



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2008 Rhif 1182 (Cy.119)

2008 No. 1182 (W.119)

ANIFEILIAID, CYMRU

ANIMALS, WALES

IECHYD ANIFEILIAID

ANIMAL HEALTH

**Rheoliadau Enseffalopathïau
Sbyngffurf Trosglwyddadwy
(Cymru) (Diwygio) 2008**

**The Transmissible Spongiform
Encephalopathies (Wales)
(Amendment) Regulations 2008**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

1. Mae'r Rheoliadau hyn yn diwygio Rheoliadau Enseffalopathïau Sbyngffurf Trosglwyddadwy (Cymru) 2006 (O.S. 2006/1226 (Cy.117)), fel y'i diwygiwyd, sy'n darparu ar gyfer gorfodi o ran Cymru Reoliad (EC) Rhif 999/2001 Senedd Ewrop a'r Cyngor sy'n gosod rheolau ar gyfer atal, rheoli a chael gwared ar enseffalopathïau sbyngffurf trosglwyddadwy penodol (OJ Rhif L147, 31.5.2001, t.1) fel y'i diwygiwyd gan yr offerynnau Cymunedol a geir yn Atodlen 1 i O.S. 2006/1226 (Cy. 117) ac fel y'i darllenir gyda hwy.

2. Y prif ddiwygiad yw bod Atodlen 6 ddiwygiedig yn cael ei mewnosod yn O.S. 2006/1226 (Cy.117) (*rheoliad 2(3)*).

3. Mae Atodlen 6 i O.S. 2006/1226 ar hyn o bryd yn darparu ar gyfer gorfodi testun diwygiedig Atodiad V i Reoliad (EC) Rhif 999/2001 a fewnosodwyd yn y rheoliad hwnnw gan Reoliad y Comisiwn (EC) Rhif 722/2007 (OJ Rhif L164, 26.6.2007, t.7).

4. Mae Rheoliad y Comisiwn (EC) Rhif 357/2008 (OJ Rhif L111,23.4.2008, p.3) wedi diwygio'r testun diwygiedig hwnnw drwy roi yn lle'r ddarpariaeth sy'n dynodi asgwrn cefn anifeiliaid buchol dros 24 mis oed adeg eu cigydda fel deunydd risg penodedig ddarpariaeth sy'n dynodi asgwrn cefn anifeiliaid buchol dros 30 mis oed adeg eu cigydda fel deunydd risg penodedig.

1. These Regulations amend the Transmissible Spongiform Encephalopathies (Wales) Regulations 2006 (S.I. 2006/1226 (W.117)), as amended, which provide for the enforcement in relation to Wales of 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 (OJ No. L147, 31.5.2001, p.1) as amended by and as read with the Community instruments set out in Schedule 1 to S.I. 2006/1226 (W. 117).

2. The principal amendment is that a revised Schedule 6 is inserted into S.I. 2006/1226 (W.117) (*regulation 2(3)*).

3. Schedule 6 to S.I. 2006/1226 currently provides for the enforcement of the revised text of Annex V to Regulation (EC) No. 999/2001 that was inserted into that Regulation by Commission Regulation (EC) No. 722/2007 (OJ No. L164, 26.6.2007, p.7).

4. Commission Regulation (EC) No. 357/2008 (OJ No. L111,23.4.2008, p.3) has amended that revised text by substituting for the provision designating vertebral column of bovine animals aged over 24 months at slaughter as specified risk material a provision designating vertebral column of bovine animals aged over 30 months at slaughter as specified risk material.

5. Mae'r Atodlen 6 ddiwygiedig a fewnosodir yn O.S. 2006/1226 gan y Rheoliadau hyn yn darparu ar gyfer gorfodi Atodiad V i Reoliad (EC) Rhif 999/2001 fel y'i diwygiwyd bellach gan Reoliad y Comisiwn (EC) Rhif 357/2008. Mae paragraff 20 o Atodlen 6 yn darparu ar gyfer trefniadau trosiannol mewn perthynas â danfon cig sy'n dod o anifeiliaid buchol sy'n 30 mis oed neu lai adeg eu cigydda i siopau cigyddion ac i safleoedd torri.

6. Mae'r Rheoliadau hyn hefyd—

- (a) yn gwneud diwygiadau canlyniadol i baragraff(1) o reoliad 2 (dehongli) o O.S. 2006/1226 yng ngoleuni testun diwygiedig Atodiad V i Reoliad (EC) Rhif 999/2001 y cyfeirir ato ym mharagraff 4 uchod a'r Atodlen 6 ddiwygiedig i O.S. 2006/1226 y cyfeirir ati ym mharagraff 5 uchod (*rheoliad 2(2)*);
- (b) yn diweddarau geiriad paragraff 2 o Atodlen 7 i O.S. 2006/1226 i ddarparu ar gyfer gorfodi pwynt 10.3 o Atodiad V i Reoliad (EC) Rhif 999/2001 (gwaharddiad ar allforio y tu allan i'r Gymuned bennau a chig ffres gwartheg, defaid a geifr sy'n cynnwys deunydd risg penodedig (*rheoliad 2(4)*); ac
- (c) yn dirymu Rheoliadau Esgyrn Cig Eidion 1997 (O.S. 1997/2959), sy'n rychwantu Prydain Fawr yn gyfan, i'r graddau y maent yn gymwys o ran Cymru (*rheoliad 3*).

7. Paratowyd asesiad effaith o'r effaith y bydd yr offeryn hwn yn ei gael ar gostau busnes ac ar y sector gwirfoddol ac mae copïau ar gael gan yr Asiantaeth Safonau Bwyd, Llawr 11 Southgate House, Wood Street, Caerdydd, CF10 1EW.

5. The revised Schedule 6 inserted into S.I. 2006/1226 by these Regulations provides for the enforcement of Annex V to Regulation (EC) No. 999/2001 as now amended by Commission Regulation (EC) No. 357/2008. Paragraph 20 of Schedule 6 provides for transitional arrangements in relation to the consignment of meat derived from bovine animals aged 30 months or less at slaughter to butcher shops and cutting plants.

6. These Regulations also—

- (a) make consequential amendments to paragraph (1) of regulation 2 (interpretation) of S.I. 2006/1226 in the light of the revised text of Annex V to Regulation (EC) No. 999/2001 referred to in paragraph 4 above and the revised Schedule 6 to S.I. 2006/1226 referred to in paragraph 5 above (*regulation 2(2)*);
- (b) update the wording of paragraph 2 of Schedule 7 to S.I. 2006/1226 to provide for the enforcement of point 10.3 of Annex V to Regulation (EC) No. 999/2001 (prohibition on export outside the Community of heads and fresh meat of bovines, ovines and caprines containing specified risk material (*regulation 2(4)*); and
- (c) revoke the Beef Bones Regulations 1997 (S.I. 1997/2959), which extend to the whole of Great Britain, in so far as they apply in relation to Wales (*regulation 3*).

7. An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector has been prepared and copies are available from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.

2008 Rhif 1182 (Cy.119)

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

**Rheoliadau Enseffalopathïau
Sbyngffurf Trosglwyddadwy
(Cymru) (Diwygio) 2008**

<i>Gwnaed</i>	<i>25 Ebrill 2008</i>
<i>Gosodwyd gerbron Cynulliad Cenedlaethol Cymru</i>	<i>25 Ebrill 2008</i>
<i>Yn dod i rym</i>	<i>26 Ebrill 2008</i>

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(1).

Mae Gweinidogion Cymru wedi eu dynodi at ddibenion yr adran honno o ran mesurau yn y maes milfeddygol er amddiffyn iechyd y cyhoedd(2).

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 ymgynghori agored a thryloyw â'r cyhoedd yn ystod cyfnod paratoi a gwerthuso'r Rheoliadau a ganlyn.

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Enseffalopathïau Sbyngffurf Trosglwyddadwy (Cymru) (Diwygio) 2008, maent yn gymwys o ran Cymru a deuant i rym ar 26 Ebrill 2008.

(1) 1972 p.68.

(2) O.S. 2003/1246. Yn rhinwedd adran 162 a pharagraffau 28 a 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae swyddogaethau a roddwyd i Gynulliad Cenedlaethol Cymru drwy'r dynodiad hwn yn arferadwy gan Weinidogion Cymru.

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

2008 No. 1182 (W.119)

ANIMALS, WALES

ANIMAL HEALTH

**The Transmissible Spongiform
Encephalopathies (Wales)
(Amendment) Regulations 2008**

<i>Made</i>	<i>25 April 2008</i>
<i>Laid before the National Assembly for Wales</i>	<i>25 April 2008</i>
<i>Coming into force</i>	<i>26 April 2008</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1).

The Welsh Ministers have been designated for the purposes of that section in relation to measures in the veterinary field for the protection of public health(2).

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 and evaluation of the following Regulations.

Title, application and commencement

1. The title of these Regulations is the Transmissible Spongiform Encephalopathies (Wales) (Amendment) Regulations 2008, they apply in relation to Wales and they come into force on 26 April 2008.

(1) 1972 c.68.

(2) S.I. 2003/1246. By virtue of section 162 of and paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006, functions conferred on the National Assembly for Wales by this designation are exercisable by the Welsh Ministers.

(3) OJ No. L31, 1.2.2002, p.1, as last amended 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 Enseffalopathïau Sbyngffurf Trosglwyddadwy (Cymru) 2006

2.—(1) Diwygir Rheoliadau Enseffalopathïau Sbyngffurf Trosglwyddadwy (Cymru) 2006 (1) yn unol â pharagraffau (2) i (4).

(2) ym mharagraff (1) o reoliad 2 (dehongli)—

- (a) dileer y gair "ac" sy'n digwydd yn union ar ôl y diffiniad o "Rheoliad TSE y Gymuned" a mewnosoder cyn y diffiniad o "TSE" y diffiniad a ganlyn—

"ystyr "Rheoliad TSE diwygiedig y Gymuned" yw Rheoliad TSE y Gymuned fel y'i diwygiwyd gan Reoliad y Comisiwn (EC) Rhif 722/2007 sy'n diwygio Atodiadau II, V, VI, VIII, IX ac XI i Reoliad (EC) Rhif 999/2001 Senedd Ewrop a'r Cyngor sy'n gosod rheolau ar gyfer atal, rheoli a chael gwared ar enseffalopathïau sbyngffurf trosglwyddadwy penodol(2) a Rheoliad y Comisiwn (EC) Rhif 357/2008 sy'n diwygio Atodiad V i Reoliad (EC) Rhif 999/2001 Senedd Ewrop a'r Cyngor sy'n gosod rheolau ar gyfer atal, rheoli a chael gwared ar enseffalopathïau sbyngffurf trosglwyddadwy penodol";(3) a mewnosoder y gair "ac" yn union ar ei ôl;

- (b) yn y diffiniad o "safle torri", yn lle'r cyfeiriad at baragraff 10(2)(c) o Atodlen 6, rhodder cyfeiriad at baragraff 9 (2)(b) (iii) o'r Atodlen honno; ac

- (c) ar unwaith ar ôl y diffiniad o "y Cynulliad Cenedlaethol" mewnosoder y diffiniad a ganlyn —

"mae i "deunydd risg penodedig" (ac eithrio fel a nodir ym mharagraff 20(6) o Atodlen 6) yr ystyr sydd i'r ymadrodd "specified risk material" yn erthygl 3.1(g) o Reoliad TSE diwygiedig y Gymuned";

(3) Yn lle Atodlen 6 (deunydd risg penodedig, cig wedi'i wahanu'n fecanyddol a dulliau cigydd) rhodder yr Atodlen a osodir yn yr Atodlen i'r Rheoliadau hyn.

(4) Yn Atodlen 7 (cyfyngiadau ar anfon i Aelod-wladwriaethau eraill ac i drydydd gwledydd) yn lle paragraff 2 (allforion i drydydd gwledydd) rhodder y paragraff a ganlyn—

"2. Mae unrhyw berson sy'n methu â chydymffurfio â phwynt 10.3 o Atodiad V i Reoliad TSE diwygiedig y Gymuned yn euog o dramgwydd."

Amendment of the Transmissible Spongiform (Encephalopathies) (Wales) Regulations 2006

2.—(1) The Transmissible Spongiform Encephalopathies (Wales) Regulations 2006(1) are amended in accordance with paragraphs (2) to (4).

(2) In Paragraph (1) of regulation 2 (Interpretation)—

- (a) immediately before the definition of "bovine animal" there is inserted the following definition—

""the amended Community TSE Regulation" means the Community TSE Regulation as amended by Commission Regulation (EC) No. 722/2007 amending Annexes II, V, VI, VIII, IX and XI to 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(2) and Commission Regulation (EC) No. 357/2008 amending Annex V to 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);"

- (b) in the definition of "cutting plant", for the reference to paragraph 10(2)(c) of Schedule 6 there is substituted a reference to paragraph 9(2)(b)(iii) of that Schedule; and

- (c) immediately after the definition of "slaughterhouse" there is inserted the following definition —

""specified risk material" (save as specified in paragraph 20(6) of Schedule 6) has the meaning given to it in Article 3.1(g) of the amended Community TSE Regulation;"

(3) For Schedule 6 (specified risk material, mechanically separated meat and slaughtering techniques) there is substituted the Schedule set out in the Schedule to these Regulations.

(4) In Schedule 7 (restrictions on dispatch to other member States and to third countries) for paragraph 2 (exports to third countries) there is substituted the following paragraph—

"2. Any person who fails to comply with point 10.3 of Annex V to the amended Community TSE Regulation is guilty of an offence."

(1) O.S. 2006/1226 (Cy.117), a ddiwygiwyd gan O.S. 2007/2244 (Cy.176).

(2) OJ Rhif L164, 26.6.2007, t.7.

(3) OJ Rhif L 111, 23.4.2008, t.3.

(1) S.I. 2006/1226 (W.117), amended by S.I. 2007/2244 (W.176).

(2) OJ No. L164, 26.6.2007, p.7.

(3) OJ No. L 111, 23.4.2008, p.3.

Dirymu

3. Dirymir Rheoliadau Esgyrn Cig Eidion 1997(1) i'r graddau y maent yn gymwys o ran Cymru.

Revocation

3. The Beef Bones Regulations 1997(1) are revoked in as far as they apply in relation to Wales.

Gwenda Thomas

O dan awdurdod y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru.

Under authority of the Minister for Health and Social Services, one of the Welsh Ministers.

25 Ebrill 2008

25 April 2008

(1) O.S. 1997/2959.

(1) S.I. 1997/2959.

YR ATODLEN

THE SCHEDULE

Rheoliad 2(3)

Regulation 2(3)

ATODLEN A RODDIR YN LLE ATODLEN 6 I REOLIADAU ENSEFFALOPOATHIAU SBYNGFFURF TROSGLWYDDADWY (CYMRU) 2006

SCHEDULE SUBSTITUTED FOR SCHEDULE 6 TO THE TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES (WALES) REGULATIONS 2006

"ATODLEN 6

"SCHEDULE 6

Rheoliad 9

Regulation 9

Deunydd risg penodedig, cig wedi'i wahanu'n
fecanyddol a dulliau cigydda

Specified risk material, mechanically separated
meat and slaughtering techniques

CYNNWYS

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Penodi'r Asiantaeth Safonau Bwyd fel yr awdurdod cymwys

1.—(1) Ac eithrio mewn siopau cigyddion, rhaid i'r Asiantaeth Safonau Bwyd wneud y dyletswyddau a osodir ar Aelod-wladwriaethau ym mhwynt 11.1 a phwynt 11.2 o Atodiad V i Reoliadau TSE y Gymuned fel y'i diwygiwyd, mewn perthynas â'r Atodlen hon a

Appointment of the Food Standards Agency as the competent authority

1.—(1) Except in butcher shops, the Food Standards Agency must carry out the duties on the member State in point 11.1 and point 11.2 of Annex V to the amended Community TSE Regulation in relation to this Schedule and may grant authorisations for the purposes

chaiff roi awdurdod at ddibenion pwynt 4.3(a) o'r Atodiad hwnnw.

(2) At ddibenion yr Atodlen hon, mae arolygydd mewn ladd-dy neu safle torri—

- (a) yn filfeddyg swyddogol sydd â chymwysterau yn unol â Rheoliad 854/2004 i weithredu yn y swyddogaeth honno ac fe'i penodir gan yr Asiantaeth Safonau Bwyd;
- (b) yn weithiwr cynorthwyol swyddogol sydd â chymwysterau yn unol â Rheoliad 854/2004 i weithredu yn y swyddogaeth honno, wedi ei benodi gan yr Asiantaeth Safonau Bwyd ac yn gweithio o dan awdurdod a chyfrifoldeb milfeddyg swyddogol; neu
- (c) yn unrhyw berson arall a benodir at y diben gan yr Asiantaeth Safonau Bwyd.

(3) Gall penodiad fel arolygydd fod yn gyfyngedig i bwerau a dyletswyddau sydd wedi eu nodi yn y penodiad.

(4) Mae gan unrhyw berson sy'n gweithredu pwerau arolygydd o dan yr Atodlen hon yr amddiffyniad a nodir yn rheoliad 18(3).

Hyfforddiant

2. Mae'n rhaid i feddiannydd unrhyw ladd-dy neu safle torri lle mae deunydd risg penodedig yn cael ei dynnu —

- (a) sicrhau bod staff yn cael unrhyw hyfforddiant sydd ei angen i sicrhau bod y meddiannydd yn cydymffurfio â'i ddyletswyddau yn yr Atodlen hon; a
- (b) yn cadw cofnod am hyfforddiant pob person tra bydd y person yn gweithio yno,

ac mae peidio â gwneud hynny yn dramgwydd.

Cig wedi'i wahanu'n fecanyddol

3.—(1) Mae unrhyw berson sy'n methu â chydymffurfio â phwynt 5 o Atodiad V i Reoliad TSE diwygiedig y Gymuned (mesurau ynghylch cig wedi'i wahanu'n fecanyddol) yn euog o dramgwydd.

(2) Mae unrhyw berson sy'n defnyddio unrhyw gig wedi'i wahanu'n fecanyddol a gynhyrchir yn groes i'r pwynt hwn wrth baratoi unrhyw fwyd i'w werthu i'w fwyta gan bobl neu unrhyw fwydydd anifeiliaid yn euog o dramgwydd.

(3) Yn y paragraff hwn ystyr "cig wedi'i wahanu'n fecanyddol" yw'r cynnyrch a geir wrth grafu cig oddi ar yr esgyrn sy'n cynnal cnawd ar ôl tynnu'r esgyrn gan ddefnyddio dulliau mecanyddol sy'n arwain at gollu neu addasu strwythur ffibr y cyhyrau.

of point 4.3(a) of that Annex.

(2) For the purposes of this Schedule, within a slaughterhouse or cutting plant an inspector is—

- (a) an official veterinarian who is qualified in accordance with Regulation 854/2004 to act in such a capacity and is appointed by the Food Standards Agency;
- (b) an official auxiliary who is qualified in accordance with Regulation 854/2004 to act in such a capacity, is appointed by the Food Standards Agency and works under the authority and responsibility of an official veterinarian; or
- (c) any other person appointed for the purpose by the Food Standards Agency.

(3) An appointment as an inspector may be limited to powers and duties specified in the appointment.

(4) Any person exercising the powers of an inspector under this Schedule has the protection specified in regulation 18(3).

Training

2. The occupier of any slaughterhouse or cutting plant where specified risk material is removed must—

- (a) ensure that staff receive any training necessary to ensure that the occupier complies with his or her duties in this Schedule; and
- (b) keep records of each person's training for as long as that person works there,

and failure to do so is an offence.

Mechanically separated meat

3.—(1) Any person who fails to comply with point 5 of Annex V to the amended Community TSE Regulation (measures concerning mechanically separated meat) is guilty of an offence.

(2) Any person who uses any mechanically separated meat produced in contravention of that point in the preparation of any food for sale for human consumption or of any feedingstuff is guilty of an offence.

(3) In this paragraph "mechanically separated meat" means the product obtained by removing meat from flesh-bearing bones after boning, using mechanical means resulting in the loss or modification of the muscle fibre structure.

Pithio

4. Mae unrhyw berson sy'n methu â chydymffurfio â phwynt 6 o Atodiad V i Reoliad TSE diwygiedig y Gymuned (mesurau ynghylch rhwygo'r meinweoedd) yn euog o dramgwydd.

Cynaeafu tafodau

5. Mae unrhyw berson sy'n methu â chydymffurfio â phwynt 7 o Atodiad i Reoliad TSE diwygiedig y Gymuned (cynaeafu tafodau oddi wrth anifeiliaid buchol) yn euog o dramgwydd.

Cynaeafu cig pen

6. Mae unrhyw berson sy'n methu â chydymffurfio â phwynt 8.1 o Atodiad V i Reoliad TSE diwygiedig y Gymuned (cynaeafu cig pen buchol) yn euog o dramgwydd.

Tynnu deunydd risg penodedig

7. Mae unrhyw berson sy'n tynnu deunydd risg penodedig mewn unrhyw fangre ar wahân i fangre lle caniateir tynnu'r deunydd risg penodedig o dan bwynt 4.1 neu pwynt 4.3(a) o Atodiad V Reoliad TSE diwygiedig y Gymuned yn euog o dramgwydd.

(2) Yn achos safle torri, mae tynnu'r canlynol yn dramgwydd—

- (a) unrhyw ran o'r asgwrn cefn sy'n ddeunydd risg penodedig o unrhyw anifail buchol onid yw'r safle wedi'i awdurdodi o dan baragraff 12(1)(a); neu
- (b) llinyn asgwrn cefn unrhyw ddafad neu afr dros 12 mis oed pan gaiff ei chigydda neu sydd â dant blaen parhaol wedi torri drwy gig y dannedd, onid yw'r safle wedi'i awdurdodi at ddiben y cyfryw weithred o dan baragraff 12(1)(b).

Anifeiliaid buchol mewn lladd-dy

8.—(1) Pan gaiff anifail buchol ei gigydda mewn lladd-dy neu pan gaiff carcass anifail buchol ei gludo i ladd-dy yn dilyn cigydda mewn argyfwng mewn man arall, rhaid i feddiannydd y lladd-dy dynnu'r holl ddeunydd risg penodedig (ac eithrio'r rhannau hynny o'r asgwrn cefn sy'n ddeunydd risg penodedig) cyn gynted ag y bo'n rhesymol ymarferol ar ôl cigydda a ph'run bynnag, cyn archwiliad post-mortem.

(2) Rhaid iddo, cyn gynted ag y bo'n rhesymol ymarferol ar ôl y cigydda, draddodi unrhyw gig sy'n cynnwys rhannau o'r asgwrn cefn sy'n ddeunydd risg penodedig i—

- (a) safle torri a awdurdodwyd o dan baragraff 12(1)(a);

Pithing

4. Any person who fails to comply with point 6 of Annex V to the amended Community TSE Regulation (measures concerning laceration of tissues) is guilty of an offence.

Tongue harvesting

5. Any person who fails to comply with point 7 of Annex V to the amended Community TSE Regulation (harvesting of tongues from bovine animals) is guilty of an offence.

Head meat harvesting

6. Any person who fails to comply with point 8.1 of Annex V to the amended Community TSE Regulation (harvesting of bovine head meat) is guilty of an offence.

Removal of specified risk material

7. Any person who removes specified risk material in any premises other than premises in which that specified risk material may be removed under point 4.1 or point 4.3(a) of Annex V to the amended Community TSE Regulation is guilty of an offence.

(2) In the case of a cutting plant, it is an offence to remove—

- (a) any part of the vertebral column that is specified risk material from any bovine animal unless the plant is authorised under paragraph 12(1)(a); or
- (b) the spinal cord from any sheep or goat aged over 12 months at slaughter or which has a permanent incisor erupted through the gum, unless the plant is authorised for the purpose of such removal under paragraph 12(1)(b).

Bovine animals in a slaughterhouse

8.—(1) When a bovine animal is slaughtered in a slaughterhouse or the carcass of a bovine animal is transported to a slaughterhouse following emergency slaughter elsewhere, the occupier of the slaughterhouse must remove all specified risk material (other than those parts of the vertebral column that are specified risk material) as soon as is reasonably practicable after slaughter and in any event before post-mortem inspection.

(2) He or she must as soon as is reasonably practicable after slaughter consign any meat containing those parts of the vertebral column that are specified risk material to—

- (a) a cutting plant authorised under paragraph 12(1)(a);

- (b) safle torri a leolir mewn gwlad arall yn y Deyrnas Unedig ac a awdurdodwyd o dan y ddarpariaeth gyfatebol sy'n gymwys yn y wlad honno; neu
- (c) Aelod-wladwriaeth arall yn unol â phwynt 10.2 o Atodiad V i Reoliad TSE diwygiedig y Gymuned.

(3) Rhaid i feddiannydd y lladd-dy ddynodi cig sy'n cynnwys asgwrn cefn nad yw'n ddeunydd risg penodedig yn unol â phwynt 11.3(a) o Atodiad V i Reoliad TSE diwygiedig y Gymuned a rhaid iddo ddarparu gwybodaeth yn unol â phwynt 11.3(b) o'r Atodiad hwnnw.

(4) Ni chaiff unrhyw berson gynnwys streipen las yn y label y cyfeirir ato yn erthygl 13 o Reoliad (EC) Rhif 1760/2000 Senedd Ewrop a'r Cyngor sy'n sefydlu system ar gyfer dynodi a chofrestru anifeiliaid buchol ac ar gyfer labelu cig eidion a chynhyrchion cig eidion ac sy'n diddymu Rheoliad y Cyngor (EC) Rhif 820/97(1) fel y'i diwygiwyd ddiwethaf gan Reoliad 1791/2006, ac eithrio yn unol â phwynt 11.3(a) o Atodiad V i Reoliad TSE diwygiedig y Gymuned.

(5) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

Defaid a geifr mewn lladd-dy

9.—(1) Pan gaiff dafad neu afr ei chigydda mewn lladd-dy neu pan gaiff carcass dafad neu afr ei gludo i ladd-dy yn dilyn cigyddda mewn argyfwng mewn man arall, rhaid i feddiannydd y lladd-dy dynnu'r holl ddeunydd risg penodedig (ac eithrio llinyn asgwrn y cefn) cyn gynted ag y bo'n rhesymol ymarferol ar ôl cigyddda a ph'run bynnag, cyn archwiliad post-mortem.

(2) Yn achos dafad neu afr sydd dros 12 mis oed adeg ei chigydda, neu sydd â blaenddant parhaol wedi torri drwy gig y dannedd, rhaid i berchennog y lladd-dy, cyn gynted ag y bo'n rhesymol ymarferol ar ôl y cigyddda—

- (a) tynnu llinyn asgwrn y cefn yn y lladd-dy cyn yr archwiliad post-mortem; neu
- (b) anfon y cig i—
 - (i) safle torri a awdurdodwyd o dan baragraff 12(1)(b),
 - (ii) safle torri a leolir mewn gwlad arall yn y Deyrnas Unedig ac a awdurdodwyd o dan y ddarpariaeth gyfatebol sy'n gymwys yn y wlad honno; neu
 - (iii) yn unol â phwynt 10.1 o Atodiad V i Reoliad TSE diwygiedig y Gymuned, safle torri a leolir mewn Aelod-wladwriaeth arall, cyn belled â bod yr Asiantaeth Safonau Bwyd wedi gwneud cytundeb ysgrifenedig ag awdurdod cymwys yr

- (b) a cutting plant located in another country of the United Kingdom and authorised under the corresponding provision applicable in that country; or
- (c) another member State in accordance with point 10.2 of Annex V to the amended Community TSE Regulation.

(3) He or she must identify meat containing vertebral column that is not specified risk material in accordance with point 11.3(a) of Annex V to the amended Community TSE Regulation and provide information in accordance with point 11.3(b) of that Annex.

(4) No person may include a blue stripe in the label referred to in Article 13 of Regulation (EC) No. 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No. 820/97(1) as last amended by Regulation 1791/2006, except in accordance with point 11.3(a) of Annex V to the amended Community TSE Regulation.

(5) Failure to comply with this paragraph is an offence.

Sheep and goats in a slaughterhouse

9.—(1) When a sheep or goat is slaughtered in a slaughterhouse or the carcass of a sheep or goat is transported to a slaughterhouse following emergency slaughter elsewhere, the occupier of a slaughterhouse must remove all specified risk material (other than the spinal cord) as soon as is reasonably practicable after slaughter and in any event before post-mortem inspection.

(2) In the case of a sheep or goat aged over 12 months at slaughter, or which has a permanent incisor erupted through the gum, he or she must as soon as is reasonably practicable after slaughter—

- (a) remove the spinal cord at the slaughterhouse before the post-mortem inspection; or
- (b) send the meat to—
 - (i) a cutting plant authorised under paragraph 12(1)(b),
 - (ii) a cutting plant located in another country of the United Kingdom and authorised under the corresponding provision applicable in that country, or
 - (iii) in accordance with point 10.1 of Annex V to the amended Community TSE Regulation, a cutting plant located in another member State, provided that the Food Standards Agency has entered into a written agreement with the competent

(1) OJ Rhif L 204, 11.8.2000, t.1.

(1) OJ No. L 204, 11.8.2000, p.1.

Aelod-wladwriaeth sy'n derbyn y cig a bod y danfoniad yn unol â'r cytundeb hwnnw.

(3) Yn is-baragraff (2)(b)(iii), ystyr "safle torri" yw mangre—

- (a) a gymeradwywyd neu a gymeradwywyd yn amodol fel y cyfryw o dan Erthygl 31(2) o Reoliad 882/2004; neu
- (b) sy'n gweithredu fel y cyfryw o dan Erthygl 4(5) o Reoliad 853/2004 tra'n disgwyl y cyfryw gymeradwyaeth.

(4) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

Stampiau wyn a geifr ifanc

10.—(1) Caiff arolygydd stampio dafad neu afr mewn lladd-dy gyda stamp oen ifanc neu stamp gafr ifanc os nad oes gan yr anifail flaenddant parhaol sydd wedi torri drwy gig y dannedd, ac os nad yw'r ddogfennaeth, os oes dogfennaeth o'r fath, sy'n ymwneud â'r anifail yn dangos ei fod dros 12 mis oed adeg ei gigydda.

(2) Mae'n rhaid i'r stamp farcio'r cig gyda chylch 5 centimetr mewn diamedr gyda'r canlynol mewn priflythrennau 1 centimetr o ran uchder—

- (a) "MHS"; a
- (b) yn achos dafad, "YL"; neu
- (c) yn achos gafr, "YG".

(3) Mae'n dramgwydd i unrhyw berson ac eithrio arolygydd ddefnyddio'r stamp neu farc sy'n debyg i'r stamp neu i feddu cyfarpar ar gyfer ei ddefnyddio.

(4) Mae'n dramgwydd marcio dafad neu afr â stamp sydd yn stamp oen ifanc neu'n stamp gafr ifanc neu sy'n debyg iddynt oni bai bod yr anifail yn anifail y caniateir ei farcio yn unol ag is-baragraff (1).

Tynnu llinyn asgwrn y cefn o ddefaid a geifr

11. Mae'n dramgwydd tynnu llinyn asgwrn y cefn neu unrhyw ran ohono o ddafad neu afr sydd dros 12 mis oed adeg ei chigydda neu oedd ag un neu fwy o'i blaenddannedd parhaol wedi torri drwy gig y dannedd (heblaw at ddibenion archwiliad milfeddygol neu wyddonol) ac eithrio drwy—

- (a) hollti holl asgwrn y cefn yn hydredol; neu
- (b) tynnu darn hydredol o holl asgwrn y cefn gan gynnwys llinyn asgwrn y cefn.

Awdurdodi safleoedd torri gan yr Asiantaeth Safonau Bwyd

12.—(1) Caiff yr Asiantaeth Safonau Bwyd awdurdodi safle torri i dynnu —

- (a) y rhannau hynny o asgwrn cefn anifeiliaid

authority of the receiving member State and the dispatch is in accordance with that agreement.

(3) In sub-paragraph (2)(b)(iii), "cutting plant" means premises—

- (a) approved or conditionally approved as such under Article 31(2) of Regulation 882/2004; or
- (b) operating as such under Article 4(5) of Regulation 853/2004 pending such approval.

(4) Failure to comply with this paragraph is an offence.

Young lamb and goat stamps

10.—(1) An inspector may stamp a sheep or goat in a slaughterhouse with a young lamb stamp or a young goat stamp if the animal does not have a permanent incisor erupted through the gum and the documentation, if any, relating to the animal does not indicate that it is aged over 12 months at slaughter.

(2) The stamp must mark the meat with a circular mark 5 centimetres in diameter with the following in capital letters 1 centimetre high—

- (a) "MHS"; and
- (b) in the case of a sheep, "YL"; or
- (c) in the case of a goat, "YG".

(3) It is an offence for any person other than an inspector to apply the stamp or a mark resembling the stamp, or to possess equipment for applying it.

(4) It is an offence to mark a sheep or goat with a stamp that is or resembles a young lamb stamp or a young goat stamp unless it is an animal permitted to be marked in accordance with sub-paragraph (1).

Removal of spinal cord from sheep and goats

11. It is an offence to remove the spinal cord or any part of it from a sheep or goat aged over 12 months at slaughter or that had one or more permanent incisors erupted through the gum (other than for the purposes of veterinary or scientific examination) except by—

- (a) longitudinally splitting the whole vertebral column; or
- (b) removing a longitudinal section of the whole vertebral column including the spinal cord.

Authorisation of cutting plants by the Food Standards Agency

12.—(1) The Food Standards Agency may authorise a cutting plant to remove —

- (a) those parts of the vertebral column of bovine

buchol sy'n ddeunydd risg penodedig; neu

- (b) llinyn asgwrn y cefn o ddefaid a geifr sydd dros 12 mis oed adeg eu cigyddu neu sydd â blaenddant parhaol wedi torri drwy gig y dannedd,

os yw'r Asiantaeth wedi'i bodloni y cydymffurfir â darpariaethau Atodiad V i Reoliad TSE diwygiedig y Gymuned a'r Atodlen hon.

(2) Mae'r gweithdrefnau yn rheoliadau 10, 12, 13 a 14 yn gymwys, ond rhaid dehongli pob cyfeiriad at y Cynulliad Cenedlaethol fel cyfeiriad at yr Asiantaeth.

Tynnu deunydd risg penodedig ar safle torri a awdurdodwyd o dan baragraff 12(1)

13. Mae meddiannydd safle torri a awdurdodwyd o dan baragraff 12(1) yn cyflawni tramgwydd onid yw, cyn gynted ag y bo'n rhesymol ymarferol ar ôl i'r cig gyrraedd y safle, a ph'run bynnag cyn i'r cig gael ei symud oddi ar y safle, yn tynnu o'r cig bob deunydd risg penodedig o fath y mae a wnelo'r awdurdodiad ag ef.

Cig o Aelod-wladwriaeth arall

14. At ddibenion pwynt 10.1 a pwynt 10.2 o Atodiad V i Reoliad TSE diwygiedig y Gymuned, pan ddeuir â chig sy'n cynnwys rhannau o asgwrn cefn anifail buchol sy'n ddeunydd risg penodedig i Gymru o Aelod-wladwriaeth arall, rhaid i'r mewforiwr ei anfon yn uniongyrchol i safle torri a awdurdodwyd o dan baragraff 12(1)(a) ac mae methu â gwneud hynny yn dramgwydd.

Staenio a gwaredu deunydd risg penodedig

15.—(1) Mae meddiannydd unrhyw fangre lle caiff deunydd risg penodedig ei dynnu sy'n methu â chydymffurfio â phwynt 3 o Atodiad V i Reoliad TSE diwygiedig y Gymuned (marcio a gwaredu) yn euog o dramgwydd.

(2) At ddibenion y pwynt hwnnw—

- (a) mae staenio'n ymwneud â thrin y deunydd (p'un ai drwy ei drochi, ei chwistrellu neu drwy ddull arall) gan ddefnyddio—
- (i) toddiant 0.5% yn ôl pwysau/cyfaint o'r asiant lliwio Patent Blue V (E131, 1971 Colour Index No 42051(1)), neu
- (ii) y cyfryw fath o asiant lliwio arall y dichon Gweinidogion Cymru neu'r Asiantaeth Safonau Bwyd ei gymeradwyo'n ysgrifenedig; a
- (b) Rhaid taenu'r staen yn y fath fodd fel bod y lliwiad yn hollol weladwy ac yn parhau'n hollol weladwy—

animals that are specified risk material; or

- (b) spinal cord from sheep and goats aged over 12 months at slaughter or which have a permanent incisor erupted through the gum,

if the Agency is satisfied that the provisions of Annex V to the amended Community TSE Regulation and this Schedule will be complied with.

(2) The procedures in regulations 10, 12, 13 and 14 apply, but all references to the National Assembly must be construed as references to the Agency.

Removal of specified risk material at a cutting plant authorised under paragraph 12(1)

13. The occupier of a cutting plant authorised under paragraph 12(1) commits an offence if he or she does not, as soon as is reasonably practicable after arrival at the plant of meat, and in any event before the meat is removed from the plant, remove from the meat all specified risk material of a kind to which the authorisation relates.

Meat from another member State

14. For the purposes of point 10.1 and point 10.2 of Annex V to the amended Community TSE Regulation, where meat containing those parts of the vertebral column of a bovine animal that are specified risk material is brought into Wales from another member State, the importer must send it directly to a cutting plant authorised under paragraph 12(1)(a), and failure to do so is an offence.

Staining and disposal of specified risk material

15.—(1) The occupier of any premises where specified risk material is removed who fails to comply with point 3 of Annex V to the amended Community TSE Regulation (marking and disposal) is guilty of an offence.

(2) For the purposes of that point—

- (a) staining involves treating the material (whether by immersion, spraying or other application) with—
- (i) a 0.5% weight/volume solution of the colouring agent Patent Blue V (E131, 1971 Colour Index No 42051(1)), or
- (ii) such other colouring agent as may be approved in writing by the Welsh Ministers or the Food Standards Agency; and
- (b) the stain must be applied in such a way that the colouring is and remains clearly visible—

(1) Cyhoeddir Colour Index gan The Society of Dyers and Colourists yn Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB.

(1) Colour Index is published by the Society of Dyers and Colourists at Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB.

- (i) dros y cyfan o'r arwyneb a dorrrwyd a throos y rhan fwyaf o'r pen yn achos pen dafad neu afr, a
- (ii) yn achos pob deunydd risg penodedig arall, dros arwyneb cyfan y deunydd.

(3) Nid yw'r paragraff hwn yn gymwys o ran unrhyw ddeunydd risg penodedig sy'n mynd i gael ei ddefnyddio yn ôl fel y darperir yn Erthygl 1(2)(b) ac (c) o Reoliad TSE diwygiedig y Gymuned.

Anifeiliaid y cynllun

16.—(1) Ar ôl i'r deunydd risg penodedig gael ei dynnu o anifail buchol a gafodd ei gigydda at ddibenion Rheoliad y Comisiwn (EC) Rhif 716/96 sy'n mabwysiadu mesurau cynnal eithriadol ar gyfer y farchnad cig eidion yn y Deyrnas Unedig(1) fel y'i diwygiwyd ddiwethaf gan Reoliad y Comisiwn (EC) Rhif 2109/2005 sy'n diwygio Rheoliad (EC) Rhif 716/96 sy'n mabwysiadu mesurau cynnal eithriadol ar gyfer y farchnad cig eidion yn y Deyrnas Unedig(2), rhaid i'r gweddill (ac eithrio'r croen) gael ei staenio ar unwaith yn unol â pharagraff 15 a hynny yn y fath fodd fel y bod y lliwiad yn hollol weladwy dros arwyneb cyfan y deunydd.

(2) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

Diogeledd deunydd risg penodedig

17.—(1) Hyd oni thraddodir neu y gwaredir y deunydd o'r fangre lle y'i tynnwyd, rhaid i feddiannydd y fangre sicrhau bod deunydd risg penodedig yn cael ei wahanu'n ddigonol oddi wrth unrhyw fwyd, bwydydd anifeiliaid neu gynnyrch cosmetig, fferyllol neu feddygol ac yn cael ei gadw mewn cynhwysydd anhydraid ac iddo gaead ag arno label yn nodi naill ai—

- (a) bod ynddo ddeunydd risg penodedig; neu
- (b) bod ynddo sgil-gynhyrchion anifeiliaid categori 1 a bod y geiriau "For disposal only" yn cael eu rhoi ar y label.

(2) Rhaid i feddiannydd y fangre sicrhau bod y cynhwysydd yn cael ei olchi'n drylwyr cyn gynted ag y bo'n rhesymol ymarferol bob tro y caiff ei wagu, a'i fod yn cael ei ddiheintio cyn cael ei ddefnyddio at unrhyw ddiben arall.

(3) Mae methu â chydymffurfio â'r paragraff hwn yn dramgwydd.

- (i) over the whole of the cut surface and the majority of the head in the case of the head of a sheep or goat, and
- (ii) in the case of all other specified risk material, over the whole surface of the material.

(3) This paragraph does not apply in relation to any specified risk material which is destined for use as provided in Article 1(2)(b) and (c) of the amended Community TSE Regulation.

Scheme animals

16.—(1) After the specified risk material has been removed from a bovine animal slaughtered for the purposes of Commission Regulation (EC) No. 716/96 adopting exceptional support measures for the beef market in the United Kingdom(1) as last amended by Commission Regulation (EC) No. 2109/2005 amending Regulation (EC) No. 716/96 adopting exceptional support measures for the beef market in the United Kingdom(2), the remainder (excluding the hide) must immediately be stained in accordance with paragraph 15 in such a way that the colouring is and remains clearly visible over the whole surface of the material.

(2) Failure to comply with this paragraph is an offence.

Security of specified risk material

17.—(1) Pending consignment or disposal from the premises on which it was removed, the occupier of the premises must ensure that specified risk material is adequately separated from any food, feedingstuff or cosmetic, pharmaceutical or medical product and held in an impervious covered container that is labelled as either—

- (a) containing specified risk material; or
- (b) Category 1 animal by-products and including the words "For disposal only".

(2) He or she must ensure that the container is thoroughly washed as soon as is reasonably practicable each time that it is emptied, and disinfected before use for any other purpose.

(3) Failure to comply with this paragraph is an offence.

(1) OJ Rhif L 99, 20.4.1996, t.14.

(2) OJ Rhif L337, 22.12.2005, t.25.

(1) OJ No. L 99, 20.4.1996, p.14.

(2) OJ No. L337, 22.12.2005, p.25.

Gwaharddiad ar ddanfon pennau a charcasau heb eu hollti i Aelod-wladwriaethau eraill

18. Yn ddarostyngedig i bwynt 10.2 o Atodiad V i Reoliad TSE diwygiedig y Gymuned, mae unrhyw berson sydd, yn absenoldeb cytundeb o'r math a bennir ym mhwynt 10.1 o'r Rheoliad hwnnw, yn danfon unrhyw ben neu unrhyw garcas heb ei hollti sy'n cynnwys deunydd risg penodedig i Aelod-wladwriaeth arall yn cyflawni tramgwydd.

Gwaharddiad ar gyflenwi deunydd risg penodedig i'w fwyta gan bobl

19. Mae'n dramgwydd gwerthu neu gyflenwi—
- (a) unrhyw ddeunydd risg penodedig, neu unrhyw fwyd sy'n cynnwys deunydd risg penodedig i'w fwyta gan bobl; neu
 - (b) unrhyw deunydd risg penodedig i'w ddefnyddio i baratoi unrhyw fwyd i'w fwyta gan bobl.

Darpariaethau Trosiannol

20.—(1) Hyd 17 Mai 2008, nid oes dim yn yr Atodlen hon yn gwahardd danfon i siop cigydd a oedd, ar 25 Ebrill 2008, wedi'i hawdurdodi a'i chofrestru o dan baragraff 14 o'r Atodlen hon fel yr oedd ar y dyddiad hwnnw, gig—

- (a) na ddaethpwyd ag ef i Gymru o Aelod-wladwriaeth arall;
- (b) sy'n dod o anifail buchol—
 - (i) a gigyddiwyd dim hwyrach na 25 Ebrill 2008, a
 - (ii) a oedd yn 30 mis oed neu lai adeg ei gigydda; ac
- (c) sy'n cynnwys y rhannau hynny o'r asgwrn cefn sy'n ddeunydd risg penodedig.

(2) Hyd 24 Mai 2008, mae meddiannydd siop cigydd o'r math y cyfeirir ati yn is-baragraff (1) yn cyflawni tramgwydd onid yw'n tynnu o gig a ddanfonwyd ato yn unol â'r is-baragraff hwnnw y rhannau hynny o'r asgwrn cefn sy'n ddeunydd risg penodedig.

(3) Rhaid i awdurdodau lleol wneud y dyletswyddau sydd ar yr Aelod-wladwriaeth ym mhwynt 11.1 ac 11.2 o Atodiad V i Reoliad TSE diwygiedig y Gymuned mewn perthynas â thynnu'r asgwrn cefn yn unol ag is-baragraff (2).

(4) Hyd 17 Mai 2008, nid oes dim yn yr Atodlen hon yn gwahardd danfon i safle torri (p'un a yw wedi'i awdurdodi o dan baragraff 12(1)(a) ai peidio) gig—

- (a) na ddaethpwyd ag ef i Gymru o Aelod-wladwriaeth arall;
- (b) sy'n dod o anifail buchol—

Prohibition on the dispatch of heads and un-split carcasses to other member States

18. Subject to point 10.2 of Annex V to the amended Community TSE Regulation, any person who, in the absence of an agreement of the kind specified in point 10.1 of that Regulation, dispatches any head or un-split carcase containing specified risk material to another member State commits an offence.

Prohibition on the supply of specified risk material for human consumption

19. It is an offence to sell or supply—
- (a) any specified risk material, or any food containing specified risk material, for human consumption; or
 - (b) any specified risk material for use in the preparation of any food for human consumption.

Transitional provisions

20.—(1) Until 17 May 2008, nothing in this Schedule precludes consignment to a butcher shop that was, on 25th April 2008, authorised and registered under paragraph 14 of this Schedule as it was on that date, of meat which—

- (a) has not been brought into Wales from another member State;
- (b) is derived from a bovine animal that was—
 - (i) slaughtered no later than 25 April 2008, and
 - (ii) aged 30 months or less at slaughter; and
- (c) contains those parts of the vertebral column that are specified risk material.

(2) Until 24 May 2008, the occupier of a butcher shop of the kind referred to in sub-paragraph (1) commits an offence unless he or she removes from meat consigned to him or her in accordance with that sub-paragraph those parts of the vertebral column that are specified risk material.

(3) Local authorities shall carry out the duties on the Member State in point 11.1 and 11.2 of Annex V to the amended Community TSE Regulation in relation to the removal of vertebral column in accordance with sub-paragraph (2).

(4) Until 17 May 2008, nothing in this Schedule precludes consignment to a cutting plant (whether or not authorised under paragraph 12(1)(a) of meat which—

- (a) has not been brought into Wales from another member State;
- (b) is derived from a bovine animal that was—

- (i) a gigyddiwyd dim hwyrach na 25 Ebrill 2008, a
- (ii) a oedd yn 30 mis oed neu lai adeg ei gigydda; ac
- (c) sy'n cynnwys y rhannau hynny o'r asgwrn cefn sy'n ddeunydd risg penodedig.

(5) Hyd 24 Mai 2008, mae meddiannydd safle torri o'r math y cyfeirir ati yn is-baragraff (1) yn cyflawni tramgwydd onid yw'n tynnu o gig a ddanfonwyd ato yn unol â'r is-baragraff hwnnw y rhannau hynny o'r asgwrn cefn sy'n ddeunydd risg penodedig.

(6) At ddibenion y paragraff hwn a pharagraffau 15, 17 ac 19 i'r graddau y maent yn gymwys mewn perthynas â deunydd risg penodedig a gaiff ei dynnu yn unol ag is-baragraff (2) neu (5), mae i "deunydd risg penodedig" yr ystyr a roddir i'r ymadrodd "specified risk material" yn Erthygl 3.1(g) o Reoliad TSE y Gymuned fel y'i diwygiwyd gan Reoliad y Comisiwn (EC) Rhif 722/2007.

Diffiniadau o ddeddfwriaeth y Gymuned

21. Yn yr Atodlen hon—

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

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 dod o anifeiliaid(2) fel y'i diwygiwyd ddiwethaf gan Reoliad 1243/2007 ac fel y'i darllenir gyda Chyfarwyddeb 2004/41, Rheoliad 2074/2005 a Rheoliad 2076/2005;

ystyr "Rheoliad 882/2004" ("*Regulation 882/2004*") yw Rheoliad (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol sy'n cael eu gwneud i sicrhau gwirio bod cydymffurfiaeth â chyfraith bwyd a bwyd

- (i) slaughtered no later than 25 April 2008, and
- (ii) aged 30 months or less at slaughter; and
- (c) contains those parts of the vertebral column that are specified risk material.

(5) Until 24 May 2008, the occupier of a cutting plant of the kind referred to in sub-paragraph (4) commits an offence unless he or she removes from meat consigned to him or her in accordance with that sub-paragraph those parts of the vertebral column that are specified risk material.

(6) For the purposes of this paragraph and paragraphs 15, 17 and 19 in so far as they apply in relation to specified risk material removed in accordance with sub-paragraph (2) or (5), "specified risk material" has the meaning given to it in Article 3.1(g) of the Community TSE Regulation as amended by Commission Regulation (EC) No. 722/2007.

Definitions of Community legislation

21. In this Schedule—

"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(1);

"Regulation 853/2004" ("*Rheoliad 853/2004*") means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(2) as last amended by Regulation 1243/2007 and as read with Directive 2004/41, Regulation 1688/2005, Regulation 2074/2005 and Regulation 2076/2005;

"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

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

(2) OJ Rhif L139, 30.4.2004, t.55. Mae testun diwygiedig Rheoliad (EC) Rhif 853/2004 bellach wedi'i osod mewn Corrigendwm (OJ Rhif L226, 25.6.2004, t.22) y dylid ei darllen gyda Chorigendwm pellach (OJ Rhif L204, 4.8.2007, t.26).

(1) 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).

(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) which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.26).

anifeiliaid, iechyd anifeiliaid a rheoliadau lles anifeiliaid(1) fel y'i diwygiwyd ddiwethaf gan Reoliad 1791/2006 ac fel y'i darllenir gyda Rheoliad 2074/2005 a Rheoliad 2076/2005;

ystyr "Rheoliad 1688/2005" ("*Regulation 1688/2005*") yw Rheoliad y Comisiwn (EC) Rhif 1688/2005 sy'n gweithredu Rheoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor sy'n ymwneud â gwarantiau arbennig ynghylch salmonela ar gyfer traddodi cig ac wyau penodol i'r Ffindir a Sweden (2);

ystyr "Rheoliad 2074/2005" ("*Regulation 2074/2005*") yw Rheoliad y Comisiwn (EC) Rhif 2074/2005 sy'n gosod mesurau gweithredu ar gyfer cynhyrchion penodol o dan Reoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor ac ar gyfer trefniadaeth rheolaethau swyddogol o dan Reoliad (EC) Rhif 854/2004 Senedd Ewrop a'r Cyngor a Rheoliad (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor, sy'n rhanddirymu Rheoliad (EC) Rhif 852/2004 Senedd Ewrop a'r Cyngor ac yn diwygio Rheoliadau (EC) Rhif 853/2004 ac (EC) Rhif 854/2004(3) fel y'i diwygiwyd ddiwethaf gan Reoliad 1244/2007;

ystyr "Rheoliad 2075/2005" ("*Regulation 2075/2005*") yw Rheoliad y Comisiwn (EC) Rhif 2075/2005 sy'n gosod rheolau penodol ar reolaethau swyddogol ar gyfer *Trichinella* mewn cig(4) fel y'i diwygiwyd ddiwethaf gan Reoliad 1245/2007

ystyr "Rheoliad 2076/2005" ("*Regulation 2076/2005*") yw Rheoliad y Comisiwn (EC) Rhif 2076/2005 sy'n gosod trefniadau trosiannol ar gyfer gweithredu Rheoliadau (EC) Rhif 853/2004, (EC) Rhif 854/2004 ac (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor ac yn diwygio Rheoliadau (EC) Rhif 853/2004 ac (EC) Rhif 854/2004(5) fel y'i diwygiwyd ddiwethaf gan Reoliad 1246/2007;

ystyr "Rheoliad 1791/2006" ("*Regulation 1791/2006*") yw Rheoliad (EC) Rhif 1791/2006 sy'n mabwysiadu Rheoliadau a Phenderfyniadau penodol ym meysydd rhydd symudiad nwyddau, rhyddid symudiad personau, cyfraith cwmnïau, polisi cystadleuaeth, amaethyddiaeth (gan gynnwys deddfwriaeth filfeddygol a

and animal welfare rules(1) as last amended by Regulation 1791/2006 and as read with Regulation 2074/2005 and Regulation 2076/2005;

"Regulation 1688/2005" ("*Rheoliad 1688/2005*") means Commission Regulation (EC) No. 1688/2005 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(2) ;

"Regulation 2074/2005" ("*Rheoliad 2074/2005*") means Commission Regulation (EC) No. 2074/2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and of the Council and Regulation (EC) No. 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004(3) as last amended by Regulation 1244/2007;

"Regulation 2075/2005" ("*Rheoliad 2075/2005*") means Commission Regulation (EC) No. 2075/2005 laying down specific rules on official controls for *Trichinella* in meat(4) as last amended by Regulation 1245/2007

"Regulation 2076/2005" ("*Rheoliad 2076/2005*") means Commission Regulation (EC) No. 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004(5) as last amended by Regulation 1246/2007;

"Regulation 1791/2006" ("*Rheoliad 1791/2006*") means Council Regulation (EC) No. 1791/2006 adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture (including veterinary and phytosanitary legislation), transport policy,

(1) OJ Rhif L165, 30.4.2004, t.1. Mae testun diwygiedig Rheoliad (EC) Rhif 882/2004 bellach wedi'i osod mewn Corrigendwm (OJ Rhif L191, 28.5.2004, t.1) y dylid ei ddarllen gyda Chorigendwm pellach (OJ Rhif L204, 4.8.2007, t.29).

(2) OJ Rhif L271, 15.10.2005, t.17.

(3) OJ Rhif L338, 22.12.2005, t.27.

(4) OJ Rhif L338, 22.12.2005, t.60.

(5) OJ Rhif L338, 22.12.2005, t.83.

(1) 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) which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.29).

(2) OJ No. L271, 15.10.2005, p.17.

(3) OJ No. L338, 22.12.2005, p.27.

(4) OJ No. L338, 22.12.2005, p.60.

(5) OJ No. L338, 22.12.2005, p.83.

ffytoiechydol), polisi trafndiaeth, trethiant, ystadegaeth, ynni, yr amgylchedd, cydweithrediad ym meysydd cyfiawnder a materion cartref, undeb tollau, perthnasau allanol, polisiâu a sefydliadau tramor a diogeledd cyffredin, oherwydd ymaelodi Bwlgaria a Romania(1);

ystyr "Rheoliad 722/2007" ("*Regulation 722/2007*") yw Rheoliad y Comisiwn (EC) Rhif 722/2007 sy'n diwygio Atodiadau II, V, VI, VIII, IX ac XI i Rheoliad (EC) Rhif 999/2001 Senedd Ewrop a'r Cyngor sy'n gosod rheolau ar gyfer atal, rheoli a chael gwared ar eneffalopathïau sbyngffurf trosglwyddadwy penodol(2);

ystyr "Rheoliad 1243/2007" ("*Regulation 1243/2007*") yw Rheoliad y Comisiwn (EC) Rhif 1243/2007 sy'n diwygio Atodiad III i Rheoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor sy'n gosod rheolau hylendid penodol ar gyfer bwyd sy'n dod o anifeiliaid(3);

ystyr "Rheoliad 1244/2007" ("*Regulation 1244/2007*") yw Rheoliad y Comisiwn (EC) Rhif 1244/2007 sy'n diwygio Rheoliad (EC) Rhif 2074/2005 sy'n ymwneud â gweithredu mesurau ar gyfer cynhyrchion penodol sy'n dod o anifeiliaid y bwriedir eu bwyta gan bobl ac yn gosod rheolau penodol ar reolaethau swyddogol ar gyfer archwilio cig(4);

ystyr "Rheoliad 1245/2007" ("*Regulation 1245/2007*") yw Rheoliad y Comisiwn (EC) Rhif 1245/2007 sy'n diwygio Atodiad I i Rheoliad (EC) Rhif 2075/2005 sy'n ymwneud â defnyddio hylif pepsin er mwyn canfod Trichinella mewn cig(5).

ystyr "Rheoliad 1246/2007" ("*Regulation 1246/2007*") yw Rheoliad y Comisiwn (EC) Rhif 1246/2007 sy'n diwygio Rheoliad (EC) Rhif 2076/2005 sy'n ymwneud ag ymestyn y cyfnod trosiannol a ganiateir i weithredwyr busnes bwyd sy'n mewnforio olew pysgod a fwriedir i'w fwyta gan bobl(6).

taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romania(1);

"Regulation 722/2007" ("*Rheoliad 722/2007*") means Commission Regulation (EC) No. 722/2007 amending Annexes II, V, VI, VIII, IX and XI to 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(2);

"Regulation 1243/2007" ("*Rheoliad 1243/2007*") means Commission Regulation (EC) No. 1243/2007 amending Annex III to Regulation (EC) No. 853/2004 of the European Parliament and the Council laying down specific hygiene rules for food of animal origin(3);

"Regulation 1244/2007" ("*Rheoliad 1244/2007*") means Commission Regulation (EC) No. 1244/2007 amending Regulation (EC) No. 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and laying down specific rules on official controls for the inspection of meat(4);

"Regulation 1245/2007" means Commission Regulation (EC) No. 1245/2007 amending Annex I to Regulation (EC) No. 2075/2005 as regards the use of liquid pepsin for the detection of Trichinella in meat(5).

"Regulation 1246/2007" means Commission Regulation (EC) No. 1246/2007 amending Regulation (EC) No. 2076/2005 as regards the extension of the transitional period granted to food business operators importing fish oil intended for human consumption(6).

(1) OJ Rhif L363, 20.12.2006, t.1.

(2) OJ Rhif L164, 26.6.2007, t.7.

(3) OJ Rhif L281, 25.10.2007, t.8.

(4) OJ Rhif L281, 25.10.2007, t.12.

(5) OJ Rhif L281, 25.10.2007, t.19.

(6) OJ Rhif L281, 25.10.2007, t.21.

(1) OJ No. L363, 20.12.2006, p.1.

(2) OJ No. L164, 26.6.2007, p.7.

(3) OJ No. L281, 25.10.2007, p.8.

(4) OJ No. L281, 25.10.2007, p.12.

(5) OJ No. L281, 25.10.2007, p.19.

(6) OJ No. L281, 25.10.2007, p.21.

OFFERYNNAU STATUDOL
CYMRU

2008 Rhif 1182 (Cy.119)

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

Rheoliadau Enseffalopathïau
Sbyngffurf Trosglwyddadwy
(Cymru) (Diwygio) 2008

WELSH
STATUTORY INSTRUMENTS

2008 No. 1182 (W.119)

ANIMALS, WALES

ANIMAL HEALTH

The Transmissible Spongiform
Encephalopathies (Wales)
(Amendment) Regulations 2008

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