OFFERYNNAU STATUDOL CYMRU

2007 Rhif 3368 (Cy.297)

BWYD, CYMRU

Rheoliadau Halogion mewn Bwyd (Cymru) (Diwygio) 2007

NODYN ESBONIADOL

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

1. Mae'r Rheoliadau hyn, sydd yn gymwys o ran Cymru yn unig, yn diwygio Rheoliadau Halogion mewn Bwyd (Cymru) 2007 (O.S. 2007/840 Cy. 73) ("Rheoliadau 2007"). Maent yn darparu ar gyfer gweithredu a gorfodi Rheoliad y Comisiwn (EC) Rhif 1126/2007 sy'n diwygio Rheoliad (EC) Rhif 1881/2006 sy'n gosod y lefelau uchaf ar gyfer halogion penodol mewn deunyddiau bwyd o ran tocsinau Fusarium mewn indrawn a chynhyrchion indrawn (OJ Rhif L255,29.9.2007, t.14).

2. Mae'r Rheoliadau'n diwygio'r diffiniad o "Rheoliad y Comisiwn" yn Rheoliadau 2007 er mwyn cynnwys y diwygiadau y rhoddwyd effaith iddynt gan Reoliad y Comisiwn (EC) Rhif 1126/2007 (rheoliad 2).

3. Nid oes asesiad rheoleiddiol llawn wedi'i lunio ar gyfer yr offeryn hwn, gan na ragwelir y bydd yr offeryn yn effeithio o gwbl ar y sector preifat na'r sector gwirfoddol.

WELSH STATUTORY INSTRUMENTS

2007 No. 3368 (W.297)

FOOD, WALES

The Contaminants in Food (Wales) (Amendment) Regulations 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations, which apply in relation to Wales only, amend the Contaminants in Food (Wales) Regulations 2007 (S.I. 2007/840 W.73) ("the 2007 Regulations"). They make provision for the execution and enforcement of Commission Regulation (EC) No. 1126/2007 amending Regulation (EC) No. 1881/2006 setting maximum levels for certain contaminants in foodstuffs as regards Fusarium toxins in maize and maize products (OJ No. L255,29.9.2007, p.14).

2. The Regulations amend the definition of the "the Commission Regulation" in the 2007 Regulations so as to include the amendments effected by Commission Regulation (EC) No.1126/2007 (regulation 2).

3. A full regulatory assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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BWYD, CYMRU

Rheoliadau Halogion mewn Bwyd (Cymru) (Diwygio) 2007

Gwnaed	*24 Tachwedd 2007*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*27 Tachwedd 2007*
Yn dod i rym	*19 Rhagfyr 2007*

Mae Gweinidogion Cymru'n gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd gan adrannau 16(1)(a), 17(2) a 48(1) o Ddeddf Diogelwch Bwyd 1990(**1**).

Yn unol ag adran 48(4A) o'r Ddeddf honno, mae Gweinidogion Cymru wedi rhoi sylw i gyngor perthnasol a roddwyd iddynt gan yr Asiantaeth Safonau Bwyd.

Fel sy'n ofynnol o dan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n gosod egwyddorion cyffredinol a gofynion cyfraith bwyd, ac yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn pennu gweithdrefnau o ran materion diogelwch bwyd(**2**), cafwyd ymgynghori agored a thryloyw â'r cyhoedd yn ystod cyfnod paratoi a gwerthuso'r Rheoliadau hyn.

(**1**) 1990 p. 16. Amnewidiwyd adran 1(1) a (2) (y diffiniad o "food") gan O.S. 2004/2990. Diwygiwyd adrannau 17 a 48 gan baragraffau 12 a 21 yn eu trefn o Atodlen 5 i Ddeddf Safonau Bwyd 1999 (1999 p.28), "Deddf 1999". Diwygiwyd adran 48 hefyd gan O.S. 2004/2990.

Trosglwyddwyd swyddogaethau i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S.1999/672) fel y'i darllenir ynghyd ag adran 40(3) o Ddeddf 1999. Mae swyddogaethau Cynulliad Cenedlaethol Cymru bellach yn arferadwy gan Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (2006 p.32).

(**2**) OJ Rhif L31, 1.2.2002, t.1. Diwygiwyd y Rheoliad hwnnw ddiwethaf gan Reoliad y Comisiwn (EC) Rhif 575/2006 (OJ Rhif L100, 8.4.2006, t.3).

WELSH STATUTORY INSTRUMENTS

2007 No. 3368 (W.297)

FOOD, WALES

The Contaminants in Food (Wales) (Amendment) Regulations 2007

Made	*24 November 2007*
Laid before the National Assembly for Wales	*27 November 2007*
Coming into force	*19 December 2007*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 16(1)(a), 17(2) and 48(1) of the Food Safety Act 1990(**1**).

In accordance with section 48(4A) of that Act, the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency.

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 and evaluation of these Regulations.

(**1**) 1990 c. 16. Section 1(1) and (2) (definition of "food") was substituted by S.I 2004/2990. Section 17 and 48 were amended by paragraphs 12 and 21 respectively of Schedule 5 to the Food Standards Act 1999 (1999 c.28), "the 1999 Act". Section 48 was also amended by S.I 2004/2990.

Functions so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) as read with section 40(3) of the 1999 Act. Functions of the National Assembly for Wales are now exercisable by the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32).

(**2**) OJ No. L31, 1.2.2002, p.1. That Regulation was last amended by Commission Regulation (EC) No. 575/2006 (OJ No. L100, 8.4.2006, p.3).

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Halogion mewn Bwyd (Cymru) (Diwygio) 2007, maent yn gymwys o ran Cymru ac yn dod i rym ar 19 Rhagfyr 2007.

Diwygio Rheoliadau Halogion mewn Bwyd (Cymru) 2007

2.–(1) Diwygir Rheoliadau Halogion mewn Bwyd (Cymru) 2007(**1**) yn unol â pharagraff (2).

(2) Yn rheoliad 2 (dehongli), yn lle'r diffiniad o "Rheoliad y Comisiwn" rhodder–

""ystyr "Rheoliad y Comisiwn" ("*the Commission Regulation*") yw Rheoliad y Comisiwn (EC) Rhif 1881/2006 sy'n gosod lefelau uchaf ar gyfer halogion penodol mewn deunyddiau bwyd(**2**) fel y'i diwygiwyd gan Reoliad y Comisiwn (EC) Rhif 1126/2007 sy'n diwygio Rheoliad (EC) Rhif 1881/2006 sy'n gosod lefelau uchaf ar gyfer halogion penodol mewn deunyddiau bwyd o ran tocsinau Fusarium mewn indrawn a chynhyrchion indrawn(**3**).".

Title, application and commencement

1. The title of these Regulations is the Contaminants in Food (Wales) (Amendment) Regulations 2007, apply in relation to Wales and they come into force on 19 December 2007.

Amendment of the Contaminants in Food (Wales) Regulations 2007

2.–(1) The Contaminants in Food (Wales) Regulations 2007(**1**) are amended in accordance with paragraph (2).

(2) In regulation 2 (interpretation), for the definition of "the Commission Regulation" substitute the following–

""the Commission Regulation" ("*Rheoliad y Comisiwn*") means Commission Regulation (EC) No. 1881/2006 setting maximum levels for certain contaminants in foodstuffs(**2**) as amended by Commission Regulation (EC) No. 1126/2007 amending Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs as regards Fusarium-toxins in maize and maize products(**3**).".

G. Thomas

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

24 Tachwedd 2007

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

24 November 2007

(**1**) O.S. 2007/840 Cy. 73
(**2**) OJ Rhif L364, 20.12.2006, t.5.
(**3**) OJ Rhif L255, 29.9.2007, t.14.

(**1**) S.I. 2007/840 W. 73
(**2**) OJ No. L364, 20.12.2006, p.5.
(**3**) OJ No. L255, 29.9.2007, p.14.

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