



---

OFFERYNNAU STATUDOL  
CYMRU

---

---

WELSH STATUTORY  
INSTRUMENTS

---

**2020 Rhif 1308 (Cy. 289)**

**2020 No. 1308 (W. 289)**

**YMADAEL Â'R UNDEB  
EWROPEAIDD**

**EXITING THE EUROPEAN  
UNION, WALES**

**BWYD, CYMRU**

**FOOD, WALES**

**AMAETHYDDIAETH, CYMRU**

**AGRICULTURE, WALES**

Rheoliadau Bwyd a Materion  
Gwledig (Diwygiadau Amrywiol)  
(Cymru) (Ymadael â'r UE) 2020

The Food and Rural Affairs  
(Miscellaneous Amendments)  
(Wales) (EU Exit) Regulations 2020

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer y pwerau a roddir gan baragraffau 1(1) ac 11M(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 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, er mwyn adlewyrchu'r Protocol ar Iwerddon/Gogledd Iwerddon yn y cytundeb ymadael â'r UE, ac er mwyn gwneud darpariaeth drosiannol.

These Regulations are made in exercise of the powers conferred by paragraphs 1(1) and 11M(1) of Schedule 2 and paragraph 21 of Schedule 7 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, to reflect the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement, and to make transitional provision.

Mae'r Rheoliadau hyn yn gwneud diwygiadau i is-ddeddfwriaeth, sy'n gymwys o ran Cymru, sy'n ymwneud â bwyd a materion gwledig. Maent yn diwygio Rheoliadau Wyau a Chywion (Cymru) 2010 (O.S. 2010/1671) (Cy. 158), Rheoliadau Bwyd (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019 (O.S. 2019/732) (Cy. 137), Rheoliadau Cyfraith yr UE a Ddargedwir (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019 (O.S. 2019/1281) (Cy. 225) a Rheoliadau Materion Gwledig (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) (Rhif 3) 2019 (O.S. 2019/1376) (Cy. 242) ac yn dirymu Rheoliadau Gwybodaeth am Fwyd (Cymru) (Diwygio) (Ymadael â'r UE) 2019 (O.S. 2019/1418) (Cy. 253). Mae Rheoliadau Bwyd (Diwygiadau Amrywiol) (Cymru)

These Regulations make amendments to subordinate legislation, which apply in relation to Wales, relating to food and rural affairs. They amend the Eggs and Chicks (Wales) Regulations 2010 (S.I. 2010/1671) (W. 158), the Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/732) (W. 137), the Retained EU Law (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/1281) (W. 225) and the Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) (No. 3) Regulations 2019 (S.I. 2019/1376) (W. 242) and revoke the Food Information (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1418) (W. 253). The Food (Miscellaneous Amendments) (Wales) (EU Exit)

(Ymadael â'r UE) 2019 a Rheoliadau Materion Gwledig (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) (Rhif 3) 2019 yn diwygio nifer o offerynnau statudol ym maes bwyd a materion gwledig.

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

Regulations 2019 and the Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) (No. 3) Regulations 2019 amend a number of statutory instruments in the field of food and rural affairs.

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.

**2020 Rhif 1308 (Cy. 289)**

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

**BWYD, CYMRU**

**AMAETHYDDIAETH, CYMRU**

Rheoliadau Bwyd a Materion  
Gwledig (Diwygiadau Amrywiol)  
(Cymru) (Ymadael â'r UE) 2020

*Gofynion sifftio wedi eu  
bodloni 16 Tachwedd 2020*

*Gwnaed 17 Tachwedd 2020*

*Gosodwyd gerbron Senedd  
Cymru 19 Tachwedd 2020*

*Yn dod i rym yn unol â rheoliad 1(2) a (3)*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan baragraffau 1(1) ac 11M(1) o Atodlen 2 a pharagraff 21 o Atodlen 7 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018(1), yn gwneud y Rheoliadau a ganlyn.

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

---

(1) 2018 p. 16. Mae diwygiadau i baragraff 1 o Atodlen 2 nad ydynt yn berthnasol i'r Rheoliadau hyn. Mewnosodwyd paragraff 11M o Atodlen 2 gan adran 22 o Ddeddf yr Undeb Ewropeaidd (Y Cytundeb Ymadael) 2020 (p. 1) a diwygiwyd paragraff 21 o Atodlen 7 gan baragraff 53 o Atodlen 5 i'r Ddeddf honno.

(2) Mae'r cyfeiriad yn Neddf yr Undeb Ewropeaidd (Ymadael) 2018 at Gynulliad Cenedlaethol Cymru bellach yn cael effaith fel cyfeiriad at Senedd Cymru, yn rhinwedd adran 150A(2) o Ddeddf Llywodraeth Cymru 2006 (p. 32).

**2020 No. 1308 (W. 289)**

**EXITING THE EUROPEAN  
UNION, WALES**

**FOOD, WALES**

**AGRICULTURE, WALES**

The Food and Rural Affairs  
(Miscellaneous Amendments)  
(Wales) (EU Exit) Regulations 2020

*Sift requirements satisfied 16 November 2020*

*Made 17 November 2020*

*Laid before Senedd Cymru 19 November 2020*

*Coming into force in accordance with  
regulation 1(2) and (3)*

The Welsh Ministers, in exercise of the powers conferred by paragraphs 1(1) and 11M(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018(1), make the following Regulations.

The requirements of paragraph 4(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Senedd Cymru(2) procedure for these Regulations) have been satisfied.

---

(1) 2018 c. 16. There are amendments to paragraph 1 of Schedule 2 which are not relevant to these Regulations. Paragraph 11M of Schedule 2 was inserted by section 22 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) and paragraph 21 of Schedule 7 was amended by paragraph 53 of Schedule 5 to that Act.

(2) The reference in the European Union (Withdrawal) Act 2018 to the National Assembly for Wales now has effect as a reference to Senedd Cymru, by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

Yn unol â pharagraff 4 o Atodlen 2 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018, mae Gweinidogion Cymru wedi ymgynghori â'r Ysgrifennydd Gwladol.

Ymgynghorwyd yn agored ac yn dryloyw â'r cyhoedd wrth lunio'r Rheoliadau hyn fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd<sup>(1)</sup>.

### Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Bwyd a Materion Gwledig (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2020.

(2) Yn ddarostyngedig i baragraff (3), daw'r Rheoliadau hyn i rym 21 o ddiwrnodau ar ôl y diwrnod y'u gosodir.

(3) Daw rheoliad 2 i rym ar ddiwrnod cwblhau'r cyfnod gweithredu.

### Diwygio Rheoliadau Wyau a Chywion (Cymru) 2010

2. Yn rheoliad 11(1) o Reoliadau Wyau a Chywion (Cymru) 2010<sup>(2)</sup>, yn lle "yn y Deyrnas Unedig yn unig" rhodder "ym Mhrydain Fawr".

### Diwygio Rheoliadau Bwyd (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019

3.—(1) Mae Rheoliadau Bwyd (Diwygiadau Amrywiol) (Cymru) (Ymadael â'r UE) 2019<sup>(3)</sup> wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2(5) (diwygio rheoliad 4 o O.S. 2009/1551 (Cy. 151)), yn lle is-baragraff (a) rhodder—

“(a) ym mharagraff (8), yn lle “i'r Undeb Ewropeaidd” rhodder “i Brydain Fawr”;

(3) Yn rheoliad 4(2) (diwygio rheoliad 4 o O.S. 2011/991 (Cy. 145)), yn lle is-baragraff (b) rhodder—

“(b) ar ôl paragraff (3) mewnosoder—

In accordance with paragraph 4 of Schedule 2 to the European Union (Withdrawal) Act 2018, the Welsh Ministers have consulted with the Secretary of State.

There has been open and transparent public consultation during the preparation of these Regulations as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>(1)</sup>.

### Title and commencement

1.—(1) The title of these Regulations is the Food and Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2020.

(2) Subject to paragraph (3), these Regulations come into force 21 days after the day on which they are laid.

(3) Regulation 2 comes into force on implementation period completion day.

### Amendment to the Eggs and Chicks (Wales) Regulations 2010

2. In regulation 11(1) of the Eggs and Chicks (Wales) Regulations 2010<sup>(2)</sup>, for “exclusively in the United Kingdom” substitute “in Great Britain”.

### Amendment to the Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

3.—(1) The Food (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019<sup>(3)</sup> are amended as follows.

(2) In regulation 2(5) (amendment to regulation 4 of S.I. 2009/1551 (W. 151)), for sub-paragraph (a) substitute—

“(a) in paragraph (8), for “the European Union” substitute “Great Britain”;

(3) In regulation 4(2) (amendment to regulation 4 of S.I. 2011/991 (W. 145)), for sub-paragraph (b) substitute—

“(b) after paragraph (3) insert—

(1) OJ Rhif L 31, 1.2.2002, t. 1, ac nid oes diwygiadau perthnasol i Erthygl 9.

(2) O.S. 2010/1671 (Cy. 158), a ddiwygiwyd gan O.S. 2013/3270 (Cy. 320); mae offerynnau diwygio eraill ond nid oes yr un ohonynt yn berthnasol.

(3) O.S. 2019/732 (Cy. 137), a ddiwygiwyd gan O.S. 2019/1376 (Cy. 242).

(1) OJ No. L 31, 1.2.2002, p. 1, to which there are no relevant amendments to Article 9.

(2) S.I. 2010/1671 (W. 158), amended by S.I. 2013/3270 (W. 320); there are other amending instruments but none are relevant.

(3) S.I. 2019/732 (W. 137), amended by S.I. 2019/1376 (W. 242).

“(4) Nid yw paragraff (1)(b)(ii) yn gymwys mewn perthynas â methiant i gydymffurfio ag Erthygl 2(2)(b) o Reoliad (EC) Rhif 1825/2000 Senedd Ewrop a’r Cyngr—

- (a) os yw’r mater sy’n ffurfio’r toriad honedig yn ymwneud â chynnyrch a osodwyd ar y farchnad cyn diwedd y cyfnod o 21 o fisoedd sy’n dechrau ar y diwrnod y mae diwrnod cwblhau’r cyfnod gweithredu yn digwydd, a
- (b) pe na bai’r mater sy’n ffurfio’r toriad honedig wedi ffurfio toriad o’r Rheoliad hwnnw fel yr oedd yn gymwys yn union cyn diwrnod cwblhau’r cyfnod gweithredu.”;

(4) Yn rheoliad 7(5) (diwygio rheoliad 12 o O.S. 2011/1719 (Cy. 195)), yn lle is-baragraff (a) rhodder—

“(a) ym mharagraff (9)(a), yn lle “yr Undeb Ewropeaidd” rhodder “Prydain Fawr”;

(5) Yn rheoliad 8(5) (diwygio rheoliad 5 o O.S. 2017/724 (Cy. 174)), yn is-baragraff (a), yn y testun a fewnosodwyd, yn lle “y diwrnod ymadael”, yn y ddau le y mae’n digwydd, rhodder “diwrnod cwblhau’r cyfnod gweithredu”.

#### **Diwygio Rheoliadau Cyfraith yr UE a Ddargedwir (Diwygiadau Amrywiol) (Cymru) (Ymadael â’r UE) 2019**

4. Hepgorer rheoliad 3(3) (diwygio rheoliad 7(5)(a) o O.S. 2019/732 (Cy. 137)) o Reoliadau Cyfraith yr UE a Ddargedwir (Diwygiadau Amrywiol) (Cymru) (Ymadael â’r UE) 2019(1).

#### **Diwygio Rheoliadau Materion Gwledig (Diwygiadau Amrywiol) (Cymru) (Ymadael â’r UE) (Rhif 3) 2019**

5.—(1) Mae Rheoliadau Materion Gwledig (Diwygiadau Amrywiol) (Cymru) (Ymadael â’r UE) (Rhif 3) 2019(2) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2 (mewnysod rheoliad 23 yn O.S. 2009/1551 (Cy. 151)), yn y testun a fewnosodwyd, yn lle “y mae’r diwrnod ymadael”, ym mhob lle y mae’n digwydd, rhodder “y mae diwrnod cwblhau’r cyfnod gweithredu”, ac yn lle “y diwrnod ymadael”, ym mhob lle y mae’n digwydd, rhodder “diwrnod cwblhau’r cyfnod gweithredu”.

“(4) Paragraph (1)(b)(ii) does not apply in relation to a failure to comply with Article 2(2)(b) of Regulation (EC) No 1825/2000 of the European Parliament and the Council if the matter constituting the alleged contravention—

- (a) relates to a product that was placed on the market before the end of the period of 21 months beginning on the day on which IP completion day falls, and
- (b) would not have constituted a contravention of that Regulation as it applied immediately before IP completion day.”;

(4) In regulation 7(5) (amendment to regulation 12 of S.I. 2011/1719 (W. 195)), for sub-paragraph (a) substitute—

“(a) in paragraph (9)(a), for “the European Union” substitute “Great Britain”;

(5) In regulation 8(5) (amendment to regulation 5 of S.I. 2017/724 (W. 174)), in sub-paragraph (a), in the inserted text, for “exit day”, in both places it occurs, substitute “IP completion day”.

#### **Amendment to the Retained EU Law (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019**

4. Omit regulation 3(3) (amendment to regulation 7(5)(a) of S.I. 2019/732 (W. 137)) of the Retained EU Law (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019(1).

#### **Amendment to the Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) (No. 3) Regulations 2019**

5.—(1) The Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) (No. 3) Regulations 2019(2) are amended as follows.

(2) In regulation 2 (insertion of regulation 23 into S.I. 2009/1551 (W. 151)), in the inserted text, for “exit day”, in each place it occurs, substitute “IP completion day”.

(1) O.S. 2019/1281 (Cy. 225).  
(2) O.S. 2019/1376 (Cy. 242).

(1) S.I. 2019/1281 (W. 225).  
(2) S.I. 2019/1376 (W. 242).

(3) Hepgorer rheoliad 5 (diwygio rheoliad 4(2) o O.S. 2019/732 (Cy. 137)).

(4) Hepgorer rheoliad 6 (diwygio rheoliad 2 o O.S. 2019/1418 (Cy. 253)).

**Dirymu Rheoliadau Gwybodaeth am Fwyd (Cymru) (Diwygio) (Ymadael â'r UE) 2019**

6. Mae Rheoliadau Gwybodaeth am Fwyd (Cymru) (Diwygio) (Ymadael â'r UE) 2019(1) wedi eu dirymu.

(3) Omit regulation 5 (amendment to regulation 4(2) of S.I. 2019/732 (W. 137)).

(4) Omit regulation 6 (amendment to regulation 2 of S.I. 2019/1418 (W. 253)).

**Revocation of the Food Information (Wales) (Amendment) (EU Exit) Regulations 2019**

6. The Food Information (Wales) (Amendment) (EU Exit) Regulations 2019(1) are revoked.

*Lesley Griffiths*

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig,  
un o Weinidogion Cymru  
17 Tachwedd 2020

©Hawlfraint y Goron 2020

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.

Minister for Environment, Energy and Rural Affairs,  
one of the Welsh Ministers  
17 November 2020

© Crown copyright 2020

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

(1) O.S. 2019/1418 (Cy. 253), a ddiwygiwyd yn rhagolygol gan O.S. 2019/1376 (Cy. 242). Mae rheoliad 6 o O.S. 2019/1418 (Cy. 253) yn cael ei hepgor gan reoliad 5(4) o'r Rheoliadau hyn.

(1) S.I. 2019/1418 (W. 253), amended prospectively by S.I. 2019/1376 (W. 242). Regulation 6 of S.I. 2019/1418 (W. 253) is being omitted by regulation 5(4) of these Regulations.



£6.90

W202011181004 11/2020

<http://www.legislation.gov.uk/id/wsi/2020/1308>

ISBN 978-0-348-20669-2



9 780348 206692