OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2014 Rhif 1858 (Cy. 192)

BWYD, CYMRU

Rheoliadau Hylendid Bwyd (Cymru) (Diwygio) 2014

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn, sy'n gymwys i Gymru, yn gweithredu Rheoliad y Comisiwn (EU) Rhif 216/2014 sy'n diwygio Rheoliad (EC) Rhif 2075/2005 sy'n gosod rheolau penodol ar reolaethau swyddogol ar gyfer Trichinella mewn cig. Maent hefyd yn gweithredu Rheoliad y Comisiwn (EU) Rhif 218/2014 sy'n diwygio Atodiadau i Reoliadau (EC) Rhif 853/2004 ac (EC) Rhif 854/2004 Senedd Ewrop a'r Cyngor a Rheoliad y Comisiwn (EC) Rhif 2074/2005, sy'n dileu'r gofyniad am farc iechyd arbennig a'r cyfyngiad i'r farchnad genedlaethol ar gyfer cig anifeiliaid sydd wedi eu lladd mewn argyfwng. Mae'r Rheoliadau hyn hefyd yn gweithredu Rheoliad y Comisiwn (EU) Rhif 579/2014 sy'n caniatáu rhanddirymiad o ddarpariaethau penodol yn Atodiad II i Reoliadau (EC) Rhif 852/2004 Senedd Ewrop a'r Cyngor o ran cludo olewau a brasterau hylifol dros y môr.

Mae'r Rheoliadau hyn yn gweithredu Rheoliad y Comisiwn (EU) Rhif 218/2014 drwy ddiwygio Rheoliadau Hylendid Bwyd (Cymru) 2006 er mwyn dirymu rheoliad 32A (marc iechyd arbennig) ac Atodlen 6A (y marc iechyd arbennig) (rheoliad 2(2) a (5)).

Mae'r Rheoliadau hyn yn gweithredu Rheoliad y Comisiwn (EU) Rhif 216/2014 drwy ddiwygio Rheoliadau Hylendid Bwyd (Cymru) 2006 fel bod y diffiniad o Reoliad 2075/2005 yn Atodlen 1 yn cynnwys y diwygiadau a wnaed i'w erthyglau gan Reoliad 216/2014 (rheoliad 2(3)).

Mae'r Rheoliadau hyn yn gweithredu Rheoliad y Comisiwn (EU) Rhif 579/2014 drwy ddiwygio Rheoliadau Hylendid Bwyd (Cymru) 2006 fel bod y cyfeiriad at yr Atodiad i Gyfarwyddeb y Comisiwn 96/3/EC (rhestr o gargoau blaenorol derbyniol) ym

2014 No. 1858 (W. 192)

FOOD, WALES

The Food Hygiene (Wales) (Amendment) Regulations 2014

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Wales, implement Commission Regulation (EU) No. 216/2014 amending Regulation (EC) No. 2075/2005 laying down specific rules on official controls for Trichinella in meat. They also implement Commission Regulation (EU) No. 218/2014 amending Annexes to Regulations (EC) No. 853/2004 and (EC) No. 854/2004 of the European Parliament and of the Council and Commission Regulation (EC) No. 2074/2005, which removes the requirement for a special health mark and the restriction to the national market for emergency slaughter meat. These Regulations also implement Commission Regulation (EU) No. 579/2014 granting derogation from certain provisions of Annex II to Regulations (EC) No. 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea.

These Regulations implement Commission Regulation (EU) No. 218/2014 by amending the Food Hygiene (Wales) Regulations 2006 to revoke regulation 32A (special health mark) and Schedule 6A (the special health mark) (regulation 2(2) and (5)).

These Regulations implement Commission Regulation (EU) No. 216/2014 by amending the Food Hygiene (Wales) Regulations 2006 so that the definition of Regulation 2075/2005 in Schedule 1 includes the amendments made to its articles by Regulation 216/2014 (regulation 2(3)).

These Regulations implement Commission Regulation (EU) No. 579/2014 by amending the Food Hygiene (Wales) Regulations 2006 so that the reference to the Annex to Commission Directive 96/3/EC (list of acceptable previous cargoes) at

mharagraff 2(2) o Atodlen 3 yn cael ei amnewid gan yr Atodiad i Reoliad EU 579/2014 (rheoliad 2(4)).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth yr Asiantaeth Safonau Bwyd yn: Yr Asiantaeth Safonau Bwyd yng Nghymru, 11eg Llawr, Tŷ Southgate, Stryd Wood, Caerdydd, CF10 1EW.

paragraph 2(2) of Schedule 3 is substituted by the Annex to Regulation EU 579/2014 (regulation 2(4)).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Food Standards Agency at Food Standards Agency Wales, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.

OFFERYNNAU STATUDOL CYMRU

2014 Rhif 1858 (Cy. 192)

BWYD, CYMRU

Rheoliadau Hylendid Bwyd (Cymru) (Diwygio) 2014

Gwnaed *14 Gorffennaf 2014*

Gosodwyd gerbron Cynulliad Cenedlaethol Cymru *16 Gorffennaf*

Yn dod i rym *8 Awst 2014*

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**) ac Atodlen 2 iddi.

Mae Gweinidogion Cymru wedi eu dynodi at ddibenion yr adran honno mewn perthynas â mesurau sy'n ymwneud â bwyd (gan gynnwys diod) gan gynnwys cynhyrchu sylfaenol o ran bwyd(**2**).

Fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor sy'n gosod egwyddorion cyffredinol a gofynion cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(**3**), ymgynghorwyd yn agored ac yn dryloyw â'r cyhoedd wrth lunio a gwerthuso'r Rheoliadau hyn.

(**1**) 1972 p. 68. Diwygiwyd adran 2(2) gan adran 27(1)(a) o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p. 51) ("Deddf 2006") a Rhan 1 o'r Atodlen i Ddeddf yr Undeb Ewropeaidd (Diwygio) 2008 (p. 7) ("Deddf 2008"). Mewnosodwyd paragraff 1A o Atodlen 2 gan adran 28 o Ddeddf 2006 ac mae wedi ei ddiwygio gan adran 3(3) o Ddeddf 2008 a'r Atodlen iddi a chan erthygl 3 o baragraff 1 o Atodlen 1 i Orchymyn Deddf Llywodraeth Cymru 2006 (Addasiadau Canlyniadol a Darpariaethau Trosiannol) 2007 (O.S. 2007/1388).

(**2**) O.S. 2005/1971. Yn rhinwedd adran 162 a pharagraffau 28 a 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae'r swyddogaethau a roddwyd i Gynulliad Cenedlaethol Cymru drwy'r dynodiad hwn wedi eu trosglwyddo i Weinidogion Cymru.

(**3**) OJ Rhif L 31, 1.2.2002, t.1, fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 596/2009 Senedd Ewrop a'r Cyngor sy'n addasu nifer o offerynnau sy'n ddarostyngedig i'r weithdrefn y cyfeirir ati yn Erthygl 251 o'r Cytuniad i Benderfyniad y Cyngor 1999/468/EC o ran y weithdrefn reoleiddiol ynghyd â chraffu: Addasiad i'r weithdrefn reoleiddiol ynghyd â chraffu – Rhan Pedwar (OJ Rhif L 188, 18.7.2009, t.14).

WELSH STATUTORY INSTRUMENTS

2014 No. 1858 (W. 192)

FOOD, WALES

The Food Hygiene (Wales) (Amendment) Regulations 2014

Made *14 July 2014*

Laid before the National Assembly for Wales *16 July 2014*

Coming into force *8 August 2014*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of and paragraph 1A of Schedule 2 to the European Communities Act 1972(**1**).

The Welsh Ministers have been designated for the purposes of that section in relation to measures relating to food (including drink) including the primary production of food(**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 these Regulations.

(**1**) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) ("the 2006 Act") and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7) ("the 2008 Act"). Paragraph 1A of Schedule 2 was inserted by section 28 of the 2006 Act and has been amended by section 3(3) of and the Schedule to the 2008 Act and by article 3 of paragraph 1 of Schedule 1 to the Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388).

(**2**) S.I. 2005/1971. By virtue of section 162 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 transferred to the Welsh Ministers.

(**3**) OJ No L 31, 1.2.2002, p1, as last amended by Regulation (EC) No. 596/2009 of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny – Part Four (OJ No. L 188, 18.7.2009, p14).

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Hylendid Bwyd (Cymru) (Diwygio) 2014.

(2) Daw'r Rheoliadau hyn i rym ar 8 Awst 2014 ac maent yn gymwys o ran Cymru.

Diwygio Rheoliadau Hylendid Bwyd (Cymru) 2006

2.—(1) Mae Rheoliadau Hylendid Bwyd (Cymru) 2006(**1**) wedi eu diwygio yn unol â pharagraffau (2) i (5).

(2) Mae rheoliad 32A (marc iechyd arbennig) wedi ei ddirymu.

(3) Yn Atodlen 1 (diffiniadau o ddeddfwriaeth EU), yn lle'r diffiniad o "Rheoliad 2075/2005" ("*Regulation 2075/2005*"), rhodder—

> "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 fel y'i diwygiwyd ddiwethaf mewn cysylltiad â'i erthyglau gan Reoliad y Comisiwn (EU) Rhif 216/2014"(**2**).

(4) Ym mharagraff 2(2) o Atodlen 3 (swmpgludo olewau hylifol neu frasterau hylifol ar longau mordwyol a swmpgludo siwgr crai dros y môr), yn lle "Gyfarwyddeb y Comisiwn 96/3/EC" rhodder "Reoliad y Comisiwn (EU) Rhif 579/2014"(**3**).

(5) Mae Atodlen 6A (y marc iechyd arbennig) wedi ei dirymu.

Title, commencement and application

1.—(1) The title of these Regulations is the Food Hygiene (Wales) (Amendment) Regulations 2014.

(2) These Regulations come into force on 8 August 2014 and apply in relation to Wales.

Amendments to the Food Hygiene (Wales) Regulations 2006

2.—(1) The Food Hygiene (Wales) Regulations 2006(**1**) are amended in accordance with paragraphs (2) to (5).

(2) Regulation 32A (special health mark) is revoked.

(3) In Schedule 1 (definitions of EU legislation), for the definition of "Regulation 2075/2005" ("*Rheoliad 2075/2005*"), substitute—

> ""Regulation 2075/2005" ("*Rheoliad 2075/2005*") means Commission Regulation (EC) No. 2075/2005 laying down specific rules on official controls for *Trichinella* in meat as last amended in respect of its articles by Commission Regulation (EU) No. 216/2014"(**2**).

(4) In paragraph 2(2) of Schedule 3 (bulk transport in sea-going vessels of liquid oils or fats and the bulk transport by sea of raw sugar), for "Commission Directive 96/3/EC" substitute "Commission Regulation (EU) No. 579/2014"(**3**).

(5) Schedule 6A (the special health mark) is revoked.

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
14 Gorffennaf 2014

Minister for Health and Social Services, one of the Welsh Ministers
14 July 2014

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(**1**) O.S. 2006/31 (Cy.5) fel y'i diwygiwyd gan O.S. 2006/1534 (Cy.151), O.S. 2007/373 (Cy.33), O.S. 2010/893 (Cy.92), O.S. 2012/975 (Cy.129) ac O.S. 2012/1765 (Cy.225).
(**2**) Mae'r prif offeryn wedi ei gyhoeddi yn OJ L 338, 22.12.2005, t.60 a'r offeryn diwygio yn OJ L 69, 08.03.2014, t.85.
(**3**) OJ L 160, 29.05.2014, t.14-20.

(**1**) S.I. 2006/31 (W. 5) as amended by S.I. 2006/1534 (W.151), S.I. 2007/373 (W.33), S.I. 2010/893 (W.92), S.I. 2012/975 (W.129) and S.I. 2012/1765 (W. 225).
(**2**) The principal instrument is published in OJ L 338, 22.12.2005, p.60 and the amending instrument in OJ L 69, 08.03.2014, p.85.
(**3**) OJ L 160, 29.05.2014, p.14-20.

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