaeth honno ac sydd wedi'i benodi gan yr Asiantaeth;

ystyr "rhoi ar y farchnad" ("*place on the market*") yw gwerthu, cyflenwi mewn unrhyw ffordd arall am dâl neu'n ddi-dâl a storio gyda golwg ar gyflenwi am dâl neu'n ddi-dâl;

ystyr "safle torri" yw sefydliad sy'n cael ei ddefnyddio i dynnu esgryn a/neu dorri cig ffres i'w roi ar y farchnad, fel y diffinnir "*cutting plant*" yn Erthygl 3.8 o Reoliad 178/2002 ac-

- (a) sydd wedi'i gymeradwyo neu wedi'i gymeradwyo'n amodol o dan Erthygl 31.2 o Reoliad 882/2004; neu
- (b) a oedd (er ei fod heb y gymeradwyaeth neu'r gymeradwyaeth amodol y mae ei hangen arno o dan Erthygl 4.3 o Reoliad 853/2004) yn gweithredu ar 31 Rhagfyr 2005 fel mangre dorri drwyddedig o dan Reoliadau Cig Ffres (Hylendid ac Arolygu) 1995(1);

mae i "sefydliad" yr ystyr a roddir i "*establishment*" yn Erthygl 2.1(c) o Reoliad Rhif 852/2004;

ystyr "swyddog awdurdodedig" ("*authorised officer*"), o ran yr awdurdod gorfodi perthnasol, yw unrhyw berson (boed yn swyddog i'r awdurdod neu beidio) sydd wedi'i awdurdodi'n ysgrifenedig ganddo, naill ai'n gyffredinol neu'n arbennig, i weithredu mewn materion sy'n codi o dan y Rheoliadau hyn ac o ran-

- (a) lladd-dy,
- (b) safle torri,
- (c) sefydliad y mae Pennod I o Adran V o Atodiad III i Reoliad 853/2004 yn gymwys iddo, ac
- (ch) sefydliad lle mae cynhyrchion cig yn cael eu cynhyrchu,

"fertilisers" ("*gwrteithiau*") has the meaning given to it in Article 3.1(k) of Regulation 999/2001;

"food authority" ("*awdurdod bwyd*") has the meaning that it bears by virtue of section 5(1A) of the Food Safety Act 1990(1);

"fresh meat" ("*cig ffres*") means meat that has not undergone any preserving process (other than chilling, freezing or quick-freezing) including meat that is vacuum-wrapped or wrapped in a controlled atmosphere;

"material" ("*deunydd*") and "product" ("*cynnyrch*") are respectively construed in accordance with the meanings that "materials" and "products" bear in Decision 2005/598;

"meat" ("*cig*") means edible parts of a bovine animal including its blood;

"meat product" ("*cynnyrch cig*") is construed in accordance with the definition of the term "meat products" in point 7.1 of Annex I to Regulation 853/2004;

"official auxiliary" ("*cynorthwy-ydd swyddogol*") means a person who is qualified in accordance with Regulation (EC) No. 854/2004 to act in such a capacity, is appointed by the Agency and works under the authority and responsibility of an official veterinarian;

"official veterinarian" ("*milfeddyg swyddogol*") means a veterinarian who is qualified in accordance with Regulation 854/2004 to act in such a capacity and is appointed by the Agency;

"place on the market" ("*rhoi ar y farchnad*") means sell, supply in any other way against payment or free of charge and store with a view to supply against payment or free of charge and "placed on the market" is construed accordingly;

"port health authority" ("*awdurdod iechyd porthladd*") means in relation to any port health district constituted by order under section 2(3) of the Public Health (Control of Disease) Act 1984(2), a port health authority for that district constituted by order under section 2(4) of that Act;

"the relevant enforcement authority" ("*yr awdurdod gorfodi perthnasol*") means the body which by virtue of regulation 7 has the duty of executing and enforcing these Regulations; and

"slaughterhouse" ("*lladd-dy*") means an establishment used for slaughtering and dressing bovine animals, the meat of which is intended for human consumption and which-

- (a) is approved or conditionally approved under Article 31.2 of Regulation 882/2004; or

(1) O.S. 1995/539, a ddirymwyd o 1 Ionawr 2006 ymlaen gan O.S. 2005/2059.

(1) 1990. c. 16.

(2) 1984 c.22.

mae'n cynnwys milfeddyg swyddogol a chynorthwydd swyddogol; ac

mae i "torri" yr ystyr y mae "*cutting up*" yn ei ddwyn yn Rheoliad 853/2004.

(2) Mae unrhyw gyfeiriad yn y Rheoliadau hyn at awdurdod bwyd yn cynnwys cyfeiriad at awdurdod iechyd porthladd, ac yng nghyd-destun cyfeiriad o'r fath mae unrhyw gyfeiriad at ardal awdurdod bwyd yn gyfeiriad at ddsbarth awdurdod iechyd porthladd

Gwaharddiad ar roi ar y farchnad gynhyrchion penodol sy'n dod o anifeiliaid buchol hŷn

3.-(1) Yn ddarostyngedig i baragraff (2), ni chaiff neb roi ar y farchnad ar gyfer ei fwyta gan bobl unrhyw gynnyrch-

- (a) sy'n cynnwys neu'n ymgorffori cynnyrch sy'n dod o anifail buchol a anwyd neu a fagwyd yn y Deyrnas Unedig cyn 1 Awst 1996; a
- (b) y bwriedir ei ddefnyddio mewn bwyd i bobl, bwyd anifeiliaid neu wrteithiau.

(2) Nid oes dim ym mharagraff (1) yn atal llaeth sy'n dod o anifail buchol a anwyd neu a fagwyd yn y Deyrnas Unedig cyn 1 Awst 1996 rhag cael ei roi ar y farchnad.

Cymhwyso darpariaethau amrywiol Deddf Diogelwch Bwyd 1990

4. Mae darpariaethau canlynol Deddf Diogelwch Bwyd 1990(1) yn gymwys at ddibenion y Rheoliadau hyn gyda'r addasiad bod unrhyw gyfeiriad yn y darpariaethau hynny at y Ddeddf honno neu Ran ohoni yn cael ei ddehongli fel cyfeiriad at y Rheoliadau hyn-

- (a) adran 20 (tramgwyddau oherwydd bai person arall);
- (b) adran 21 (amddiffyniad diwydrwydd dyladwy)(2) gyda'r addasiadau bod is-adranau (2) i (4) yn gymwys mewn perthynas â thrangwydd o dan reoliad 6(1) fel y bôn yn gymwys mewn perthynas â thrangwydd o dan adran 14 neu 15 a bod y cyfeiriadau yn is-adran (4)(b) at "sale or intended sale" yn cael eu cyfrif yn gyfeiriadau at "placing on the market" fel y'i diffinnir yn Erthygl 3.1(b) o Reoliad 999/2001;
- (c) adran 32 (pwerau mynediad);
- (ch) adran 33(1) (rhwystro etc. swyddogion);
- (d) 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 ofyniad a grybwyllir yn adran 33(1)(b) fel y'i cymhwysir gan is-baragraff (ch);

(1) 1990 p. 16.

(2) Diwygiwyd adran 21 gan O.S. 2004/3279.

(b) (although lacking the approval or conditional approval that it requires under Article 4.3 of Regulation 853/2004) was, on 31 December 2005, operating as a licensed slaughterhouse under the Fresh Meat (Hygiene and Inspection) Regulations 1995.

(2) Any reference in these Regulations to a food authority includes a reference to a port health authority and in the context of such a reference any reference to a food authority's area includes a reference to a port health authority's district.

Prohibition on placing on the market of certain products derived from older bovine animals

3.-(1) Subject to paragraph (2), no person may place on the market for human consumption any product-

- (a) consisting or incorporating product derived from a bovine animal born or reared within the United Kingdom before 1 August 1996; and
- (b) intended for use in human food, animal feed or fertilisers.

(2) Nothing in paragraph (1) prevents milk derived from a bovine animal born or reared within the United Kingdom before 1 August 1996 from being placed on the market.

Application of various provisions of the Food Safety Act 1990

4. The following provisions of the Food Safety Act 1990(1) apply for the purposes of these Regulations with the modification that any reference in those provisions to that Act or Part thereof is construed as a reference to these Regulations-

- (a) section 20 (offences due to fault of another person);
- (b) section 21 (defence of due diligence)(2) with the modifications that subsections (2) to (4) apply in relation to an offence under regulation 6(1) as they apply in relation to an offence under section 14 or 15 and that in subsection (4)(b) the references to "sale or intended sale" are deemed to be references to "placing on the market" as defined in Article 3.1(b) of Regulation 999/2001;
- (c) section 32 (powers of entry);
- (d) section 33(1) (obstruction etc. of officers);
- (e) section 33(2), with the modification that the reference to "any such requirement as is mentioned in subsection 1(b) above" are deemed to be a reference to any such requirement as is mentioned in section 33(1)(b) as applied by sub-paragraph (d);

(1) 1990 c. 16.

(2) Section 21 was amended by S.I. 2004/3279.

- (dd) adran 35(1) (cosbi tramgwyddau)(1), i'r graddau y mae'n ymwneud â thramgwyddau o dan adran 33(1) fel y'i cymhwysir gan is-baragraff (ch);
- (e) adran 35(2) a (3)(2) i'r graddau y mae'n ymwneud â thramgwyddau o dan adran 33(2) fel y'i cymhwysir gan is-baragraff (d);
- (f) adran 36 (tramgwyddau gan gyrff corfforaethol);
- (ff) adran 36A (tramgwyddau gan bartneriaethau Albanaidd)(3); ac
- (g) adran 44 (amddiffyn swyddogion sy'n gweithredu'n ddiwyll) gyda'r addasiad bod y cyfeiriadau at "food authority" yn cael eu cyfrif yn gyfeiriadau at yr awdurdod gorfodi perthnasol.

- (f) section 35(1) (punishment of offences)(1), in so far as it relates to offences under section 33(1) as applied by sub-paragraph (d);
- (g) section 35(2) and (3)(2), in so far as it relates to offences under section 33(2) as applied by sub-paragraph (e);
- (h) section 36 (offences by bodies corporate);
- (i) section 36A (offences by Scottish partnerships)(3); and
- (j) section 44 (protection of officers acting in good faith) with the modification that the references to "food authority" are deemed to be references to the relevant enforcement authority.

Arolygu cynhyrchion a chymryd meddiant ohonynt

5.-(1) Caiff swyddog awdurdodedig i'r awdurdod gorfodi perthnasol arolygu ar bob adeg resymol unrhyw gynnyrch sydd wedi'i roi ar y farchnad a bydd paragraffau (2) i (7) yn gymwys pan fo'n ymddangos i'r swyddog awdurdodedig, ar ôl cyflawni'r arolygiad hwnnw neu am unrhyw achos rhesymol arall, fod unrhyw berson wedi methu â chydymffurfio â rheoliad 3 o ran unrhyw gynnyrch.

(2) Caiff y swyddog awdurdodedig naill ai-

- (a) rhoi i'r person sydd â gofal dros y cynnyrch hysbysiad sy'n datgan mai hyd nes y tynnir yr hysbysiad yn ôl, nad yw'r cynnyrch nac unrhyw gyfran benodedig ohono-
 - (i) i'w roi ar y farchnad ymhellach i'w ddefnyddio mewn bwyd i bobl, bwyd anifeiliaid na gwrteithiau, a
 - (ii) naill ai i beidio â chael ei symud oddi yno neu i beidio â chael ei symud oddi yno ac eithrio i rywle a bennir yn yr hysbysiad; neu
- (b) cymryd y cynnyrch i'w feddiant a'i symud oddi yno er mwyn trefnu bod ynad heddwch yn ymdrin â'r cynnyrch hwnnw.

(3) Pan fo'r swyddog awdurdodedig yn arfer y pŵer a roddwyd gan baragraff (2)(a), rhaid i'r swyddog hwnnw, cyn gynted ag y bo'n rhesymol ymarferol a sut bynnag o fewn 21 niwrnod, benderfynu a yw wedi'i fodloni neu heb ei fodloni y cydymffurfiwyd â rheoliad 3 mewn perthynas â'r cynnyrch ac-

Inspection and seizure of suspected products

5.-(1) An authorised officer of the relevant enforcement authority may at all reasonable times inspect any product which has been placed on the market and paragraphs (2) to (7) will apply where, on such an inspection or for any other reasonable cause, it appears to the authorised officer that any person has failed to comply with regulation 3 in relation to any product.

(2) The authorised officer may either-

- (a) give notice to the person in charge of the product that, until the notice is withdrawn, the product or any specified portion of it-
 - (i) is not to be further placed on the market for use in human food, animal feed or fertilisers, and
 - (ii) either is not to be removed or is not to be removed except to some place specified in the notice; or
- (b) seize the product and remove it in order to have it dealt with by a justice of the peace.

(3) Where the authorised officer exercises the power conferred by paragraph (2)(a), that officer must, as soon as is reasonably practicable and in any event within 21 days, determine whether or not he or she is satisfied that regulation 3 has been complied with in relation to the product and-

(1) Diwygir adran 35(1) gan Ddeddf Cyfiawnder Troseddol 2003 (2003 p. 44), Atodlen 26, paragraff 42, o ddyddiad sydd i'w bennu.
 (2) Diwygiwyd adran 35(3) gan O.S. 2004/3279.
 (3) Mewnosodwyd adran 36A gan Ddeddf Safonau Bwyd 1999 (1999 p. 28), Atodlen 5, paragraff 16.

(1) Section 35(1) is amended by the Criminal Justice Act 2003 (2003 c. 44), Schedule 26, paragraph 42, from a date to be appointed.
 (2) Section 35(3) was amended by S.I. 2004/3279.
 (3) Section 36A was inserted by the Food Standards Act 1999 (1999 c. 28), Schedule 5, paragraph 16.

- (a) os yw wedi'i fodloni felly, tynnu'r hysbysiad yn ôl ar unwaith; a
- (b) os nad yw wedi'i fodloni felly, cymryd y cig i'w feddiant a'i symud oddi yno er mwyn trefnu bod ynad heddwch yn ymdrin â'r cig hwnnw.

(4) Pan fo swyddog awdurdodedig yn arfer y pŵer a roddwyd gan baragraff (2)(b) neu (3)(b), rhaid iddo hysbysu'r person sydd â gofal dros y cynnyrch o'i fwriad i drefnu bod ynad heddwch yn ymdrin â'r cynnyrch hwnnw ac-

- (a) bydd gan unrhyw berson a allai fod yn agored o dan reoliad 3 i erlyniad mewn cysylltiad â'r cynnyrch, os bydd y person hwnnw yn dod gerbron yr ynad heddwch y mae'n dod i'w ran i ymdrin â'r cynnyrch, hawl i gael gwrandawriad ac i alw tystion; a
- (b) caniateir, ond nid oes rhaid, i'r ynad heddwch hwnnw fod yn aelod o'r llys y cyhuddir unrhyw berson ger ei fron o dramgwydd o dan yr adran honno mewn perthynas â'r cynnyrch hwnnw.

(5) Os yw'n ymddangos i ynad heddwch, ar sail y dystiolaeth y mae'n ei hystyried yn briodol o dan yr amgylchiadau, fod methiant i gydymffurfio â rheoliad 3 wedi bod mewn cysylltiad ag unrhyw gynnyrch y mae'n dod i'w ran i ymdrin ag ef o dan y rheoliad hwn, rhaid iddo gondemnio'r cynnyrch a gorchymyn-

- (a) i'r cynnyrch gael ei ddistrywio neu ei waredu yn y fath fodd ag i'w atal rhag cael ei roi ymhellach ar y farchnad i'w ddefnyddio mewn bwyd i bobl, bwyd anifeiliaid neu wrteithiau; a
- (b) i unrhyw dreuliau a dynnwyd yn rhesymol mewn cysylltiad â'r distrywio neu'r gwaredu gael eu talu gan berchennog y cynnyrch.

(6) Os tynnir hysbysiad o dan baragraff (2)(a) yn ôl, neu os bydd yr ynad heddwch, y mae'n dod i'w ran i ymdrin ag unrhyw gynnyrch o dan y rheoliad hwn, yn gwrthod ei gondemnio, rhaid i'r awdurdod gorfodi perthnasol dalu iawndal i berchennog y cynnyrch am unrhyw ddibrisiant yn ei werth sy'n ganlyniad i'r camau a gymerwyd gan y swyddog awdurdodedig.

(7) Rhaid i unrhyw gwestiwn sy'n destun dadl ynglŷn â hawl i gael unrhyw iawndal neu ynglŷn â swm unrhyw iawndal sy'n daladwy o dan baragraff (6) gael ei benderfynu drwy gymrodeddu.

Tramgwyddau a chosbau

6.-(1) Bydd unrhyw berson sy'n mynd yn groes i reoliad 3 neu'n mynd yn groes, gan wybod hynny, i ofnyion hysbysiad a roddir o dan baragraff (2)(a) o reoliad 5 yn euog o dramgwydd.

(2) Bydd unrhyw berson sy'n euog o dramgwydd o dan y rheoliad hwn yn agored-

- (a) o'i gollfarnu'n ddiannod, i ddirwy heb fod yn

- (a) if so satisfied, forthwith withdraw the notice; and
- (b) if not so satisfied, seize the product and remove it in order to have it dealt with by a justice of the peace.

(4) Where an authorised officer exercises the power conferred by paragraph (2)(b) or (3)(b), he or she must inform the person in charge of the product of his or her intention to have it dealt with by a justice of the peace and-

- (a) any person who under regulation 3 might be liable to a prosecution in respect of the product will, if that person attends before the justice of the peace by whom the product falls to be dealt with, be entitled to be heard and to call witnesses; and
- (b) that justice of the peace may, but need not, be a member of the court before which any person is charged with an offence under that section in relation to that product.

(5) If it appears to a justice of the peace, on the basis of such evidence as he or she considers appropriate in the circumstances, that there has been a failure to comply with regulation 3 in relation to any product falling to be dealt with by him or her under this regulation, he or she must condemn the product and order-

- (a) the product to be destroyed or to be so disposed of as to prevent it from being further placed on the market for use in human food, animal feed or fertilisers; and
- (b) any expenses reasonably incurred in connection with the destruction or disposal to be defrayed by the owner of the product.

(6) If a notice under paragraph (2)(a) is withdrawn, or the justice of the peace by whom any product falls to be dealt with under this regulation refuses to condemn it, the relevant enforcement authority must compensate the owner of the product for any depreciation in its value resulting from the action taken by the authorised officer.

(7) Any disputed question as to the right to or the amount of any compensation payable under paragraph (6) is determinable by arbitration.

Offences and penalties

6.-(1) Any person who contravenes regulation 3 or knowingly contravenes the requirements of a notice given under paragraph (2)(a) of regulation 5 will be guilty of an offence.

(2) Any person guilty of an offence under this regulation will be liable-

- (a) on summary conviction, to a fine not

uwch na'r uchafswm statudol neu i garchariad am gyfnod nad yw'n hwy na thri mis neu i'r ddau; neu

- (b) o'i gollfarnu ar dditiad, i ddirwy neu i garchariad am gyfnod nad yw'n hwy na dwy flynedd, neu i'r ddau.

(3) Ni chaniateir cychwyn erlyniad am dramgwydd sy'n cynnwys mynd yn groes i reoliad 3 neu fynd yn groes, gan wybod hynny, i ofynion hysbysiad a roddwyd o dan baragraff (2)(a) o reoliad 5 ar ôl i'r naill neu'r llall o'r cyfnodau canlynol ddod i ben-

- (a) tair blynedd o ddyddiad cyflawni'r tramgwydd; neu
(b) blwyddyn o ddyddiad ei ddarganfod gan yr erlynydd,

p'un bynnag yw'r cynharaf.

Gorfodi

7. Rhaid i'r Rheoliadau hyn gael eu gweithredu a'u gorfodi-

- (a) mewn lladd-dy neu safle torri sy'n rhoi cig ffres ar y farchnad, gan yr Asiantaeth; a
(b) mewn unrhyw fangre arall, gan yr awdurdod bwyd y mae'r fangre wedi'i lleoli yn ei ardal.

Diwygio Rheoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) 1995

8. Yn lle paragraff (3) o reoliad 3 (ystyr sgil-gynnyrch anifail) o Reoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) 1995(1) i'r graddau y mae'n gymwys o ran Cymru rhodder y paragraff canlynol-

"(3) In these Regulations the definition of "animal by-product" includes-

- (a) any product subject to the prohibition imposed by regulation 3 of the Bovine Products (Restriction on Placing on the Market) (Wales) (No. 2) Regulations 2005; and
(b) any bovine carcase or body part in respect of which a direction for disposal has been given under regulation 10A(5) of the TSE (Wales) Regulations 2002(2)."

exceeding the statutory maximum or to imprisonment for a term not exceeding three months or to both; or

- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

(3) No prosecution for an offence consisting of a contravention of regulation 3 or of knowingly contravening the requirements of a notice given under paragraph (2)(a) of regulation 5 may be begun after the expiry of-

- (a) three years from the commission of the offence; or
(b) one year from its discovery by the prosecutor,

whichever is the earlier.

Enforcement

7. These Regulations must be executed and enforced-

- (a) in a slaughterhouse or cutting plant placing fresh meat on the market, by the Agency; and
(b) in any other premises, by the food authority in whose area the premises are situated.

Amendment of the Animal By-Products (Identification) Regulations 1995

8. For paragraph (3) of regulation 3 (meaning of animal by-product) of the Animal By-Products (Identification) Regulations 1995 (1) so far as it applies to Wales there is substituted the following paragraph-

"(3) In these Regulations the definition of "animal by-product" includes-

- (a) any product subject to the prohibition imposed by regulation 3 of the Bovine Products (Restriction on Placing on the Market) (Wales) (No. 2) Regulations 2005; and
(b) any bovine carcase or body part in respect of which a direction for disposal has been given under regulation 10A(5) of the TSE (Wales) Regulations 2002(2)."

(1) O.S. 1995/614, a ddiwygiwyd gan O.S. 1995/1955, O.S. 1996/3124, O.S. 1997/2073, O.S. 2000/656, O.S. 2002/1472 (Cy.146), O.S. 2003/1849 (Cy.199) ac O.S. 2005/3292 (Cy.252).

(2) O.S. 2002/1416 (Cy.141), a ddiwygiwyd gan O.S. 2003/2756 (Cy.267), O.S. 2004/2735 (Cy.242), O.S. 2005/1392 (Cy.106), ac O.S. 2005/2905 (Cy.205).

(1) S.I. 1995/614, amended by S.I. 1995/1955, S.I. 1996/3124, S.I. 1997/2073, S.I. 2000/656, S.I. 2002/1472 (W.146), S.I. 2003/1849 (W.199) and S.I. 2005/3292 (W.252).

(2) S.I. 2002/1416 (W.141), amended by S.I. 2003/2756 (W.267), S.I. 2004/2735(W.242), S.I. 2005/1392 (W.106), and S.I. 2005/2905 (W.205).

Dirymu

9. Mae Rheoliadau Cynhyrchion Buchol (Cyfyngu ar eu Rhoi ar y Farchnad (Cymru) 2005(1) wedi'u dirymu.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(2).

30 Tachwedd 2005

Llywydd y Cynulliad Cenedlaethol

Revocation

9. The Bovine Products (Restriction on Placing on the Market) (Wales) Regulations 2005(1) are revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(2).

30 November 2005

D. Elis-Thomas

The Presiding Officer of the National Assembly

(1) O.S. 2005/3051 (Cy.228).

(2) 1998 p.38.

(1) S.I. 2005/3051 (W.228).

(2) 1998 c.38.

DIFFINIADAU O DDEDDFWRIAETH
GYMUNEDOLDEFINITIONS OF COMMUNITY
LEGISLATION

Ystyr "Cyfarwyddeb 2004/41" ("*Directive 2004/41*") yw Cyfarwyddeb 2004/41/EC Senedd Ewrop a'r Cyngor sy'n diddymu cyfarwyddebau penodol ynglŷn â hylendid bwyd ac amodau iechyd ar gyfer cynhyrchu a rhoi ar y farchnad gynhyrchion penodol sy'n dod o anifeiliaid ac a fwriedir i'w bwyta gan bobl ac sy'n diwygio Cyfarwyddebau'r Cyngor 89/662/EEC a 92/118/EEC a Phenderfyniad y Cyngor 95/408/EC(1);

Ystyr "Penderfyniad 2005/598" ("*Decision 2005/598*") yw Penderfyniad y Comisiwn 2005/598/EC sy'n gwahardd rhoi ar y farchnad gynhyrchion sy'n dod o anifeiliaid buchol a anwyd neu a fagwyd o fewn y Deyrnas Unedig cyn 1 Awst 1996 at unrhyw ddiben ac sy'n esemptio'r anifeiliaid hynny rhag mesurau rheoli a difodi penodol a osodwyd yn Rheoliad (EC) Rhif 999/2001(2);

Ystyr "Rheoliad 999/2001" ("*Regulation 999/2001*") yw Rheoliad (EC) Rhif 999/2001 Senedd Ewrop a'r Cyngor sy'n gosod rheolau ar gyfer atal, rheoli a difodi enffalopathïau sbyngffurf trosglwyddadwy penodol(3) fel y diwygiwyd y Rheoliad hwnnw gan Reoliad (EC) Rhif 932/2005 Senedd Ewrop a'r Cyngor yn diwygio Rheoliad (EC) Rhif 999/2001 sy'n gosod rheolau ar gyfer atal, rheoli a difodi enffalopathïau sbyngffurf trosglwyddadwy penodol o ran estyn y cyfnod ar gyfer mesurau trosiannol(4) ac fel y diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 1292/2005 Senedd Ewrop a'r Cyngor(5);

Ystyr "Rheoliad 178/2002" ("*Regulation 178/2002*") yw Rheoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd fel y diwygiwyd y Rheoliad hwnnw ddiwethaf gan Reoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor yn diwygio Rheoliad (EC) Rhif 178/2002 sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd;

Ystyr "Rheoliad 852/2004" ("*Regulation 852/2004*") yw Rheoliad (EC) Rhif 852/2004 Senedd Ewrop a'r

"Decision 2005/598" ("*Penderfyniad 2005/598*") means Commission Decision 2005/598/EC prohibiting the placing on the market of products derived from bovine animals born or reared within the United Kingdom before 1 August 1996 for any purpose and exempting such animals from certain control and eradication measures laid down in Regulation (EC) No. 999/2001(1);

"Directive 2004/41" ("*Cyfarwyddeb 2004/41*") means Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC(2);

"Regulation 999/2001" ("*Rheoliad 999/2001*") means Regulation (EC) No. 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies(3) as amended by Regulation (EC) No. 932/2005 of the European Parliament and of the Council amending Regulation (EC) No. 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies as regards the extension of the period for transitional measures(4) and as last amended by Regulation (EC) No. 1292/2005 of the European Parliament and of the Council(5);

"Regulation 178/2002" ("*Rheoliad 178/2002*") means Regulation (EC) No. 178/2002 of the European Parliament and of the Council 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 as last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council amending Regulation (EC) No. 178/2002 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;

(1) OJ Rhif L157, 30.4.2004, t.33. Mae testun diwygiedig Cyfarwyddeb 2004/41/EC wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L195, 2.6.2004, t.12).

(2) OJ Rhif L204, 5.8.2005, t.22.

(3) OJ Rhif L147, 31.5.2001, t.1.

(4) OJ Rhif L163, 23.6.2005, t.1.

(5) OJ Rhif L205, 6.8.2005, t.3.

(1) OJ No. L204, 5.8.2005, p.22.

(2) OJ No. L157, 30.4.2004, p.33. The revised text of Directive 2004/41/EC is now set out in a Corrigendum (OJ No. L195, 2.6.2004, p.12).

(3) OJ No. L147, 31.5.2001, p.1.

(4) OJ No. L163, 23.6.2005, p.1.

(5) OJ No. 205, 6.8.2005, p.3.

Cyngor ar hylendid deunyddiau bwyd(1) fel y'i darllenir gyda Rheoliad A a Rheoliad B;

Ystyr "Rheoliad 853/2004" ("*Regulation 853/2004*") yw Rheoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor sy'n gosod rheolau hylendid penodol ar gyfer bwyd sy'n tarddu o anifeiliaid(2) fel y diwygiwyd y Rheoliad hwnnw gan Reoliad C a Rheoliad E ac fel y'i darllenir gyda Chyfarwyddeb 2004/41, Rheoliad A, Rheoliad C a Rheoliad E;

Ystyr "Rheoliad 854/2004" ("*Regulation 854/2004*") yw Rheoliad (EC) Rhif 854/2004 Senedd Ewrop a'r Cyngor sy'n gosod rheolau penodol ar gyfer trefnu rheolaethau swyddogol ar gynhyrchion sy'n tarddu o anifeiliaid ac a fwriedir i'w bwyta gan bobl(3) fel y diwygiwyd y Rheoliad hwnnw gan Reoliad 882/2004, Rheoliad C a Rheoliad E ac fel y'i darllenir gyda Chyfarwyddeb 2004/41, Rheoliad C, Rheoliad D a Rheoliad E;

Ystyr "Rheoliad 882/2004" ("*Regulation 882/2004*") yw Rheoliad (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a ddefnyddir i sicrhau bod cydymffurfedd â chyfraith bwyd anifeiliaid a chyfraith bwyd, rheolau iechyd anifeiliaid a rheolau lles anifeiliaid yn cael ei wirio(4) fel y darllenir y Rheoliad hwnnw gyda Rheoliad C a Rheoliad E;

Ystyr "Rheoliad A" ("*Regulation A*") yw Rheoliad y Comisiwn dyddiedig 20 Gorffennaf 2005 sy'n gweithredu Rheoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor o ran gwarantiau arbennig ynghylch salmonela ar gyfer llwythi o gigoedd ac wyau penodol i'r Ffindir ac i Sweden;

Ystyr "Rheoliad B" ("*Regulation B*") yw Rheoliad y Comisiwn dyddiedig 23 Medi 2005 ar feini prawf microbiolegol ar gyfer deunyddiau bwyd;

Ystyr "Rheoliad C" ("*Regulation C*") yw Rheoliad y Comisiwn dyddiedig 23 Medi 2005 sy'n gosod mesurau gweithredu ar gyfer cynhyrchion penodol o dan Reoliad (EC) Rhif 853/2004, er mwyn trefnu rheolaethau swyddogol o dan Reoliadau (EC) Rhifau 854/2004 ac 882/2004, sy'n rhanddirymu Rheoliad (EC) Rhif 852/2004 ac yn diwygio Rheoliadau (EC) Rhifau 853/2004 ac 854/2004;

"Regulation 853/2004" ("*Rheoliad 853/2004*") means Regulation (EC) No. 853/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(1) as read with Regulation A and Regulation B.

"Regulation 854/2004" ("*Rheoliad 854/2004*") means Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(2) as amended by Regulation C and Regulation E and as read with Directive 2004/41, Regulation A, Regulation C and Regulation E;

"Regulation 882/2004" ("*Rheoliad 882/2004*") means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules(3) as amended by Regulation 882/2004, Regulation C and Regulation E and as read with Directive 2004/41, Regulation C, Regulation D and Regulation E;

"Regulation 852/2004" ("*Rheoliad 852/2004*") means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules(4) as read with Regulation C and Regulation E;

"Regulation A" ("*Rheoliad A*") means the Commission Regulation of 20 July 2005 implementing Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs;

"Regulation B" ("*Rheoliad B*") means the Commission Regulation of 23 September 2005 on microbiological criteria for foodstuffs;

"Regulation C" ("*Rheoliad C*") means the Commission Regulation of 23 September 2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004, for the organisation of official controls under Regulations (EC) Nos. 854/2004 and 882/2004, derogating from Regulation (EC) No. 852/2004 and amending Regulations (EC) Nos. 853/2004 and 854/2004;

(1) OJ Rhif L139, 30.4.2004, t.1. Mae testun diwygiedig Rheoliad (EC) Rhif 852/2004 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L226, 25.6.2004, t.3).

(2) OJ Rhif L139, 30.4.2004, t.55. Mae testun diwygiedig Rheoliad (EC) Rhif 853/2004 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L226, 25.6.2004, t.22).

(3) OJ Rhif L155, 30.4.2004, t.206. Mae testun diwygiedig Rheoliad (EC) Rhif 854/2004 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L226, 25.6.2004, t.83).

(4) OJ Rhif L165, 30.4.2004, t.1. Mae testun diwygiedig Rheoliad (EC) Rhif 882/2004 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L191, 28.5.2004, t.1).

(1) OJ No. L139, 30.4.2004, p.1. The revised text of Regulation (EC) No. 852/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.3).

(2) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22).

(3) OJ No. L155, 30.4.2004, p.206. The revised text of Regulation (EC) No. 854/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.83).

(4) OJ No. L165, 30.4.2004, p.1. The revised text of Regulation (EC) No. 882/2004 is now set out in a Corrigendum (OJ No. L191, 28.5.2004, p.1).

Ystyr "Rheoliad D" ("*Regulation D*") yw Rheoliad y Comisiwn dyddiedig 23 Medi 2005 sy'n gosod rheolau penodol ar reolaethau swyddogol ar gyfer *Trichinella* mewn cig; ac

Ystyr "Rheoliad E" ("*Regulation E*") yw Rheoliad y Comisiwn dyddiedig 5 Hydref 2005 sy'n gosod trefniadau trosiannol ar gyfer gweithredu Rheoliadau (EC) Rhif 853/2004, (EC) Rhifau 854/2004 ac 882/2004 Senedd Ewrop a'r Cyngor ac yn diwygio Rheoliadau (EC) Rhifau 853/2004 ac 854/2004.

"Regulation D" ("*Rheoliad D*") means the Commission Regulation of 23 September 2005 laying down specific rules on official controls for *Trichinella* in meat; and

"Regulation E" ("*Rheoliad E*") means the Commission Regulation of 5 October 2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) Nos. 854/2004 and 882/2004 of the European Parliament and of the Council and amending Regulations (EC) Nos. 853/2004 and 854/2004.

2005 Rhif 3296 (Cy.254)

BWYD, CYMRU

Rheoliadau Cynhyrchion Buchol
(Cyfyngu ar eu Rhoi ar y
Farchnad) (Cymru) (Rhif 2) 2005

2005 No. 3296 (W.254)

FOOD, WALES

The Bovine Products (Restriction
on Placing on the Market) (Wales)
(No. 2) Regulations 2005

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