CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2004 Rhif 392 (Cy.40)

BWYD, CYMRU

Rheoliadau Bwyd (Tsilis Poeth a Chynhyrchion Tsilis Poeth) (Rheolaeth Frys) (Diwygio)(Cymru) 2004

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Bwyd (Tsilis Poeth a Chynhyrchion Tsilis Poeth) (Rheolaeth Frys) (Cymru) 2003 (O.S. 2003/2455 (Cy.238)) er mwyn gweithredu Penderfyniad y Comisiwn dyddiedig 21 Ionawr 2004 ar fesurau brys mewn cysylltiad â tsilis a chynhyrchion tsilis ("y Penderfyniad newydd"). Diddymwyd Penderfyniad y Comisiwn 2003/460/EC ar fesurau brys mewn cysylltiad â tsilis poeth a chynhyrchion tsilis poeth (OJ Rhif L154, 21.6.2003, t.114) gan y Penderfyniad newydd.

Dyma'r gwahaniaethau rhwng y Penderfyniad newydd a Phenderfyniad y Comisiwn 2003/460/EC -

(a) mewn perthynas â phowdwr cyrri, mae'r Penderfyniad newydd yn ymestyn y mesurau brys a nodwyd eisoes ym Mhenderfyniad y Comisiwn 2003/460/EC mewn cysylltiad â tsilis sydd wedi'u sychu a'u gwasgu neu eu malu. Caiff y newid hwn ei weithredu trwy fewnosod yn O.S. 2003/2455 (Cy.238) (*rheoliad 2(2)(b)*) ddiffiniad diwygiedig o "tsilis poeth a chynhyrchion tsilis poeth" ("*hot chilli and hot chilli products*"); a

(b) mae'r Penderfyniad newydd yn diwygio'r amodau ar gyfer mewnforio tsilis a chynhyrchion tsilis drwy ddarparu y gwaherddir mewnforio onid yw'r adroddiad dadansoddiadol sy'n dod gyda'r llwyth yn dangos nid yn unig bod y cynnyrch ddim yn cynnwys Swdan I (Rhif CAS 842-07-9) ond, at

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2004 No. 392 (W.40)

FOOD, WALES

The Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Amendment) (Wales) Regulations 2004

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Wales) Regulations 2003 (S.I. 2003/2455 (W.238)) to implement the Commission Decision of 21st January 2004 on emergency measures regarding chilli and chilli products ("the new Decision"). The new Decision repealed Commission Decision 2003/460/EC on emergency measures regarding hot chilli and hot chilli products (OJ No. L154, 21.6.2003, p.114).

The differences between the new Decision and Commission Decision 2003/460/EC are that -

(a) the new Decision extends in relation to curry powder the emergency measures previously set out in Commission Decision 2003/460/EC in relation to chillies which have been dried and crushed or ground. This change is implemented by inserting a revised definition of "hot chilli and hot chilli products" ("*tsilis poeth a chynhyrchion tsilis poeth*") into S.I. 2003/2455 (W.238) (*regulation 2(2)(b)*); and

(b) the new Decision amends the conditions for import of chilli and chilli products by providing that import is now prohibited unless the analytical report accompanying the consignment shows that the product not only does not contain Sudan I (CAS Number 842-07-9) but additionally does not contain Sudan

hynny, nad yw'n cynnwys Swdan II (Rhif CAS 3118-97-6), Swdan III (Rhif CAS 85-86-9) neu Scarlet Red neu Swdan IV (Rhif CAS 85-83-6). Caiff y newid hwn ei weithredu trwy fewnosod yn O.S. 2003/2455 (Cy. 238) (*rheoliad)2(2)(a*)) ddiffiniad diwygiedig o "Penderfyniad y Comisiwn" ("*the Commission Decision*").

II (CAS Number 3118-97-6), Sudan III (CAS Number 85-86-9) or Scarlet Red or Sudan IV (CAS Number 85-83-6). This change is implemented by inserting a revised definition of "the Commission Decision" into S.I. 2003/2455 (W. 238) (*regulation 2(2)(a)*).

Rhifau cod y gyfundrefn enwi a sefydlwyd o dan Reoliad 2658/87 ar y tariff a'r gyfundrefn enwi ystadegol ac ar dariff y tollau (OJ Rhif L256, 7.9.87, t.1) yw'r codau CN y cyfeirir atynt yn y diffiniad o "tsilis poeth a chynhyrchion tsilis poeth" ("*hot chilli and hot chilli products*").

The CN codes referred to in the definition of "hot chilli and hot chilli products" are the code numbers of the combined nomenclature established by Regulation 2658/87 on the tariff and statistical nomenclature and on the customs tariff (OJ No. L256, 7.9.87, p.1).

Nid oes arfarniad rheoliadol wedi'i baratoi mewn cysylltiad â'r Rheoliadau hyn.

No regulatory appraisal has been prepared in relation to these Regulations.

2004 Rhif 392 (Cy.40)

BWYD, CYMRU

Rheoliadau Bwyd (Tsilis Poeth a Chynhyrchion Tsilis Poeth) (Rheolaeth Frys) (Diwygio)(Cymru) 2004

Wedi'u gwneud	*16 Chwefror 2004*
Yn dod i rym	*17 Chwefror 2004*

Mae Cynulliad Cenedlaethol Cymru, ac yntau wedi'i ddynodi(**a**) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**b**) mewn perthynas â mesurau sy'n gysylltiedig â bwyd, drwy arfer y pwerau a roddwyd iddo gan yr adran honno, yn gwneud y Rheoliadau canlynol:

Teitl a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Bwyd (Tsilis Poeth a Chynhyrchion Tsilis Poeth) (Rheolaeth Frys) (Diwygio) (Cymru) 2004 a deuant i rym ar 17 Chwefror 2004.

Diwygiadau i Reoliadau Bwyd (Tsilis Poeth a Chynhyrchion Tsilis Poeth) (Rheolaeth Frys) (Cymru) 2003

2.-(1) Caiff Rheoliadau Bwyd (Tsilis Poeth a Chynhyrchion Tsilis Poeth) (Rheolaeth Frys) (Cymru) 2003(**c**) eu newid yn unol â pharagraff (2).

(2) Ym mharagraff (1) o reoliad 2 (dehongli) -

(a) yn lle'r diffiniad o "Penderfyniad y Comisiwn" ("*the Commission Decision*") rhodder y diffiniad canlynol -

"ystyr "Penderfyniad y Comisiwn" ("*the Commission Decision*") yw Penderfyniad y Comisiwn dyddiedig 21 Ionawr 2004 ar fesurau brys mewn cysylltiad â tsilis a chynhyrchion tsilis;"; a

(b) yn lle'r diffiniad o "tsilis poeth a chynnyrch tsilis poeth" ("*hot chilli and hot chilli*

(a) O.S. 2003/2901.

(b) 1972 p. 68.

(c) O.S. 2003/2455 (Cy.238).

2004 No. 392 (W.40)

FOOD, WALES

The Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Amendment) (Wales) Regulations 2004

Made	*16th February 2004*
Coming into force	*17th February 2004*

The National Assembly for Wales, being designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to measures relating to food, in exercise of the powers conferred on it by that section, makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Amendment) (Wales) Regulations 2004 and shall come into force on 17 February 2004.

Amendments to the Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Wales) Regulations 2003

2.-(1) The Food (Hot Chilli and Hot Chilli Products) (Emergency Control) (Wales) Regulations 2003(**c**) shall be amended in accordance with paragraph (2).

(2) In paragraph (1) of regulation 2 (interpretation) -

(a) for the definition of "the Commission Decision" ("*Penderfyniad y Comisiwn*") there shall be substituted the following definition -

""the Commission Decision" ("*Penderfyniad y Comisiwn*") means the Commission Decision of 21 January 2004 on emergency measures regarding chilli and chilli products;"; and

(b) for the definition of "hot chilli and hot chilli products" ("*tsilis poeth a chynhyrchion tsilis poeth*") there shall be substituted the following

(a) S.I. 2003/2901.

(b) 1972 c. 68.

(c) S.I. 2003/2455 (W.238).

products") rhodder y diffiniad canlynol -

"ystyr "tsilis poeth a chynhyrchion tsilis poeth"("*hot chilli and hot chilli products*") yw -

(a) ffrwythau'r genws Capsicum, sydd wedi'u sychu a'u gwasgu neu wedi'u malu ac sy'n dod o dan God CN 09042090; a

(b) powdwr cyrri sy'n dod o dan God CN 091050;".

definition -

""hot chilli and hot chilli products" ("*tsilis poeth a chynhyrchion tsilis poeth*") means -

(a) fruits of the genus Capsicum, dried and crushed or ground within CN Code 09042090; and

(b) curry powder within CN Code 091050;".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**a**)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**a**)

16 Chwefror 2004

16th February 2004

D.Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

(a) 1998 p. 38.

(a) 1998 c. 38.

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