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Rheoliadau Tatws Hadyd (Diwylgio) (Cymru) 2001

Rheoliad 2 (Dehongli)

3.—(1) Ym mharagraff (1) o reoliad 2 —

(a) yn y lle priodol, mewnosodwch y diffiniadau canlynol —

""genetically modified" has the same meaning as for the purposes of Council Directive 90/220/EEC(**1**) on the deliberate release into the environment of genetically modified organisms;";

""the National Assembly" means the National Assembly for Wales;"; a

""third country" means a country listed in the Annex to Council Decision 95/514(**2**);".

(b) yn y diffiniad o "class" —

(i) yn lle paragraff (a) rhowch —

"(a)   in relation to seed potatoes produced in Wales, the class in which the seed potatoes were placed during the course of classification and specified in the certificate relating to those potatoes, being —

(i) in the case of pre-basic seed potatoes, the class or one of the classes established pursuant to paragraph 3A of Part IA of Schedule 1;

(ii) in the case of basic seed potatoes, any one of the classes specified in order of superiority in column 1 of paragraph 2 of Schedule 3; and

(iii) the case of certified seed potatoes, CC class; and".

(c) hepgorwch y diffiniad o "marketing" a'r cyfeiriad at ddehongli'r ymadroddion "market" a "marketed" sy'n gysylltiedig ag ef;

(ch) ar ôl y diffiniad o "potato", mewnosodwch —

""pre-basic seed potatoes" means —

(a)   in relation to seed potatoes produced in Wales, seed potatoes in relation to which a pre-basic seed potatoes certificate has been issued in accordance with Parts I, IA and IV of Schedule 1; and

(b)   in relation to seed potatoes produced outside Wales, seed potatoes being a lot or part of a lot moved into Wales in a package or container, to or in which a label or document, approved by the authority concerned with classification of seed potatoes in the country or place where the potatoes were produced, has been affixed or placed, stating that on examination of the potatoes they were classified as seed potatoes of a pre-basic category in that country or place where the National Assembly has approved the arrangements applying to pre-basic

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(**1**)   OJ Rhif L117, 8.5.90, t.15; fel yr effeithiwyd ddiwethaf gan Gyfarwyddeb 2001/18/EC y Senedd Ewropeaidd a'r Cyngor 98/96/EC (OJ Rhif L106, 17.04.2001, t.1) a fydd yn diddymu 90/220/EEC ar 17 Hydref, 2002

(**2**)   OJ Rhif L296, 8.12.95, t.34.

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seed potatoes in that country or place as being equivalent to those applying in Wales;

"pre-basic seed potatoes certificate" means a certificate issued in accordance with Parts I, IA and IV of Schedule 1;";

(d) yn lle'r diffiniad o "seed potatoes" rhowch —

""seed potatoes" means potatoes which bear that description or any description indicating their suitability for planting and propagation and which are capable of being used for planting and propagation or any potatoes that are intended to be used for planting and propagation;"; ac

(dd) yn y diffiniad o "seed potatoes produced outside Great Britain" yn lle —

"Belgium, Denmark, Federal Republic of Germany, France, Greece, Italy, Luxembourg, Netherlands, Portugal, Spain,"

rhowch —

"Austria, Belgium, Denmark, Germany, Finland, France, Greece, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden,".

(2) Ar ddiwedd rheoliad 2 ychwanegwch —

"(4) In these Regulations "marketing" means —

(a) selling, holding with a view to sale and offering for sale; and

(b) any disposal, supply or transfer for the purpose of commercial exploitation of seed potatoes to third parties;

whether or not for consideration; and "market" and "marketed" shall be construed accordingly.

(5) Trade in seed potatoes not aimed at commercial exploitation of the variety, such as the following operations —

(a) the supply of seed potatoes to official testing and inspection bodies; or

(b) the supply of seed potatoes to any person for the purpose of processing or packaging the seed potatoes provided that person does not acquire title to the seed potatoes supplied,

shall not be treated as marketing of seed potatoes of that variety.".