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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2019 Rhif 425 (Cy. 99)**

**2019 No. 425 (W. 99)**

**YMADAEL Â'R UNDEB  
EWROPEAIDD, CYMRU**

**EXITING THE EUROPEAN  
UNION, WALES**

**AMAETHYDDIAETH, CYMRU**

**AGRICULTURE, WALES**

**BWYD, CYMRU**

**FOOD, WALES**

**Rheoliadau Cynhyrchion Bwyd a  
Bwyd Anifeiliaid Rheoleiddiedig  
(Diwygiadau Amrywiol) (Cymru)  
(Ymadael â'r UE) 2019**

**The Food and Feed Regulated  
Products (Miscellaneous  
Amendments) (Wales) (EU Exit)  
Regulations 2019**

**NODYN ESBONIADOL**

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

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Mae'r Rheoliadau hyn, ac eithrio rheoliad 3(6), wedi eu gwneud drwy arfer y pwerau a roddir i Weinidogion Cymru gan baragraff 1(1) o Atodlen 2 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16), er mwyn ymdrin ag unrhyw fethiant yng nghyfraith yr UE a ddargedwir i weithredu'n effeithiol a diffygion eraill sy'n deillio o ymadawiad y Deyrnas Unedig â'r Undeb Ewropeaidd.

These Regulations, other than regulation 3(6), are made in exercise of the powers conferred on the Welsh Ministers by paragraph 1(1) of Schedule 2 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

Mae rheoliad 3(6) wedi ei wneud o dan adran 16 o Ddeddf Diogelwch Bwyd 1990 (p. 16) i ddiwygio Rheoliadau Deunyddiau ac Eitemau mewn Cysylltiad â Bwyd (Cymru) 2012 i osod y meini prawf sy'n gymwys i'r dull o benderfynu lefel y finyl clorid mewn deunyddiau ac eitemau mewn cysylltiad â bwyd ac o benderfynu lefel y finyl clorid a ryddheir gan y deunyddiau ac eitemau hynny.

Regulation 3(6) is made under section 16 of the Food Safety Act 1990 (c. 16) to amend the Materials and Articles in Contact with Food (Wales) Regulations 2012 to set the criteria applicable to the method for determining the level of vinyl chloride in materials and articles in contact with food and of determining the level of vinyl chloride released by those materials and articles.

Mae'r Rheoliadau hyn yn gwneud diwygiadau i is-ddeddfwriaeth sy'n gymwys yng Nghymru ym maes bwyd a bwyd anifeiliaid a addaswyd yn enetig, deunyddiau ac eitemau mewn cysylltiad â bwyd, ac ychwanegion, cyflasynnau, ensymau a thoddyddion echdynnu bwyd.

These Regulations make amendments to subordinate legislation applying in Wales in the field of genetically modified food and feed, materials and articles in contact with food, and food additives, flavourings, enzymes and extraction solvents.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal aseiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

**2019 Rhif 425 (Cy. 99)**

**YMADAEL Â'R UNDEB  
EWROPEAIDD, CYMRU**

**AMAETHYDDIAETH, CYMRU**

**BWYD, CYMRU**

**Rheoliadau Cynhyrchion Bwyd a  
Bwyd Anifeiliaid Rheoleiddiedig  
(Diwygiadau Amrywiol) (Cymru)  
(Ymadael â'r UE) 2019**

*Gofynion sifftio wedi eu bodloni 11 Chwefror 2019*

*Gwnaed 4 Mawrth 2019*

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru 5 Mawrth 2019*

*Yn dod i rym yn unol â rheoliad 1(3)*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan baragraff 1(1) o Atodlen 2 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(1) a chan adran 16(2)(a) o Ddeddf Diogelwch Bwyd 1990(2).

Mae gofynion paragraff 4(2) o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (sy'n ymwneud â gweithdrefn graffu briodol Cynulliad Cenedlaethol Cymru ar gyfer y Rheoliadau hyn) wedi eu bodloni.

**2019 No. 425 (W. 99)**

**EXITING THE EUROPEAN  
UNION, WALES**

**AGRICULTURE, WALES**

**FOOD, WALES**

**The Food and Feed Regulated  
Products (Miscellaneous  
Amendments) (Wales) (EU Exit)  
Regulations 2019**

*Sift requirements satisfied 11 February 2019*

*Made 4 March 2019*

*Laid before the National Assembly for Wales  
5 March 2019*

*Coming into force in accordance with  
regulation 1(3)*

The Welsh Ministers make these Regulations in exercise of the powers conferred by paragraph 1(1) of Schedule 2 to the European Union (Withdrawal) Act 2018(1) and by section 16(2)(a) of the Food Safety Act 1990(2).

The requirements of paragraph 4(2) of Schedule 7 to the European Union (Withdrawal) Act (relating to the appropriate National Assembly for Wales scrutiny procedure for these Regulations) have been satisfied.

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(1) 2018 p. 16.

(2) 1990 p. 16. Diwygiwyd adran 16(2) gan baragraff 8 o Atodlen 5 i Ddeddf Safonau Bwyd 1999 (p. 28) ("Deddf 1999"). Trosglwyddwyd swyddogaethau a oedd gynt yn arferadwy gan "the Ministers", i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan O.S. 1999/672 fel y'i darllenir gydag adran 40(3) o Ddeddf 1999, a'u trosglwyddo wedi hynny i Weiniogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

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(1) 2018 c.16.

(2) 1990 c. 16. Section 16(2) was amended by paragraph 8 of Schedule 5 to the Food Standards Act 1999 (c. 28) ("the 1999 Act"). Functions formerly exercisable by "the Ministers" so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672 as read with section 40(3) of the 1999 Act, and subsequently transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

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(1), ymgynghorwyd yn agored ac yn dryloyw â'r cyhoedd wrth lunio'r Rheoliadau hyn.

### **Enwi, cymhwyso a chychwyn**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynhyrchion Bwyd a Bwyd Anifeiliaid Rheoleiddiedig (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) Daw'r Rheoliadau hyn i rym ar y diwrnod ymadael.

### **Rheoliadau Bwyd a Addaswyd yn Enetig (Cymru) 2004**

2. Yn yr Atodlen i Reoliadau Bwyd a Addaswyd yn Enetig (Cymru) 2004(2), yn Rhan 2, yn y tabl, hepgorer y cofnod ar gyfer Erthygl 8.6.

### **Rheoliadau Deunyddiau ac Eitemau mewn Cysylltiad â Bwyd (Cymru) 2012**

3.—(1) Mae Rheoliadau Deunyddiau ac Eitemau mewn Cysylltiad â Bwyd (Cymru) 2012(3) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(1), hepgorer y diffiniad o "Cyfarwyddeb 84/500/EEC".

(3) Yn rheoliad 9, hepgorer paragraff (b).

(4) Yn lle rheoliad 10 rhodder—

“10.—(1) Ni chaiff y meintiau o blwm a chadmiwm a drosglwyddir o eitem geramig fynd dros y terfynau a nodir ym mharagraff (5) fel y'i darllenir gyda pharagraffau (4) a (6).

(2) Oni ddangosir nad oedd y deunyddiau a ddefnyddiwyd i wneud yr eitem geramig yn cynnwys plwm neu gadmiwm, rhaid i'r meintiau o blwm a chadmiwm a drosglwyddir o eitem geramig gael eu penderfynu drwy brawf, y pennir ei amodau yn Atodlen 3, gan ddefnyddio'r dull dadansoddi a ddisgrifir yn Atodlen 4.

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(1) there has been open and transparent public consultation during the preparation of these Regulations.

### **Title, application and commencement**

1.—(1) The title of these Regulations is the Food and Feed Regulated Products (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on exit day.

### **The Genetically Modified Food (Wales) Regulations 2004**

2. In the Schedule to the Genetically Modified Food (Wales) Regulations 2004(2), in Part 2, in the table, omit the entry for Article 8.6.

### **The Materials and Articles in Contact with Food (Wales) Regulations 2012**

3.—(1) The Materials and Articles in Contact with Food (Wales) Regulations 2012(3) are amended as follows.

(2) In regulation 2(1), omit the definition of "Directive 84/500/EEC".

(3) In regulation 9, omit paragraph (b).

(4) For regulation 10 substitute—

“10.—(1) The quantities of lead and cadmium transferred from a ceramic article must not exceed the limits set out in paragraph (5) as read with paragraphs (4) and (6).

(2) Unless it is demonstrated that the materials used to make the ceramic article did not contain lead or cadmium, the quantities of lead and cadmium transferred from a ceramic article must be determined by means of a test, the conditions of which are specified in Schedule 3, using the method of analysis described in Schedule 4.

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(1) OJ Rhif L 31, 1.2.2002, t. 1, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(2) O.S. 2004/3220 (Cy. 276), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(3) O.S. 2012/2705 (Cy. 291), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

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(1) OJ No. L 31, 1.2.2002, p. 1, to which there are amendments not relevant to these Regulations.

(2) S.I. 2004/3220 (W. 276), to which there are amendments not relevant to these Regulations.

(3) S.I. 2012/2705 (W. 291), to which there are amendments not relevant to these Regulations.

(3) Ni chaiff unrhyw berson roi ar y farchnad eitem geramig nad yw'n cydymffurfio â gofynion paragraff (1) fel y'i darllenir gyda paragraff (2).

(4) Pan fo eitem geramig yn llestr ag iddo glawr ceramig, rhaid i'r terfynau plwm neu gadmiwm (neu'r ddau) na chaniateir mynd drostynt (mg/dm<sup>2</sup> neu mg/litr) fod yr un terfynau ag sy'n gymwys i'r llestr yn unig. Rhaid cynnal profion ar wahân ac o dan yr un amodau ar y llestr yn unig ac ar arwyneb mewnol y clawr. Rhaid i gyfanswm y ddwy lefel echdyniad a geir trwy'r modd hwn ar gyfer plwm neu gadmiwm gael ei gysylltu, fel y bo'n briodol, ag arwynebedd neu â chyfaint y llestr yn unig.

(5) Mae eitem geramig i'w chydabod fel un sy'n bodloni gofynion y Rheoliadau hyn sy'n ymwneud ag eitemau o'r fath os nad yw'r meintiau o blwm a/neu gadmiwm a echdynnir yn ystod y prawf a gynhelir o dan yr amodau a osodir yn Atodlen 3 ac Atodlen 4 yn mynd dros y terfynau a ganlyn—

	<i>Plwm (Pb)</i>	<i>Cadmiwm (Cd)</i>
Categori 1: Eitemau na ellir eu llenwi ac eitemau y gellir eu llenwi, nad yw eu dyfnder mewnol, wrth fesur o'r pwynt isaf i'r plân llorweddol sy'n mynd drwy'r ymyl uchaf, yn fwy na 25 mm	0,8 mg/dm <sup>2</sup>	0,07 mg/dm <sup>2</sup>
Categori 2: Pob eitem arall y gellir ei llenwi	4,0 mg/l	0,3 mg/l
Categori 3: Offer coginio; llestri pecynnu a storio sy'n dal mwy na thri litr	1,5 mg/l	0,1 mg/l

(6) Fodd bynnag, pan na fo eitem geramig yn mynd mwy na 50% dros y meintiau uchod, mae'r eitem honno i'w chydabod er hynny fel un sy'n bodloni gofynion y Rheoliadau hyn sy'n ymwneud ag eitemau o'r fath os yw o leiaf dair eitem arall sy'n dwyn yr un siâp, dimensiynau, addurn a gwydr yn mynd drwy brawf a gynhelir o dan yr amodau a osodir yn Atodlen 3 ac Atodlen 4 ac nad yw meintiau cyfartalog y plwm a/neu'r cadmiwm a echdynnir o'r eitemau

(3) No person may place on the market a ceramic article that does not comply with the requirements of paragraph (1) as read with paragraph (2).

(4) Where a ceramic article consists of a vessel fitted with a ceramic lid, the lead or cadmium limits (or both) which may not be exceeded (mg/dm<sup>2</sup> or mg/litre) must be that which applies to the vessel alone. The vessel alone and the inner surface of the lid must be tested separately and under the same conditions. The sum of the two lead or cadmium extraction levels obtained by this method must be related as appropriate to the surface area or the volume of the vessel alone.

(5) A ceramic article is to be recognised as satisfying the requirements of these Regulations relating to such articles if the quantities of lead and/or cadmium extracted during the test carried out under the conditions laid down in Schedule 3 and Schedule 4 do not exceed the following limits—

	<i>Lead (Pb)</i>	<i>Cadmium (Cd)</i>
Category 1: Articles which cannot be filled and articles which can be filled, the internal depth of which, measured from the lowest point to the horizontal plane passing through the upper rim, does not exceed 25 mm	0,8 mg/dm <sup>2</sup>	0,07 mg/dm <sup>2</sup>
Category 2: All other articles which can be filled	4,0 mg/l	0,3 mg/l
Category 3: Cooking ware; packaging and storage vessels having a capacity of more than three litres	1,5 mg/l	0,1 mg/l

(6) However, where a ceramic article does not exceed the above quantities by more than 50%, that article is nevertheless to be recognised as satisfying the requirements of these Regulations relating to such articles if at least three other articles with the same shape, dimensions, decoration and glaze are subjected to a test carried out under the conditions laid down in Schedule 3 and Schedule 4 and the average quantities of lead and/or cadmium

hynny yn mynd dros y terfynau a osodwyd, ac nad oes un o'r eitemau hynny yn mynd mwy na 50% dros y terfynau hynny.”

(5) Ar ôl rheoliad 10 mewnosoder—

“**10A.**—(1) Rhaid i berson sy'n rhoi ar y farchnad eitem geramig na ddaeth hyd yn hyn i gysylltiad â bwyd ddarparu datganiad ysgrifenedig yn unol ag Erthygl 16 o Reoliad 1935/2004 i fynd gyda'r eitem yn y cyfnodau marchnata hyd at a chan gynnwys y cyfnod manwerthu.

(2) Rhaid i'r datganiad gael ei ddyroddi gan y gweithgynhyrhydd neu gan werthwr yn y Deyrnas Unedig a rhaid iddo gynnwys yr wybodaeth a osodir yn Atodlen 5.

(3) Rhaid i berson sy'n gweithgynhyrchu neu sydd, wrth gynnal busnes, yn mewnfurio eitem geramig i'r Deyrnas Unedig drefnu, pan ofynnir iddo wneud hynny, fod dogfennaeth briodol ar gael i swyddog awdurdodedig er mwyn dangos bod yr eitem geramig yn cydymffurfio â'r terfynau ymfudo ar gyfer plwm a chadmiwm a nodir yn rheoliad 10, gan gynnwys—

- (a) canlyniadau'r dadansoddi a wnaed;
- (b) amodau'r prawf;
- (c) enw a chyfeiriad y labordy a gyflawnodd y gwaith profi.

(4) Nid yw paragraffau (1), (2) a (3) yn gymwys o ran eitem geramig sy'n ail law.

(5) Nid yw'r ddogfennaeth a bennwyd ym mharagraff (3)(a), (b) ac (c) yn ofynnol pan fo tystiolaeth ddogfennol yn cael ei darparu i ddangos nad oedd y deunyddiau a ddefnyddiwyd i wneud yr eitem geramig yn cynnwys plwm na chadmiwm.”

(6) Yn rheoliad 18, ar ôl paragraff (2) mewnosoder—

“(3) Rhaid i'r dull dadansoddi a ddefnyddir i wirio a gydymffurfir â pharagraff (1) gydymffurfio â'r meini prawf a nodir ym mharagraffau (4), (5) a (6).

(4) Mae lefel y finyl clorid mewn deunyddiau ac eitemau a lefel y finyl clorid a ryddheir gan ddeunyddiau ac eitemau i fwydydd yn cael eu penderfynu drwy gromatograffaeth gwedd nwy gan ddefnyddio'r dull 'lle blaen' ('headspace').

(5) At ddibenion penderfynu'r finyl clorid a ryddheir gan ddeunyddiau ac eitemau i fwydydd, y terfyn canfod yw 0.01 miligram o finyl clorid y cilogram o fwyd.

extracted from those articles do not exceed the limits set, with none of those articles exceeding those limits by more than 50%.”

(5) After regulation 10 insert—

“**10A.**—(1) A person who places on the market a ceramic article which is not yet in contact with foodstuffs must provide a written declaration in accordance with Article 16 of Regulation 1935/2004 to accompany the article at the marketing stages up to and including the retail stage.

(2) The declaration must be issued by the manufacturer or by a seller in the United Kingdom and must contain the information laid down in Schedule 5.

(3) A person who manufactures or, in the course of a business, imports into the United Kingdom a ceramic article must on request make available to an authorised officer appropriate documentation to demonstrate that the ceramic article complies with the migration limits for lead and cadmium set out in regulation 10 including—

- (a) the results of the analysis carried out;
- (b) the test conditions;
- (c) the name and the address of the laboratory that performed the testing.

(4) Paragraphs (1), (2) and (3) do not apply in relation to a ceramic article which is second-hand.

(5) The documentation specified in paragraph (3)(a), (b) and (c) is not required where documentary evidence is provided to show that the materials used to make the ceramic article did not contain lead or cadmium.”

(6) In regulation 18, after paragraph (2) insert—

“(3) The method of analysis used for checking compliance with paragraph (1) must comply with the criteria set out in paragraphs (4), (5) and (6).

(4) The level of vinyl chloride in materials and articles and the level of vinyl chloride released by materials and articles to foodstuffs are determined by means of gas-phase chromatography using the 'headspace' method.

(5) For the purposes of determining vinyl chloride released by materials and articles to foodstuffs, the detection limit is 0.01 milligrams of vinyl chloride per kilogram of food.

(6) Mae'r finyl clorid a ryddheir gan ddeunyddiau ac eitemau i fwydydd yn cael ei benderfynu mewn egwyddor yn y bwydydd. Pan ddangosir bod y penderfyniad yn amhosibl mewn bwydydd penodol am resymau technegol, caiff awdurdod bwyd ganiatáu penderfyniad drwy efelychwyr ar gyfer y bwydydd penodol hyn."

(7) Ar ôl Atodlen 2, mewnosoder yr Atodlenni 3 i 5 newydd a nodir yn yr Atodlen i'r Rheoliadau hyn.

#### **Rheoliadau Ychwanegion, Cyflasynnau, Ensymau a Thoddyddion Echdynnu Bwyd (Cymru) 2013**

4. Yn rheoliad 10(b) o Reoliadau Ychwanegion, Cyflasynnau, Ensymau a Thoddyddion Echdynnu Bwyd (Cymru) 2013(1), yn lle "Undeb Ewropeaidd" rhodder "Deyrnas Unedig".

(6) Vinyl chloride released by materials and articles to foodstuffs is in principle determined in the foodstuffs. When the determination in certain foodstuffs is shown to be impossible for technical reasons, a food authority may permit determination by simulants for these particular foodstuffs."

(7) After Schedule 2, insert the new Schedules 3 to 5 set out in the Schedule to these Regulations.

#### **The Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013**

4. In regulation 10(b) of the Food Additives, Flavourings, Enzymes and Extraction Solvents (Wales) Regulations 2013(1), for "European Union" substitute "United Kingdom".

*Vaughan Gething*

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,  
un o Weinidogion Cymru  
4 Mawrth 2019

Minister for Health and Social Services, one of the  
Welsh Ministers  
4 March 2019

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(1) O.S. 2013/2591 (Cy. 255), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

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(1) S.I. 2013/2591 (W. 255), to which there are amendments not relevant to these Regulations.

“Atodlen 3 Rheoliad 10

RHEOLAU SYLFAENOL AR GYFER PENDERFYNU YMFUDIAD PLWM A CHADMIWM

1. Yr hylif prawf

Asid asetig 4 % (v/v), mewn hydoddiant dyfrllyd a baratowyd yn ffres.

2. Amodau'r prawf

- (a) Cynhalier y prawf ar dymheredd o  $22 \pm 2$  °C am gyfnod o  $24 \pm 0,5$  awr.
- (b) Pan yw ymfudiad plwm i'w benderfynu, rhodder gorchudd ar y sampl mewn modd priodol i'w diogelu a gadawer hi yn agored i'r amodau goleuo arferol sydd mewn labordy. Pan yw ymfudiad cadmiwm neu blwm a chadmiwm i'w penderfynu, rhodder gorchudd ar y sampl i sicrhau bod yr arwyneb y mae profion i'w cynnal arno yn cael ei gadw mewn tywyllwch llwyr.

3. Llenwi

- (a) Samplau y gellir eu llenwi—

Llenwer yr eitem â hydoddiant asid asetig 4 % (v/v) hyd at lefel nad yw'n uwch nag 1 mm o'r pwynt gorlifo; mesurir y pellter o ymyl uchaf y sampl. Dylid llenwi samplau gydag ymyl gwastad neu ymyl sy'n goleddfu ychydig fel nad yw'r pellter rhwng arwyneb yr hylif a'r pwynt gorlifo yn fwy na 6 mm wrth fesur ar hyd yr ymyl sy'n goleddfu.

- (b) Samplau na ellir eu llenwi—

Yn gyntaf, gorchuddir arwyneb y sampl na fwriedir iddo ddod i gysylltiad â bwydydd â haenen amddiffynnol addas sy'n gallu gwrthsefyll gweithrediad yr hydoddiant asid asetig 4 % (v/v). Yna boddur y sampl mewn cynhwysydd sy'n cynnwys cyfaint gwybyddus o hydoddiant asid asetig yn y fath fodd y bydd yr arwyneb y bwriedir iddo ddod i gysylltiad â bwydydd yn cael ei orchuddio'n llwyr gan yr hylif prawf.

4. Penderfynu'r arwynebedd

Mae arwynebedd yr eitemau yng Nghategori 1 yn hafal i arwynebedd y menisgws a ffurfir gan yr arwyneb hylif rhydd a geir wrth gydymffurfio â'r gofynion llenwi a nodir ym mharagraff 3.



## DULLIAU DADANSODDI AR GYFER PENDERFYNU YMFUDIAD PLWM A CHADMIWM

### 1. Amcan a maes cymhwyso

Mae'r dull yn caniatáu i'r ymfudiad penodol o blwm a/neu gadmiwm gael ei benderfynu.

### 2. Yr egwyddor

Penderfynir yr ymfudiad penodol o blwm a/neu gadmiwm gan ddefnyddio dull dadansoddi drwy gyfrwng offeryn sy'n bodloni'r meini prawf perfformiad ym mharagraff 4.

### 3. Adweithyddion

Rhaid i bob adweithydd fod o ansawdd dadansoddol, oni phennir fel arall.

Pan fo cyfeiriad at ddŵr, mae'n golygu dŵr a ddistyllwyd neu ddŵr o ansawdd cyfatebol.

- (a) asid asetig 4 % (v/v), mewn hydoddiant dyfrllyd

Ychwaneger 40 ml o asid asetig grisialog at ddŵr fel bod y lefel yn cyrraedd 1 000 ml.

- (b) Hydoddiannau stoc

Paratoer hydoddiannau stoc sy'n cynnwys 1 000 mg/litr o blwm ac o leiaf 500 mg/litr o gadmiwm yn eu trefn mewn hydoddiant asid asetig 4 %, fel y cyfeirir ato yn is-baragraff (a).

### 4. Meini prawf perfformiad y dull dadansoddi drwy gyfrwng offeryn

- (a) Rhaid i'r terfyn canfod ar gyfer plwm a chadmiwm fod yn hafal i neu'n is na—  
0,1 mg/litr ar gyfer plwm,  
0,01 mg/litr ar gyfer cadmiwm.

Diffinnir y terfyn canfod fel y crynodiad o'r elfen yn yr hydoddiant asid asetig 4 %, fel y cyfeirir ato ym mharagraff 3(a), sy'n rhoi signal sy'n hafal i ddwywaith sŵn cefndir yr offeryn.

- (b) Rhaid i'r terfyn meintioliad ar gyfer plwm a chadmiwm fod yn hafal i neu'n is na—  
0,2 mg/litr ar gyfer plwm,  
0,02 mg/litr ar gyfer cadmiwm.
- (c) Adennill. Rhaid i'r hyn a adenillir o blwm a chadmiwm a ychwanegir at yr hydoddiant asid asetig 4 %, fel y cyfeirir ato ym mharagraff 3(a), ddod o fewn 80-120 % o'r swm a ychwanegir.
- (d) Penodoldeb. Rhaid i'r dull dadansoddi drwy gyfrwng offeryn sy'n cael ei ddefnyddio fod yn rhydd o ymyriannau matrices ac ymyriannau sbectrol.

### 5. Dull

- (a) Paratoi'r sampl

Rhaid i'r sampl fod yn lân ac yn rhydd o sail neu sylwedd arall sy'n debygol o effeithio ar y prawf.

Golcher y sampl mewn hydoddiant sy'n cynnwys glanedydd hylif i'r cartref ar dymheredd o tua 40 °C. Rinsier y sampl yn gyntaf mewn dŵr tap ac wedyn mewn dŵr wedi ei ddistyllu neu ddŵr o ansawdd cyfatebol. Draenier y sampl a'i sychu i osgoi unrhyw staen. Nid yw'r arwyneb sydd i'w brofi i'w drafod ar ôl iddo gael ei lanhau.

- (b) Penderfynu plwm a/neu gadmiwm

Cynhelir prawf ar y sampl a baratowyd yn y modd hwn o dan yr amodau a osodir yn Atodlen 3.

Cyn cymryd yr hydoddiant prawf ar gyfer penderfynu plwm a/neu gadmiwm, homogeneiddier cynnwys y sampl drwy ddull priodol, sy'n osgoi colli unrhyw hydoddiant neu'n osgoi sgrafellu'r arwyneb syn cael ei brofi.

Cynhalier prawf gwag ar yr adweithydd a ddefnyddir ar gyfer pob cyfres o benderfyniadau.

Cynhalier y penderfyniadau ar gyfer plwm a/neu gadmiwm o dan amodau priodol.

## Atodlen 5 Rheoliad 10A

### DATGANIAD O GYDYMFFURFEDD

1. Rhaid i'r datganiad ysgrifenedig y cyfeirir ato yn rheoliad 10A gynnwys yr wybodaeth a ganlyn—
  - (a) enw a chyfeiriad y cwmni sy'n gweithgynhyrchu'r eitem geramig orffenedig ac enw a chyfeiriad y mewnofiwr sy'n ei mewnofio i'r Deyrnas Unedig;
  - (b) manylion adnabod yr eitem geramig;
  - (c) dyddiad y datganiad;
  - (d) y cadarnhad bod yr eitem geramig yn bodloni'r gofynion perthnasol yn y Rheoliadau hyn a Rheoliad 1935/2004.
  
2. Rhaid i'r datganiad ysgrifenedig ganiatáu adnabod yn hawdd y nwyddau y'i dyroddwyd ar eu cyfer a rhaid iddo gael ei adnewyddu pan fydd newidiadau sylweddol yn y cynhyrchiant yn peri newidiadau yn ymfudriad plwm neu gadmiwm neu'r ddau.”

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Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Jeff James, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

## BASIC RULES FOR DETERMINING THE MIGRATION OF LEAD AND CADMIUM

### 1. Test liquid

4 % (v/v) acetic acid, in a freshly prepared aqueous solution.

### 2. Test conditions

- (a) Carry out the test at a temperature of  $22 \pm 2$  °C for a duration of  $24 \pm 0,5$  hours.
- (b) When the migration of lead is to be determined, cover the sample by an appropriate means of protection and expose it to the usual lighting conditions in a laboratory. When the migration of cadmium or of lead and cadmium is to be determined, cover the sample so as to ensure that the surface to be tested is kept in total darkness.

### 3. Filling

- (a) Samples which can be filled—

Fill the article with a 4 % (v/v) acetic acid solution to a level no more than 1 mm from the overflow point; the distance is measured from the upper rim of the sample. Samples with a flat or slightly sloping rim should be filled so that the distance between the surface of the liquid and the overflow point is no more than 6 mm measured along the sloping rim.

- (b) Samples which cannot be filled—

The surface of the sample which is not intended to come into contact with foodstuffs is first covered with a suitable protective layer able to resist the action of the 4 % (v/v) acetic acid solution. The sample is then immersed in a recipient containing a known volume of acetic acid solution in such a way that the surface intended to come into contact with foodstuffs is completely covered by the test liquid.

### 4. Determination of the surface area

The surface area of the articles in Category 1 is equal to the surface area of the meniscus formed by the free liquid surface obtained by complying with the filling requirements set out in paragraph 3.

## METHODS OF ANALYSIS FOR DETERMINATION OF THE MIGRATION OF LEAD AND CADMIUM

### 1. Object and field of application

The method allows the specific migration of lead and/or cadmium to be determined.

### 2. Principle

The determination of the specific migration of lead and/or cadmium is carried out by an instrumental method of analysis that fulfils the performance criteria of paragraph 4.

### 3. Reagents

All reagents must be of analytical quality, unless otherwise specified.

Where reference is made to water, it means distilled water or water of equivalent quality.

- (a) 4 % (v/v) acetic acid, in aqueous solution

Add 40 ml of glacial acetic acid to water and make up to 1 000 ml.

- (b) Stock solutions

Prepare stock solutions containing 1 000 mg/litre of lead and at least 500 mg/litre of cadmium respectively in a 4 % acetic acid solution, as referred to in sub-paragraph (a).

### 4. Performance criteria of the instrumental method of analysis

- (a) The detection limit for lead and cadmium must be equal to or lower than—  
0,1 mg/litre for lead,  
0,01 mg/litre for cadmium.

The detection limit is defined as the concentration of the element in the 4 % acetic acid solution, as referred to in paragraph 3(a), which gives a signal equal to twice the background noise of the instrument.

- (b) The limit of quantification for lead and cadmium must be equal to or lower than—  
0,2 mg/litre for lead,  
0,02 mg/litre for cadmium.
- (c) Recovery. The recovery of lead and cadmium added to the 4 % acetic acid solution, as referred to in paragraph 3(a), must lie within 80-120 % of the added amount.
- (d) Specificity. The instrumental method of analysis used must be free from matrix and spectral interferences.

### 5. Method

- (a) Preparation of the sample

The sample must be clean and free from grease or other matter likely to affect the test.

Wash the sample in a solution containing a household liquid detergent at a temperature of approximately 40 °C. Rinse the sample first in tap water and then in distilled water or water of equivalent quality. Drain and dry the sample so as to avoid any stain. The surface to be tested is not to be handled after it has been cleaned.

- (b) Determination of lead and/or cadmium

The sample thus prepared is tested under the conditions laid down in Schedule 3.

Before taking the test solution for determining lead and/or cadmium, homogenise the content of the sample by an appropriate method, which avoids any loss of solution or abrasion of the surface being tested.

Carry out a blank test on the reagent used for each series of determinations.

Carry out determinations for lead and/or cadmium under appropriate conditions.

## DECLARATION OF COMPLIANCE

1. The written declaration referred to in regulation 10A must contain the following information—
  - (a) the identity and address of the company which manufactures the finished ceramic article and of the importer who imports it into the United Kingdom;
  - (b) the identity of the ceramic article;
  - (c) the date of the declaration;
  - (d) the confirmation that the ceramic article meets relevant requirements in these Regulations and Regulation 1935/2004.
  
2. The written declaration must permit an easy identification of the goods for which it is issued and must be renewed when substantial changes in the production bring about changes in the migration of lead or cadmium or both.”

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