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OFFERYNNAU STATUDOL  
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WELSH STATUTORY  
INSTRUMENTS

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**2021 Rhif 1383 (Cy. 363)**

**2021 No. 1383 (W. 363)**

**BWYD, CYMRU**

**FOOD, WALES**

**Rheoliadau Gwybodaeth am Fwyd  
(Cymru) (Diwygio) 2021**

**The Food Information (Wales)  
(Amendment) Regulations 2021**

**NODYN ESBONIADOL**

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

Mae'r Rheoliadau hyn wedi eu gwneud drwy arfer pwerau a roddir gan Ddeddf yr Undeb Ewropeaidd (Perthynas yn y Dyfodol) 2020 (p. 29). Maent yn gweithredu Erthygl 5 o Atodiad 15 i'r Cytundeb Masnach a Chydweithredu rhwng yr Undeb Ewropeaidd a Chymuned Ynni Atomig Ewrop a Theyrnas Unedig Prydain Fawr a Gogledd Iwerddon ("y CMCh"). Mae Atodiad 15 i'r CMCh yn gwneud darpariaeth ar gyfer masnachu gwin ac mae Erthygl 5 yn darparu ar gyfer mesurau trosiannol sy'n ymwneud â labelu a rhoi ar y farchnad win a gynhyrchwyd cyn dyddiad dod i rym y CMCh. Mae rheoliad 2 yn gwneud diwygiadau canlyniadol i Rheoliadau Gwybodaeth am Fwyd (Cymru) 2014 (O.S. 2014/2303) (Cy. 227) i sicrhau y gellir parhau i werthu'r gwin hwnnw.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau 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.

**EXPLANATORY NOTE**

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

These Regulations are made in exercise of powers conferred by the European Union (Future Relationship) Act 2020 (c. 29). They implement Article 5 of Annex 15 to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community and the United Kingdom of Great Britain and Northern Ireland ("the TCA"). Annex 15 to the TCA makes provision for trade in wine and Article 5 provides for transitional measures relating to the labelling and placing on the market of wine produced before the date of entry into force of the TCA. Regulation 2 makes consequential amendments to the Food Information (Wales) Regulations 2014 (S.I. 2014/2303) (W. 227) to ensure such wine can continue to be sold.

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.

**2021 Rhif 1383 (Cy. 363)**

**BWYD, CYMRU**

**Rheoliadau Gwybodaeth am Fwyd  
(Cymru) (Diwygio) 2021**

*Gofynion sifftio wedi eu bodloni 6 Rhagfyr 2021*

*Gwnaed 8 Rhagfyr 2021*

*Gosodwyd gerbron Senedd  
Cymru 10 Rhagfyr 2021*

*Yn dod i rym 1 Ionawr 2022*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir iddynt gan adran 31(1)(a) o Ddeddf yr Undeb Ewropeaidd (Perthynas yn y Dyfodol) 2020(1) a pharagraff 27 o Atodlen 5 iddi.

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

**Enwi a dod i rym**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Gwybodaeth am Fwyd (Cymru) (Diwygio) 2021.

(2) Daw'r Rheoliadau hyn i rym ar 1 Ionawr 2022.

**2021 No. 1383 (W. 363)**

**FOOD, WALES**

**The Food Information (Wales)  
(Amendment) Regulations 2021**

*Sift requirements satisfied 6 December 2021*

*Made 8 December 2021*

*Laid before Senedd Cymru 10 December 2021*

*Coming into force 1 January 2022*

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by section 31(1)(a) of, and paragraph 27 of Schedule 5 to, the European Union (Future Relationship) Act 2020(1).

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

**Title and coming into force**

1.—(1) The title of these Regulations is the Food Information (Wales) (Amendment) Regulations 2021.

(2) These Regulations come into force on 1 January 2022.

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(1) 2020 p. 29. Gweler adran 37(1) am y diffiniad o "relevant national authority".

(2) EUR 2002/178, y mae diwygiadau iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn.

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(1) 2020 c. 29. See section 37(1) for the definition of "relevant national authority".

(2) EUR 2002/178, to which there are amendments not relevant to these Regulations.

## Diwygio Rheoliadau Gwybodaeth am Fwyd (Cymru) 2014

2. Yn Rheoliadau Gwybodaeth am Fwyd (Cymru) 2014(1), ar ôl rheoliad 15 mewnosoder—

### “Darpariaeth drosiannol: y Cytundeb Masnach a Chydweithredu

16.—(1) Ni chaiff swyddog awdurdodedig awdurdod gorfodi gyflwyno hysbysiad gwella mewn cysylltiad â gwin Atodiad 15 yr UE (gan gynnwys gwin Atodiad 15 yr UE a labelwyd ar 1 Mai 2021 neu ar ôl hynny) a roddir ar y farchnad yng Nghymru—

- (a) gan gyfanwerthwr neu gynhyrchwr yn ystod y cyfnod sy'n dechrau ar 1 Ionawr 2022 ac sy'n dod i ben ar 1 Mai 2023;
- (b) gan fanwerthwr ar 1 Ionawr 2022 neu ar ôl hynny hyd nes bydd y stociau o win Atodiad 15 yr UE wedi eu disbyddu.

(2) Yn y rheoliad hwn—

mae “a roddir ar y farchnad” (“*placed on the market*”) i'w ddehongli gan gymryd i ystyriaeth y diffiniad o “placing on the market” ym mhwynt 8 o Erthygl 3 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor;

mae i “y Cytundeb Masnach a Chydweithredu” yr un ystyr a roddir i “the Trade and Cooperation Agreement” yn adran 37(1) o Ddeddf yr Undeb Ewropeaidd (Perthynas yn y Dyfodol) 2020;

ystyr “gwin Atodiad 15 yr UE” (“*EU Annex 15 wine*”) yw gwin—

- (a) y mae Erthygl 5 (mesurau trosiannol) o Atodiad 15 (masnachu gwin) i'r Cytundeb Masnach a Chydweithredu, fel y'i darllenir gydag Erthygl 1(1) (cwmpas) o'r Atodiad hwnnw, yn gymwys iddo, a
- (b) a gaiff ei fewnforio i Brydain Fawr o Aelod-wladwriaeth;

ystyr “hysbysiad gwella” (“*improvement notice*”) yw hysbysiad gwella yn unol â rheoliad 12(1).”

## Amendment of the Food Information (Wales) Regulations 2014

2. In the Food Information (Wales) Regulations 2014(1), after regulation 15 insert—

### “Transitional provision: the Trade and Cooperation Agreement

16.—(1) An authorised officer of an enforcement authority must not serve an improvement notice, in respect of EU Annex 15 wine (including EU Annex 15 wine labelled on or after 1 May 2021) that is placed on the market in Wales—

- (a) by a wholesaler or producer during the period beginning on 1 January 2022 and expiring on 1 May 2023;
- (b) by a retailer on or after 1 January 2022 until stocks of EU Annex 15 wine are exhausted.

(2) In this regulation—

“EU Annex 15 wine” (“*gwin Atodiad 15 yr UE*”) means wine—

- (a) to which Article 5 (transitional measures) of Annex 15 (trade in wine) to the Trade and Cooperation Agreement, as read with Article 1(1) (scope) of that Annex, applies, and
- (b) that is imported into Great Britain from a member State;

“improvement notice” (“*hysbysiad gwella*”) means an improvement notice pursuant to regulation 12(1);

“placed on the market” (“*a roddir ar y farchnad*”) is to be construed taking into account the definition of “placing on the market” in point 8 of Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council;

“the Trade and Cooperation Agreement” (“*y Cytundeb Masnach a Chydweithredu*”) has the same meaning as in section 37(1) of the European Union (Future Relationship) Act 2020.”

(1) O.S. 2014/2303 (Cy. 227), y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(1) S.I. 2014/2303 (W. 227), to which there are amendments not relevant to these Regulations.

*Lesley Griffiths*

Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r  
Trefnydd, un o Weinidogion Cymru  
8 Rhagfyr 2021

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Minister for Rural Affairs and North Wales, and  
Trefnydd, one of the Welsh Ministers  
8 December 2021

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