CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2007 Rhif 579 (Cy.51)

BWYD, CYMRU

Rheoliadau Lliwiau mewn Bwyd (Diwygio) (Cymru) 2007

NODYN ESBONIADOL

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

1. Mae'r Rheoliadau hyn, sy'n gymwys o ran Cymru, yn gweithredu Cyfarwyddeb y Comisiwn 2006/33/EC sy'n diwygio Cyfarwyddeb 95/45/EC ynglŷn â'r lliwiau melyn y machlud FCF (E110) a thitaniwm deuocsid (E171) (OJ Rhif L82, 21.3.2006, t.10).

2. Maent yn gwneud hyn drwy ddiweddaru'r diffiniad o "Directive 95/45/EC" (Cyfarwyddeb y Comisiwn 95/45/EC sy'n gosod meini prawf purdeb penodol sy'n ymwneud â lliwiau sydd i'w defnyddio mewn bwydydd, OJ Rhif L226, 29.9.1995, t.1) sy'n ymddangos yn rheoliad 2(1) o Reoliadau Lliwiau mewn Bwyd 1995 (O.S. 1995/3124, fel y'i diwygiwyd eisoes) i adlewyrchu'r diwygiadau a wnaed i'r Gyfarwyddeb honno gan Gyfarwyddeb y Comisiwn 2006/33/EC (*rheoliad 2*).

3. Mae Cyfarwyddeb y Comisiwn 2006/33/EC yn diwygio Cyfarwyddeb y Comisiwn 95/45/EC drwy roi meini prawf purdeb diwygiedig ar gyfer lliwiau melyn y machlud FCF (E110) a thitaniwm deuocsid (E171).

4. Ni luniwyd Arfarniad Rheoliadol llawn ar gyfer yr offeryn hwn, gan na ragwelir unrhyw effaith ar y sectorau preifat na gwirfoddol.

5. Mae Nodyn Trosi sy'n nodi sut y mae prif elfennau'r ddeddfwriaeth Ewropeaidd y cyfeirir ati uchod yn cael eu trosi yn y Rheoliadau hyn wedi'i baratoi a'i osod yn Llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau o'r ddogfen hon oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 11, Southgate House, Wood Street, Caerdydd CF11 1EW.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2007 No. 579 (W.51)

FOOD, WALES

The Colours in Food (Amendment) (Wales) Regulations 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

1.These Regulations, which apply in relation to Wales, implement Commission Directive 2006/33/EC amending Directive 95/45/EC as regards sunset yellow FCF (E110) and titanium dioxide (E171) (OJ No. L82, 21.3.2006, p.10).

2. They do so by updating the definition of "Directive 95/45/EC" (Commission Directive 95/45/EC laying down specific criteria of purity concerning colours for use in foodstuffs, OJ No. L226, 29.9.1995, p.1) that appears in regulation 2(1) of the Colours in Food Regulations 1995 (S.I. 1995/3124, as already amended) to reflect the amendments made to that Directive by Commission Directive 2006/33/EC (*regulation 2*).

3. Commission Directive 2006/33/EC amends Commission Directive 95/45/EC by substituting revised purity criteria for the colours sunset yellow FCF (E110) and titanium dioxide (E171).

4. A full Regulatory Appraisal has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

5. A Transposition Note has been prepared and placed in the Library of the National Assembly for Wales, setting out how the main elements of the European legislation referred to above are transposed in these Regulations. Copies of this document may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF11 1EW.

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2007 Rhif 579 (Cy.51)

BWYD, CYMRU

Rheoliadau Lliwiau mewn Bwyd (Diwygio) (Cymru) 2007

Wedi'u gwneud *27 Chwefror 2007*

Yn dod i rym *10 Ebrill 2007*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd gan adrannau 16(1)(a), 17(1), 26(1) a (3) a 48(1) o Ddeddf Diogelwch Bwyd 1990 a pharagraff 1 o Atodlen 1 iddi(**1**) ac sydd bellach wedi'u breinio ynddo ef(**2**).

Yn unol ag adran 48(4A) o'r Ddeddf honno, mae wedi rhoi ystyriaeth i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd.

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(**3**) cafwyd ymgynghoriad cyhoeddus agored a thryloyw tra bu'r Rheoliadau canlynol yn cael eu llunio.

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Lliwiau mewn Bwyd (Diwygio) (Cymru) 2007, sy'n gymwys o ran Cymru ac sy'n dod i rym ar 10 Ebrill 2007.

(**1**) 1990 p. 16.

(**2**) Trosglwyddwyd swyddogaethau a oedd gynt yn arferadwy gan "the Secretary of State", i'r graddau yr oeddent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) fel y'i darllenir gydag adran 40(3) o Ddeddf Safonau Bwyd 1999 (1999 p.28).

(**3**) OJ Rhif L31, 1.2.2002, t.1, fel y'i diwygiwyd ddiwethaf wrth i'r offeryn hwn gael ei wneud gan Reoliad y Comisiwn (EC) Rhif 575/2006 sy'n diwygio Rheoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor o ran nifer ac enwau Paneli Gwyddonol parhaol Awdurdod Diogelwch Bwyd Ewrop (OJ Rhif L100, 8.4.2006, t.3).

STATUTORY INSTRUMENTS

2007 No. 579 (W.51)

FOOD, WALES

The Colours in Food (Amendment) (Wales) Regulations 2007

Made *27 February 2007*

Coming into force *10 April 2007*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by sections 16(1) (a), 17(1), 26(1) and (3) and 48(1) of, and paragraph 1 of Schedule 1 to, the Food Safety Act 1990(**1**) and now vested in it(**2**).

In accordance with section 48 (4A) of that Act, it has had regard to relevant advice given by the Food Standards Agency.

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**) there has been open and transparent public consultation during the preparation of the following Regulations.

Title, application and commencement

1. The title of these Regulations is the Colours in Food (Amendment) (Wales) Regulations 2007, which apply in relation to Wales and which come into force on 10 April 2007.

(**1**) 1990 c. 16.

(**2**) Functions formerly exercisable by the "Secretary of State" 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) as read with section 40(3) of the Food Standards Act 1999 (1999 c.28).

(**3**) OJ No. L31, 1.2.2002, p.1, as last amended as at the making of this instrument by Commission Regulation (EC) No. 575/2006 amending Regulation (EC) No. 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority (OJ No. L100, 8.4.2006, p.3).

Diwygio Rheoliadau Lliwiau mewn Bwyd 1995

2.-(1) Diwygir Rheoliadau Lliwiau mewn Bwyd 1995(**1**) i'r graddau y maent yn gymwys o ran Cymru yn unol â pharagraff (2).

(1) Ym mharagraff (1) o reoliad 2 (dehongli), yn lle'r diffiniad o "Directive 95/45/EC" rhodder y diffiniad canlynol-

""Directive 95/45/EC" means Commission Directive 95/45/EC laying down specific criteria of purity concerning colours for use in foodstuffs(**2**) as amended by Directive 1999/75/EC(**3**), Directive 2001/50/EC(**4**), Directive 2004/47/EC(**5**) and Directive 2006/33/EC(**6**);".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**7**)

27 Chwefror 2007

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

(**1**) O.S. 1995/3124, fel y'i diwygiwyd.

(**2**) OJ Rhif L226, 29.9.1995, t.1.

(**3**) OJ Rhif L206, 5.8.1999, t.19.

(**4**) OJ Rhif L190, 12.7.2001, t.14.

(**5**) OJ Rhif L113, 20.4.2004, t.24.

(**6**) OJ Rhif L82, 21.3.2006, t.10.

(**7**) 1998 p.38.

Amendment of the Colours in Food Regulations 1995

2.-(1) The Colours in Food Regulations 1995(**1**) are amended in so far as they apply in relation to Wales in accordance with paragraph (2).

(2) In paragraph (1) of regulation 2 (interpretation), for the definition of "Directive 95/45/EC" there is substituted the following definition -

""Directive 95/45/EC" means Commission Directive 95/45/EC laying down specific criteria of purity concerning colours for use in foodstuffs(**2**) as amended by Directive 1999/75/EC(**3**), Directive 2001/50/EC(**4**), Directive 2004/47/EC(**5**) and Directive 2006/33/EC(**6**);".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**7**)

27 February 2007

D. Elis-Thomas

The Presiding Officer of the National Assembly

(**1**) S.I. 1995/3124, as amended.

(**2**) OJ No. L226, 29.9.1995, p.1.

(**3**) OJ No. L206, 5.8.1999, p.19.

(**4**) OJ No. L190, 12.7.2001, p.14.

(**5**) OJ No. L113, 20.4.2004, p.24.

(**6**) OJ No. L82, 21.3.2006, p.10.

(**7**) 1998 c.38.

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