



**CYNULLIAD CENEDLAETHOL CYMRU**

**NATIONAL ASSEMBLY FOR WALES**

**OFFERYNNAU STATUDOL**

**STATUTORY INSTRUMENTS**

**2005 Rhif 3297 (Cy.255)**

**2005 No. 3297 (W.255)**

**BWYD, CYMRU**

**FOOD, WALES**

**Rheoliadau Cynhyrchion  
Pysgodfeydd (Taliadau  
Rheolaethau Swyddogol) (Cymru)  
2005**

**The Fishery Products (Official  
Controls Charges) (Wales)  
Regulations  
2005**

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

1. Mae'r Rheoliadau hyn yn rhoi ar waith o ran Cymru y darpariaethau ynghylch taliadau am gyflawni rheolaethau swyddogol o dan Reoliad (EC) 853/2004 Senedd Ewrop a'r Cyngor sy'n gosod rheolau penodedig ar gyfer trefnu rheolaethau swyddogol ar gynhyrchion sy'n dod o anifeiliaid ac a fwriedir i'w bwyta gan bobl.

1. These Regulations implement in relation to Wales the provisions relating to charges for carrying out official controls under Regulation (EC) 853/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.

2. Mae'r Rheoliadau hyn-

2. These Regulations-

- (a) yn nodi'r mathau o gostau y gellir mynd iddynt wrth arfer rheolaethau swyddogol sy'n ofynnol o dan Atodiad III i Reoliad 854/2004 (rheoliad 3);
- (b) yn darparu'r cyfraddau i gyfrifo cyfwerth mewn punnoedd o unrhyw symiau a bennir mewn Ewros yn y Rheoliadau (rheoliad 4);
- (c) yn nodi'r cyfnod cyfrifydda at ddibenion y Rheoliadau (rheoliad 5);
- (ch) yn darparu pan osodir taliadau ar fwy nag un person y gellir eu gorfodi yn erbyn y cyfrywersonau ar y cyd neu ar wahân (rheoliad 6);
- (d) yn darparu ar gyfer cyfrifo taliadau gan awdurdodau bwyd ac ar gyfer y talu a'r taliadau sy'n dilyn pan fydd tandaliad, ac adennill taliadau pan fydd gordaliadau (rheoliad 7);
- (dd) yn darparu ar gyfer apelau yn erbyn penderfyniad awdurdodau sy'n gosod taliadau o dan y Rheoliadau (rheoliad 8);

- (a) set out the types of costs which may be incurred in exercising official controls required under Annex III to Regulation 854/2004 (regulation 3);
- (b) provide the rates to calculate the sterling equivalent of any sums which are specified in Euros in the Regulations (regulation 4);
- (c) set out the account period for the purposes of the Regulations (regulation 5);
- (d) provide that where charges are imposed on more than one person they may be enforced jointly or separately against such persons (regulation 6);
- (e) provide for the calculation of charges by food authorities and the subsequent payment and charges in the event of underpayment and recovery of charges in the event of overpayments (regulation 7);
- (f) provide for appeals against the decision of authorities imposing charges under the Regulations (regulation 8);

- (e) yn darparu ar gyfer talu taliadau gan un awdurdod bwyd i un arall (rheoliad 9);
- (f) yn nodi'r taliadau sy'n daladwy o ran glanio cyffredinol o gynhyrchion pysgodfeydd perthnasol (cynhyrchion sydd heb fod ac nad ydynt wedi bod ar dir cyn eu glanio yng Nghymru) a darparu ar gyfer gostyngiadau yn y taliadau hynny mewn amgylchiadau penodol (rheoliadau 10 a 11);
- (ff) yn darparu ar gyfer y modd y mae taliadau sy'n ymwneud â glanio cyffredinol o gynhyrchion pysgodfeydd perthnasol i gael eu casglu a'r datganiadau niferoedd y mae'n rhaid i'r gwerthwr eu cyflenwi i'r awdurdod bwyd o ran y trafodion y mae'r taliadau'n berthnasol iddynt (rheoliad 12);
- (g) yn nodi'r taliadau sy'n daladwy o ran cynhyrchion pysgodfeydd sy'n cael eu glanio o lestri ffatri a darparu ar gyfer gostyngiadau yn y taliadau hynny mewn amgylchiadau penodol (rheoliadau 13 a 14);
- (ng) yn darparu ar gyfer y modd y mae taliadau ynghylch cynhyrchion pysgodfeydd sy'n cael eu glanio o lestri ffatri i gael eu casglu a'r datganiadau niferoedd y mae'n rhaid i'r gwerthwr eu cyflenwi i'r awdurdod bwyd o ran y trafodion y mae'r taliadau'n berthnasol iddynt (rheoliad 15);
- (h) darparu bod yn rhaid i feistr llestr ffatri dalu'r gwir gostau yr eir iddynt gan awdurdod cymwys wrth iddo arfer rheolaethau swyddogol (rheoliad 16);
- (i) yn nodi'r taliadau sy'n daladwy o ran gwariant yr eir iddo gan awdurdod bwyd perthnasol wrth iddo arfer rheolaethau swyddogol o ran sefydliad paratoi neu brosesu a darparu ar gyfer gostyngiadau yn y taliadau hynny mewn amgylchiadau penodol (rheoliadau 17 ac 18);
- (l) yn darparu ar gyfer y modd y mae taliadau sy'n ymwneud â chyflawni rheolaethau swyddogol o dan reoliad 17 i gael eu casglu a'r datganiadau niferoedd y mae'n rhaid i'r gwerthwr eu cyflenwi i'r awdurdod bwyd o ran y trafodion y mae'r taliadau'n berthnasol iddynt (rheoliad 19);
- (ll) yn nodi'r taliadau sy'n daladwy o ran gwariant yr eir iddo gan awdurdod bwyd perthnasol wrth iddo gyflawni arolygiad rhaglunedig at ddibenion rheolaethau swyddogol o ran sefydliadau y lle nad yw cynhyrchion pysgodfeydd ond yn cael eu hoeri, eu rhewi, eu pecynnu neu'u storio (rheoliad 20);
- (m) yn nodi'r taliadau sy'n daladwy o ran glaniadau uniongyrchol o gynhyrchion pysgodfeydd perthnasol o lestri trydydd gwledydd
- (g) provide for the payment of charges by one food authority to another (regulation 9);
- (h) set out charges payable in respect of general landings of relevant landed fishery products (products which have not or had not been on land prior to landing in Wales) and provide for reductions of such charges in certain circumstances (regulations 10 and 11);
- (i) provide for the manner in which charges relating to general landings of relevant landed fishery products are to be collected and the returns which the vendor must supply to the food authority in relation to transactions to which such charges relate (regulation 12);
- (j) set out the charges payable in respect of fishery products landed from factory vessels and provide for reduction of such charges in certain circumstances (regulations 13 and 14);
- (k) provide for the manner in which charges relating to fishery products landed from factory vessels are to be collected and the returns which the vendor must supply to the food authority in relation to transactions to which such charges relate (regulation 15);
- (l) provide that the master of a factory vessel must pay the actual costs incurred by a competent authority in exercising certain official controls (regulation 16);
- (m) set out the charges payable in respect of expenditure incurred by a relevant food authority in exercising official controls in respect of a preparation or processing establishment and provide for the reduction of such charges in certain circumstances (regulations 17 and 18);
- (n) provide for the manner in which charges relating to carrying out official controls under regulation 17 are to be collected and the returns which the vendor must supply to the relevant food authority in relation to transactions to which such charges relate (regulation 19);
- (o) set out the charges payable in respect of expenditure incurred by a relevant food authority in carrying out a programmed inspection for the purposes of official controls in respect of establishments in which fishery products are only chilled, frozen, packaged or stored (regulation 20);
- (p) set out charges payable in respect of direct landings from third country vessels of relevant fishery products (products originating from

(cynhyrchion sy'n tarddu o drydydd gwledydd sydd heb fod ac nad ydynt wedi bod ar dir cyn eu mewnfario i'r Gymuned Ewropeaidd) a darparu ar gyfer gostyngiadau yn y taliadau hynny mewn amgylchiadau penodol (rheoliadau 21 a 22); a

- (n) yn darparu ar gyfer y modd y mae taliadau ynghylch glaniadau uniongyrchol o gynhyrchion pysgodfeydd perthnasol i gael eu casglu a'r datganiadau y mae'n rhaid i'r gwerthwr eu cyflenwi i'r awdurdod bwyd o ran y trafodion y mae'r taliadau'n berthnasol iddynt (rheoliad 23).

**3.** Mae Arfarniad Rheoliadol llawn am yr effaith a gaiff y Rheoliadau hyn ar gostau busnes wedi'i baratoi a'i osod yn Llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau ohono oddi wrth yr Asiantaeth Safonau Bwyd, Llawr 11, Southgate House, Wood Street, Caerdydd CF10 1EW.

third countries which have or had not been on land prior to their importation into the European Community) and provide for reductions of such charges in certain circumstances (regulations 21 and 22); and

- (q) provide for the manner in which charges relating to direct landings of relevant fishery products are to be collected and the returns which the vendor must supply to the relevant food authority in relation to transactions to which such charges relate (regulation 23).

**3.** A full Regulatory Appraisal on the effect that these Regulations will have on the costs of business has been prepared and placed in the library of the National Assembly for Wales. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff CF10 1EW.

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*Wedi'u gwneud* 30 Tachwedd 2005  
*Yn dod i rym* 1 Ionawr 2006

*Made* 30 November 2005  
*Coming into force* 1 January 2006

Mae Cynulliad Cenedlaethol Cymru, ac yntau wedi'i ddynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) o ran mesurau sy'n gysylltiedig â bwyd (gan gynnwys diod), gan gynnwys cynhyrchu bwydydd crai, drwy arfer y pwerau a roddwyd gan yr adran honno, ac ar ôl yr ymgynghori agored a thryloyw wrth i'r Rheoliadau hyn gael eu paratoi 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(3) fel y'u diwygiwyd diwethaf gan Rheoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor(4), yn gwneud y Rheoliadau a ganlyn:

The National Assembly for Wales, being designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to measures relating to food (including drink) including the primary production of food, in exercise of the powers conferred by that section, after 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(3), as last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council(4), makes the following Regulations:

**RHAN I****PART I****RHAGARWEINIAD****PRELIMINARY****Enwi, cychwyn a chymhwyso****Title, commencement and application**

1. Enw'r Rheoliadau hyn yw Rheoliadau Cynhyrchion Pysgodfeydd (Taliadau Rheolaethau Swyddogol) (Cymru) 2005, deuant i rym ar 1 Ionawr 2006, ac maent yn gymwys o ran Cymru.

1. The title of these Regulations is the Fishery Products (Official Controls Charges) (Wales) Regulations 2005, they come into force on 1 January 2006, and apply in relation to Wales.

(1) O.S. 2005/1971.

(2) 1972 p.68.

(3) OJ Rhif L31, 1.2.2002, t.1. Diwygiwyd y Rheoliad hwnnw ddiwethaf gan Reoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor (OJ Rhif L245, 29.9.2003, t.4).

(4) OJ No. L245, 29.9.2003, p.4.

(1) S.I. 2005/1971.

(2) 1972 c.68.

(3) OJ No. L31, 1.2.2002, p.1. That Regulation was last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (OJ No. L245, 29.9.2003, p.4).

(4) OJ No. L245, 29.9.2003, p.4.

## Dehongli

### 2. Yn y Rheoliadau hyn-

ystyr "a fewnforir" ("*imported*") yw y deuir ag ef i Gymru o le arall heblaw Ynysoedd Prydain;

mae i "awdurdod bwyd" yr ystyr a roddir i "*food authority*" yn is-adran 1A o adran 5 o Ddeddf Diogelwch Bwyd 1990(1);

ystyr "awdurdod bwyd perthnasol" ("*relevant food authority*") yw'r awdurdod bwyd yn ei ardal y mae amgylchiadau sy'n arwain at rwymedigaeth o dan y Rheoliadau hyn i dalu tâl i'r awdurdod hwnnw yn codi;

ystyr "awdurdod cymwys" ("*competent authority*") yw'r awdurdod a ddynodwyd o dan reoliad 4 o Reoliadau Hyllendid Bwyd (Cymru) 2005(2);

ystyr "awdurdod iechyd porthladd" ("*port health authority*") o ran unrhyw ardal iechyd porthladd a gyfansoddwyd drwy orchymyn o dan adran 2(3) o Ddeddf Iechyd y Cyhoedd (Rheoli Afiechydon) 1984(3), yw awdurdod iechyd porthladd ar gyfer yr ardal honno a gyfansoddwyd drwy orchymyn o dan adran 2(4) o'r Ddeddf honno;

mae i "Cyfarwyddeb 2004/41" ("*Directive 2004/41*"), Rheoliad 178/2002 ("*Regulation 178/2002*"), Rheoliad 852/2004 ("*Regulation 852/2004*"), Rheoliad 853/2004 ("*Regulation 853/2004*"), Rheoliad 854/2004 ("*Regulation 854/2004*"), Rheoliad 882/2004 ("*Regulation 882/2004*"), Rheoliad A ("*Regulation A*"), Rheoliad B ("*Regulation B*"), Rheoliad C ("*Regulation C*"), Rheoliad D ("*Regulation D*"), a Rheoliad E ("*Regulation E*") yr ystyron a roddir iddynt yn eu trefn yn yr Atodlen;

ystyr "cyfraniadau cyflogwyr at Yswiriant Gwladol" ("*employers' National Insurance contributions*") yw'r cyfraniadau nawdd cymdeithasol hynny y mae cyflogwyr o dan rwymedigaeth iddynt o dan Ran I o Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992(4);

ystyr "cynhyrchion pysgodfeydd perthnasol" ("*relevant fishery products*") yw cynhyrchion pysgodfeydd a fewnforir ac-

- (a) sy'n tarddu o drydedd wlad;
- (b) a ddaliwyd yn eu hamgylchedd naturiol;

## Interpretation

### 2. In these Regulations-

"chilled" ("*wedi'u hoeri*") means cooled to a temperature approaching that of melting ice;

"competent authority" ("*awdurdod cymwys*") means the authority designated under regulation 4 of the Food Hygiene (Wales) Regulations 2005(1)

"Directive 2004/41" ("*Cyfarwyddeb 2004/41*"), "Regulation 178/2002" ("*Rheoliad 178/2002*"), "Regulation 852/2004" ("*Rheoliad 852/2004*"), "Regulation 853/2004" ("*Rheoliad 853/3004*"), "Regulation 854/2004" ("*Rheoliad 854/2004*"), "Regulation 882/2004" ("*Rheoliad 882/2004*"), "Regulation A" ("*Rheoliad A*"), "Regulation B" ("*Rheoliad B*"), "Regulation C" ("*Rheoliad C*"), "Regulation D" ("*Rheoliad D*") and "Regulation E" ("*Rheoliad E*") have the meanings respectively given to them in the Schedule;

"EEA State" ("*Gwladwriaeth AEE*") means a member State, Norway, Iceland or Liechtenstein;

"employers' National Insurance contributions" ("*cyfraniadau cyflogwyr at Yswiriant Gwladol*") means those social security contributions for which employers are liable under Part I of the Social Security Contributions and Benefits Act 1992(2);

"establishment" ("*sefydliad*") has the meaning given to it in paragraph 1(c) of Article 2 of Regulation (EC) No. 852/2004;

"factory vessel" ("*llestr ffatri*") and "fishery products" ("*cynhyrchion pysgodfeydd*") have the meanings respectively given to them in points 3.2 and 3.1 of Annex I to Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(3);

"food authority" ("*awdurdod bwyd*") has the meaning given in sub-section 1A of section 5 of the Food Safety Act 1990(4);

"imported" ("*a fewnforir*") means brought into Wales other than from another part of the British Islands;

"official controls" ("*rheolaethau swyddogol*") is to be construed in accordance with the definition of the term "official control" in paragraph 1(a) of Article 2 of Regulation 854/2004;

(1) 1990 p.16; diwygiwyd adran 5 gan baragraffau 8 a 9 o Atodlen 5 i Ddeddf Safonau Bwyd 1999 (1999 p.28).

(2) O.S. 2005/3292 (Cy.252)

(3) 1984 p.22.

(4) 1992 p.4.

(1) S.I. 2005/3292 (W.252)

(2) 1992 c.4.

(3) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22).

(4) 1990 c.16; section 5 was amended by paragraphs 8 and 9 of Schedule 5 to the Food Standards Act 1999 (1999 c.28).

(c) na fuont neu na fuasant ar dir cyn eu mewnfario arfaethedig, neu na fuasant ar dir cyn eu mewnfario, i Wladwriaeth AEE neu i Kalaallit Nunaat (Greenland);

(ch) neu sy'n cael eu glanio yng Nghymru neu a fydd yn cael eu glanio yng Nghymru; a

(d) a fwriedir i'w rhoi ar y farchnad i'w bwyta gan bobl;

ystyr "cynhyrchion pysgodfeydd sy'n cael eu glanio ac sy'n berthnasol" ("*relevant landed fishery products*") yw cynhyrchion pysgodfeydd-

(a) a ddaliwyd yn eu hamgylchedd naturiol;

(b) na fuont neu fuasant ar dir cyn cael eu glanio;

(c) sy'n cael eu glanio yng Nghymru neu a fydd yn cael eu glanio yng Nghymru; ac

(ch) a fwriedir i'w rhoi ar y farchnad i'w bwyta gan bobl;

heblaw cynhyrchion pysgodfeydd perthnasol sy'n cael eu gwerthu am y tro cyntaf yng Nghymru a mewnfario trydydd gwledydd;

ystyr "gwerthwr" ("*vendor*")

(a) pan fo asiant yn gwerthu cynhyrchion pysgodfeydd ar ran perchennog neu feistr llestr, yr asiant hwnnw; a

(b) ym mhob achos arall, perchennog neu feistr y llestr;

ystyr "Gwladwriaeth AEE" ("*EEA State*") yw Aelod-wladwriaeth, Norwy, Gwlad yr Iâ neu Liechtenstein;

mae i "llestr ffatri" ("*factory vessel*") a "cynhyrchion pysgodfeydd" ("*fishery products*") yr ystyron a roddir i "factory vessel" a "fishery products", yn y drefn honno, ym mhwyntiau 3.2 a 3.1 o Atodlen I i Reoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor sy'n gosod rheolau hylendid penodol ar gyfer bwyd sy'n dod o anifeiliaid(1);

ystyr "mewnforyn trydedd wlad" ("*third country import*") yw mewnforyn y mae tâl yn daladwy ynglŷn ag ef o dan reoliad 52(1) o Reoliadau Cynhyrchion sy'n Tarddu o Anifeiliaid (Mewnforyn Trydydd Gwledydd) (Cymru) 2004(2);

mae i "prosesu" yr ystyr a roddir i "*processing*" ym mharagraff 1(m) o Erthygl 2 o Reoliad (EC) Rhif 852/2004;

ystyr "pysgod eigionol penodedig" ("*specified pelagic fish*") yw-

"placing on the market" ("*rhoi ar y farchnad*") has the meaning given to it in paragraph 8 of Article 3 of Regulation (EC) No. 178/2002;

"port health authority" ("*awdurdod iechedd porthladd*") means in relation to any port health district constituted by order under section 2(3) of the Public Health (Control of Disease) Act 1984(1), a port health authority for that district constituted by order under section 2(4) of that Act;

"processing" ("*prosesu*") has the meaning given to it in paragraph 1(m) of Article 2 of Regulation (EC) No. 852/2004;

"processing establishment" ("*sefydliad prosesu*") means an establishment at which processing occurs;

"relevant fishery products" ("*cynhyrchion pysgodfeydd perthnasol*") means imported fishery products which-

(a) originate in a third country;

(b) were caught in their natural environment;

(c) have not or had not been on land prior to their proposed importation, or had not been on land prior to their importation, into an EEA State or Greenland;

(d) are or will be landed in Wales; and

(e) are intended for placing on the market for human consumption;

"relevant food authority" ("*awdurdod bwyd perthnasol*") means the food authority in whose area circumstances giving rise to an obligation under these Regulations to pay a charge to that authority arise;

"relevant landed fishery products" ("*cynhyrchion pysgodfeydd sy'n cael eu glanio ac sy'n berthnasol*") means fishery products which-

(a) were caught in their natural environment;

(b) have not or had not been on land prior to being landed;

(c) are or will be landed in Wales; and

(d) are intended for placing on the market for human consumption,

other than relevant fishery products being sold for the first time in Wales and third country imports;

"specified pelagic fish" ("*pysgod eigionol penodedig*") means-

(a) herring of the species *Clupea harengus*;

(b) sardines of the species *Sardinia pilchardus*;

(1) OJ Rhif L139, 30.4.2004, t.55. Rhoddir testun diwygiedig Rheoliad (EC) Rhif 853/2004 mewn Corigendwm (OJ Rhif L226, 25.6.2004, t.22).

(2) O.S. 2004/1430 (Cy.144).

(1) 1984 c.22.

- (a) penwaig neu ysgadan o'r rhywogaeth *Clupea harengus*;
- (b) penwaig Mair o'r rhywogaeth *Sardinia pilchardus*;
- (c) mecryll o'r rhywogaeth *Scomber scombrus* neu *Scomber japonicus*;
- (ch) marchfecryll;
- (d) brwyniaid; ac
- (dd) picarelod o'r rhywogaeth *Maena smaris*;

dehonglir "rheolaethau swyddogol" ("*official controls*") yn unol â'r diffiniad o "official control" ym mharagraff 1(a) o Erthygl 2 o Reoliad 854/2004;

mae i "rhoi ar y farchnad" ("*placing on the market*") yr ystyr a roddir i "placing on the market" ym mharagraff 8 o Erthygl 3 o Reoliad (EC) Rhif 178/2002;

mae i "sefydliad" ("*establishment*") yr ystyr a roddir i "establishment" ym mharagraff 1(c) o Erthygl 2 o Reoliad (EC) Rhif 852/2004;

ystyr "sefydliad prosesu" ("*processing establishment*") yw sefydliad lle mae prosesu yn digwydd;

ystyr "trydedd wlad" ("*third country*"), ac eithrio yn yr ymadrodd "mewnforyn trydedd wlad" ("*third country import*") , yw unrhyw wlad neu diriogaeth, heblaw Kalaallit Nunaat (Greenland), nad yw'n ffurfio'r cyfan neu ran o Wladwriaeth AEE; ac

ystyr "wedi'u hoeri" ("*chilled*") yw wedi'u gostwng i dymheredd sy'n agos at dymheredd iâ tawdd.

(2) Mae unrhyw gyfeiriad yn y Rheoliadau hyn at awdurdod bwyd yn cynnwys cyfeiriad at awdurdod iechyd porthladd, ac yng nghyd-destun cyfeiriad o'r fath mae unrhyw gyfeiriad at ardal awdurdod bwyd yn gyfeiriad at ddsbarth awdurdod iechyd porthladd.

## Gwir gostau

3.-(1) At ddibenion y Rheoliadau hyn, gwir gostau arfer rheolaethau swyddogol yw cyfanswm y costau o'r mathau a bennir ym mharagraff (2) ac yr eir iddynt yn uniongyrchol wrth arfer y rheolaethau swyddogol sy'n ofynnol o dan Atodiad III i Reoliad 854/2004.

(2) Y mathau o gostau yw-

- (a) cyflogau a ffioedd, ynghyd â thaliadau goramser a chyfraniadau cyflogwyr at Yswiriant Gwladol a phensiynau, pob aelod o staff sy'n cymryd rhan uniongyrchol mewn arfer y rheolaethau a phob aelod o staff sy'n ymwneud â rheoli neu weinyddu'r rheolaethau;

- (c) mackerel of the species *Scomber scombrus* or *Scomber japonicus*;
- (d) horse mackerel;
- (e) anchovies; and
- (f) picarels of the species *Maena smaris*;

"third country" ("*trydedd wlad*"), except in the expression "third country import" ("*mewnforyn trydedd wlad*"), means any country or territory, other than Greenland, which does not comprise the whole or part of an EEA State;

"third country import" ("*mewnforyn trydedd wlad*") means an import in respect of which a charge is payable under regulation 52(1) of the Products of Animal Origin (Third Country Imports) (Wales) Regulations 2004(1);

"vendor" ("*gwerthwr*") means-

- (a) where an agent sells fishery products on behalf of the owner or master of a vessel, that agent; and
- (b) in any other case, the owner or master of the vessel.

(2) Any reference in these Regulations to a food authority includes a reference to a port health authority and in the context of such a reference any reference to a food authority's area includes a reference to a port health authority's district.

## Actual costs

3.-(1) For the purposes of these Regulations, the actual costs of exercising official controls are the aggregate of costs of the types specified in paragraph (2) directly incurred in the exercise of the official controls required under Annex III to Regulation 854/2004.

(2) The types of costs are-

- (a) the salaries and fees, together with overtime payments and employers' National Insurance contributions and pension contributions, of all staff directly involved in the exercise of the controls and of all staff engaged in the management or administration of the controls;

(1) S.I. 2004/1430 (W.144).

- (b) costau hyfforddiant mewn swydd ar gyfer staff sy'n cymryd rhan mewn arfer y rheolaethau;
- (c) costau teithio a mân dreuliau perthynol yr eir iddynt wrth arfer y rheolaethau, ac eithrio'r rheini yr eir iddynt gan berson sy'n mynd i'w le gwaith arferol;
- (ch) costau ystafelleodd, offer a gwasanaethau swyddfa ar gyfer staff sy'n cymryd rhan mewn arfer y rheolaethau, gan gynnwys dibrisiant unrhyw ddodrefn ac offer swyddfa a chost technoleg gwybodaeth, deunyddiau ysgrifennu a ffurflenni;
- (d) costau dillad amddiffynnol ac offer a ddefnyddir wrth arfer y rheolaethau;
- (dd) costau golchi dillad amddiffynnol a ddefnyddir wrth arfer y rheolaethau;
- (e) costau samplu a dadansoddi yr eir iddynt wrth arfer y rheolaethau; ac
- (f) costau gweinyddol arferol cadw cyfrif a chasglu taliadau a darparu gwasanaethau cyflogres a phersonél ynghyswllt cyflogi staff sy'n arfer y rheolaethau.

- (b) the costs of in-service training for staff directly involved in the exercise of the controls;
- (c) travelling costs and related incidental expenses incurred in exercising the controls, except those incurred by a person attending his or her normal place of work;
- (d) the costs of office accommodation, equipment and services for staff involved in exercising the controls, including depreciation of any office furniture and equipment and the cost of information technology, stationery and forms;
- (e) the costs of protective clothing and equipment used in exercising the controls;
- (f) the costs of laundering protective clothing used in exercising the controls;
- (g) sampling and analysis costs incurred in exercising the controls; and
- (h) the routine administrative costs of accounting and collecting charges and of providing payroll and personnel services in connection with the employment of staff exercising the controls.

### Cyferthoedd y bunt â'r Ewro

4.-(1) Bernir bod unrhyw gyfeiriad yn y Rheoliadau hyn at nifer benodedig o Ewros yn gyfeiriad at gyferth mewn punnoedd y nifer honno wedi'i chyfrifo yn unol â pharagraff (2).

(2) Cyfrifir cyferth mewn punnoedd nifer benodedig o Ewros drwy luosi'r nifer honno gan y gyfradd gyfnewid Ewro/punt a bennir ym mharagraff (3).

- (3) Y gyfradd gyfnewid Ewro/punt yw-
  - (a) ar gyfer 2006, 1 Ewro = £0.68335; a
  - (b) ym mhob blwyddyn ar ôl hynny, y gyfradd a gyhoeddir yng nghyfres C o Gyfnodolyn Swyddogol y Cymunedau Ewropeaidd ar ddiwrnod gwaith cyntaf Medi y flwyddyn flaenorol neu, os na chyhoeddir cyfradd ynddo ar y diwrnod hwnnw, y gyfradd gyntaf a gyhoeddir ynddo ar ôl hynny.

### Cyfnod Cyfrifydda

5.-(1) At ddibenion y Rheoliadau hynny, y cyfnod cyfrifydda yw un mis neu unrhyw gyfnod nad yw'n fwy na deuddeg mis ac a benderfynir gan yr awdurdod bwyd perthnasol.

(2) Rhaid penderfynu ar y cyfnod cyfrifydda, gan anelu at ostwng costau'r canlynol i swm rhesymol, o'i gymharu â'r taliadau y disgwylir iddynt ddod yn ddyledus, sef-

- (a) gwneud datganiadau niferoedd; a

### Sterling equivalents of Euro

4.-(1) Any reference in these Regulations to a specified number of Euros is deemed to be a reference to the sterling equivalent of that number calculated in accordance with paragraph (2).

(2) The sterling equivalent of a specified number of Euros is calculated by multiplying that number by the Euro/sterling conversion rate specified in paragraph (3).

- (3) The Euro/sterling conversion rate will be-
  - (a) for 2006, 1 Euro = £0.68335; and
  - (b) in each subsequent year, the rate published in the C Series of the Official Journal of the European Communities on the first working day of the September of the preceding year or, if no rate is published in it on that day, the first rate published in it thereafter.

### Account period

5.-(1) For the purposes of these Regulations, the account period is one month or such longer period not exceeding twelve months as is determined by the relevant food authority.

(2) The account period must be determined with a view to reducing to a reasonable amount, in comparison with the charges which are expected to fall due, the costs of-

- (a) making returns; and



(b) casglu taliadau.

### Adennill taliadau

6. Pan osodir unrhyw ddyletswydd i dalu taliad o dan y Rheoliadau hyn ar y naill neu'r llall o ddau berson, caiff yr awdurdod y mae'r tâl yn daladwy ei adennill-

- (a) ar y cyd oddi wrth y ddau ohonynt; neu
- (b) ar wahân oddi wrth y naill neu'r llall ohonynt.

### Cyfrifo, talu ac ad-dalu taliadau

7.-(1) Pan ddelo'n hysbys i unrhyw awdurdod bwyd perthnasol bod taliad yn ddyledus iddo o dan y Rheoliadau hyn rhaid iddo-

- (a) cyfrifo swm y taliad gan roi ystyriaeth i'r wybodaeth sydd yn ei feddiant; a
- (b) rhoi hysbysiad am y swm a gyfrifwyd felly i unrhyw berson y caniateir ei gasglu oddi wrtho.

(2) Os yw'r awdurdod bwyd perthnasol neu'r awdurdod cymwys yn fodlon bod cyfrifiad sydd wedi'i wneud o dan baragraff (1) yn anghywir, rhaid iddo ailgyfrifo'r taliad ac-

- (a) pan fo'r swm cywir yn fwy na'r swm a gyfrifwyd o dan baragraff (1), adennill y swm uchaf yn unol â'r paragraff hwnnw;
- (b) pan fo'r swm cywir yn llai na'r swm a gyfrifwyd o dan y paragraff hwnnw a phan na fo'r swm wedi'i adennill, ni chaiff adennill ond y swm lleiaf yn unol â'r paragraff hwnnw; ac
- (c) pan na fo swm yn daladwy neu pan fo'r tâl taladwy yn llai na'r swm a gyfrifwyd o dan y paragraff hwnnw, a'r tâl hwnnw wedi'i adennill, rhaid iddo ad-dalu'r gwahaniaeth.

### Apelau

8.-(1) Caiff person apelio yn erbyn unrhyw benderfyniad gan awdurdod sy'n gosod tâl o dan y Rheoliadau hyn.

(2) Gwrandar wir ar yr apêl gan lys ynadon ac mae adran 37(3), (5) a (6) o Ddeddf Diogelwch Bwyd 1990 yn gymwys o ran apêl fel y mae'n gymwys o ran apêl o dan adran 37(1)(c) o'r Ddeddf honno.

(3) Ar apêl o'r fath caiff y llys-

- (a) cadarnhau penderfyniad yr awdurdod dan sylw;
- (b) penderfynu unrhyw dâl sy'n daladwy o dan y Rheoliadau hyn ac, yn enwedig, caiff ostwng swm unrhyw dâl o 55% pan fo'n ofynnol i'r awdurdod wneud y gostyngiad hwnnw o dan

(b) collecting charges.

### Recovery of charges

6. Where any duty to pay a charge is imposed under these Regulations on either of two persons, the authority to which the charge is payable may recover it-

- (a) jointly from both of them; or
- (b) separately from either of them.

### Calculation, payment and repayment of charges

7.-(1) Where any relevant food authority becomes aware that a charge is due to it under these Regulations it must-

- (a) calculate the amount of the charge having regard to the information in its possession; and
- (b) give notice of the amount so calculated to any person from whom it may be collected.

(2) If the relevant food authority or competent authority is satisfied that a calculation made under paragraph (1) is incorrect, it must recalculate the charge and-

- (a) where the correct amount is more than the amount calculated under paragraph (1), recover the higher amount in accordance with that paragraph;
- (b) where the correct amount is less than the amount calculated under that paragraph and that amount has not been recovered, it may only recover the lesser amount in accordance with that paragraph; and
- (c) where no charge is payable or the charge payable is less than the amount calculated under that paragraph, and that amount has been recovered, it must repay the difference.

### Appeals

8.-(1) A person may appeal against any decision of an authority imposing a charge under these Regulations.

(2) The appeal will be heard by a magistrates' court and section 37(3), (5) and (6) of the Food Safety Act 1990 applies in relation to such an appeal as it applies in relation to an appeal under section 37(1)(c) of that Act.

(3) On any such appeal, the court may-

- (a) confirm the decision of the authority concerned;
- (b) determine any charge which is payable under these Regulations and, in particular, may reduce the amount of any charge by 55% where the authority is required to make that

reoliad 11, 14, 18 neu 22 ond pan nad yw wedi gwneud hynny; neu

(c) penderfynu nad oes tâl yn daladwy.

(4) Wrth ddisgwyl canlyniad yr apêl bydd swm gwreiddiol y tâl yn gymwys o hyd, ond os bydd angen ailgyfrifo swm y tâl ar ôl penderfyniad y llys, bydd swm newydd y tâl yn effeithiol o'r dyddiad pan wnaed y tâl gwreiddiol a bydd y swm sydd hafal i'r swm newydd hwnnw yn daladwy i'r awdurdod dan sylw.

(5) Os yw'r llys yn penderfynu bod swm unrhyw dâl a osodir o dan y Rheoliadau hyn yn llai na'r swm y mae unrhyw berson wedi'i dalu i awdurdod ynglŷn â'r tâl, rhaid i'r awdurdod hwnnw dalu'r gordaliad yn ôl.

### **Taliadau sy'n daladwy i ragor nag un awdurdod bwyd**

9. Mewn unrhyw achos pan fo arfer rheolaethau swyddogol yn cael ei ohirio a phan nad yr awdurdod bwyd sy'n gyfrifol am arfer rheolaethau swyddogol ar lestri ac ar amodau glanio ("awdurdod A"), neu pan nad yr awdurdod bwyd sy'n gyfrifol am arfer y rheolaethau swyddogol sy'n ofynnol o dan Bennod II o Atodiad III i Reoliad 854/2004 ("awdurdod B"), yw'r awdurdod bwyd perthnasol y mae'n ofynnol talu tâl iddo o dan y Rheoliadau hyn ("awdurdod C"), rhaid i awdurdod C anfon-

- (a) i awdurdod A, swm hafal i unrhyw swm a geir gan awdurdod C y mae modd ei gyfeirio at reolaethau swyddogol a arferir gan awdurdod A; a
- (b) i awdurdod B, swm hafal i unrhyw swm a geir gan awdurdod C y mae modd ei gyfeirio at reolaethau swyddogol a arferir gan awdurdod B.

reduction under regulation 11, 14, 18 or 22 but has not done so; or

(c) determine that no charge is payable.

(4) Pending the outcome of the appeal the original amount of the charge will remain payable, but if after the court's decision the amount of the charge needs to be recalculated, the new amount of the charge will have effect from the date on which the original charge was made and the sum equal to that new amount will be payable to the authority concerned.

(5) If the court determines that the amount of any charge imposed under these Regulations is less than the amount which any person has paid to an authority in respect of it, the overpayment must be reimbursed by that authority.

### **Charges payable to more than one food authority**

9. In any case where the exercise of official controls is deferred and the food authority responsible for the exercise of official controls on vessels and on conditions of landing ("authority A"), or the food authority responsible for the exercise of the official controls required under Chapter II of Annex III to Regulation 854/2004 ("authority B"), is not the relevant food authority to which a charge is required to be paid under these Regulations ("authority C"), authority C must remit-

- (a) to authority A, a sum equal to any amount received by authority C which is referable to official controls exercised by authority A; and
- (b) to authority B, a sum equal to any amount received by authority C which is referable to official controls exercised by authority B.

**TALIADAU RHEOLAETHAU SWYDDOGOL  
HEBLAW TALIADAU AM LANIO CYNNYRCH  
PYSGODFEYDD YN UNIONGYRCHOL O  
LESTRI TRYDYDD GWLEDYDD A  
MEWNFORION TRYDYDD GWLEDYDD**

**Tâl glanio cyffredinol**

**10.**-(1) Mae'r gwerthiant cyntaf yng Nghymru o gynhyrchion pysgodfeydd sy'n cael eu glanio ac sy'n berthnasol yn drafodiad taladwy at ddibenion y Rhan hon.

(2) Pan fo trafodiad taladwy, rhaid i'r gwerthwr gynnwys yn y pris a godir ar y prynwr swm hafal i'r tâl y cyfeirir ato yn y Rhan hon fel "y tâl glanio cyffredinol".

(3) Yn ddarostyngedig i baragraff (4) a rheoliad 11, swm y tâl glanio cyffredinol yw cyfraniad o ran y gwariant yr eir iddo wrth arfer y rheolaethau swyddogol sy'n ofynnol o dan Bennod II o Atodiad III i Reoliad 854/2004 o 1 Ewro y dunnell am y 50 tonnell gyntaf o gynhyrchion pysgodfeydd sy'n cael eu glanio ac sy'n berthnasol a 0.5 Ewro y dunnell am bob tonnell ychwanegol o'r cynhyrchion hynny.

(4) Pan na fo'r gwir gostau sy'n briodoladwy i arfer rheolaethau swyddogol mewn perthynas â llwyth heb ei ddadlwytho o bysgod eigionol penodedig yn fwy na 50 Ewro, rhaid i'r tâl glanio cyffredinol o ran y llwyth hwnnw beidio â bod yn fwy na'r swm hwnnw.

(5) Rhaid i'r gwerthwr dalu'r tâl glanio cyffredinol i'r awdurdod bwyd perthnasol.

**Gostwng y tâl glanio cyffredinol**

**11.** Rhaid i'r awdurdod bwyd perthnasol y mae tâl yn daladwy iddo o dan reoliad 10(5) ostwng y tâl hwnnw o 55% pan fo unrhyw un o'r rheolaethau swyddogol sy'n ofynnol o dan Bennod II o Atodiad III i Reoliad 854/2004 yn cael eu hwyluso ar y sail-

- (a) bod pysgod yn cael eu graddio o ran ffresni a/neu maint yn unol â rheolau perthnasol gwladwriaethau neu'r Gymuned; neu
- (b) bod trafodiadau gwerthiant cyntaf yn cael eu grwpio ynghyd.

**Casglu ac anfon taliadau sy'n ymwneud â glanio cyffredinol**

**12.**-(1) Cyn pen 7 niwrnod ar ddiwedd pob cyfnod cyfrifydda pan fo gwerthwr yn gwneud trafodiad taladwy, rhaid i'r gwerthwr wneud datganiad ysgrifenedig am niferoedd o ran y trafodiad hwnnw ar

**OFFICIAL CONTROLS CHARGES OTHER  
THAN CHARGES FOR DIRECT LANDINGS OF  
FISHERY PRODUCTS FROM THIRD  
COUNTRY VESSELS AND THIRD COUNTRY  
IMPORTS**

**General landings charge**

**10.**-(1) The first sale in Wales of relevant landed fishery products is a chargeable transaction for the purposes of this Part.

(2) Where there is a chargeable transaction, the vendor must include in the price which is charged to the purchaser an amount equal to the charge referred to in this Part as "the general landings charge".

(3) Subject to paragraph (4) and regulation 11, the amount of the general landings charge is a contribution in respect of the expenditure incurred in exercising the official controls required under Chapter II of Annex III to Regulation 854/2004 of 1 Euro per tonne for the first 50 tonnes of relevant landed fishery products and 0.5 Euro per tonne for each additional tonne of such products.

(4) Where the actual costs attributable to the exercise of official controls in relation to an unloaded consignment of specified pelagic fish do not exceed 50 Euros, the general landings charge in respect of that consignment must not exceed that amount.

(5) The vendor must pay the general landings charge to the relevant food authority.

**Reduction of the general landings charge**

**11.** The relevant food authority to which a charge is payable under regulation 10(5) must reduce that charge by 55% where any of the official controls required under Chapter II of Annex III to Regulation 854/2004 are facilitated on the basis that-

- (a) the fish are graded for freshness and/or size in accordance with relevant national or Community rules; or
- (b) the first sale transactions are grouped together.

**Collection and remittance of charges relating to general landings**

**12.**-(1) Within 7 days of the end of each account period in which a vendor enters into a chargeable transaction, the vendor must make a written return in respect of that transaction to the relevant food authority

gyfer yr awdurdod bwyd perthnasol y mae'r tâl glanio cyffredinol yn daladwy iddo.

(2) Rhaid i'r datganiad niferoedd roi gwybodaeth sy'n ymwneud â'r trafodiad taladwy a wnaed yn ystod y cyfnod cyfrifydda hwnnw neu, os bu mwy nag un o'r trafodiadau hynny, gwybodaeth o ran cyfanswm y trafodiadau.

(3) Rhaid i ddatganid niferoedd a wneir o dan y rheoliad hwn gynnwys yr wybodaeth a ganlyn-

- (a) y cyfnod cyfrifydda y mae a wnelo'r datganiad niferoedd ag ef;
- (b) lleoedd glanio a gwerthiant cyntaf y cynhyrchion pysgodfeydd y mae a wnelont ag ef; ac
- (c) ar gyfer glanio cynhyrchion pysgodfeydd heblaw pysgod eigionol penodedig-
  - (i) enw pob llestr a nifer y llwythi sy'n cael eu glanio oddi arno,
  - (ii) cyfanswm pwysau'r llwythi y mae pob llestr yn eu glanio nad ydynt yn fwy na 50 tonnell ynghyd 50 tonnell gyntaf o lwythi y mae eu pwysau yn fwy na'r swm hwnnw, a
  - (iii) cyfanswm pwysau'r llwythi llai'r pwysau a gyfrifir o dan baragraff (ii);
- (ch) ar gyfer glanio pysgod eigionol penodedig-
  - (i) enw pob llestr a nifer y llwythi sy'n cael eu glanio oddi arno, a
  - (ii) cyfanswm pwysau'r llwythi y mae pob llestr yn eu glanio nad ydynt yn fwy na 50 tonnell a'r 50 tonnell gyntaf o lwythi y mae eu pwysau yn fwy na'r swm hwnnw;
- (d) swm unrhyw ostyngiad o dan reoliad 11 a ystyriwyd o ran-
  - (i) llwythi o bysgod nad ydynt ond yn bysgod heblaw pysgod eigionol penodedig, a
  - (ii) llwythi o bysgod eigionol penodedig yn unig,

gan bennu o dan ba baragraff, p'un ai (a) neu (b), o'r rheoliad hwnnw y gwnaed y gostyngiad; ac

(e) swm y tâl glanio cyffredinol.

(4) Yn ystod cyfnod o flwyddyn sy'n dechrau ar y diwrnod pryd y mae gwerthwr yn gwneud datganiad niferoedd o dan y rheoliad hwn-

- (a) caiff yr awdurdod bwyd perthnasol y'i gwnaed ar ei gyfer ei gwneud yn ofynnol i'r gwerthwr ddarparu gwybodaeth ar wahân o'r math sy'n ofynnol gan baragraff (3) o ran pob trafodiad a gynhwysir ynddo; a
- (b) rhaid i'r gwerthwr gadw cofnodion sy'n ddigonol at alluogi cyflenwi'r wybodaeth honno.

to which the general landings charge is payable.

(2) The return must give information which relates to the chargeable transaction entered into during that account period or, if there has been more than one such transaction, information in respect of the aggregate of the transactions.

(3) A return made under this regulation must include the following information-

- (a) the account period to which the return relates;
- (b) the places of landing and first sale of the fishery products to which it relates; and
- (c) for landings of fishery products other than specified pelagic fish-
  - (i) the name of each vessel and the number of consignments landed from it,
  - (ii) the aggregate weight of consignments landed by each vessel which do not exceed 50 tonnes and the first 50 tonnes of consignments the weight of which exceeds that amount, and
  - (iii) the aggregate weight of consignments less the weight calculated under paragraph (ii);
- (d) for landings of specified pelagic fish-
  - (i) the name of each vessel and the number of consignments landed from it, and
  - (ii) the aggregate weight of consignments landed by each vessel which do not exceed 50 tonnes and the first 50 tonnes of consignments the weight of which exceeds that amount;
- (e) the amount of any reduction under regulation 11 which has been taken into account in respect of-
  - (i) consignments of fish consisting only of fish other than specified pelagic fish, and
  - (ii) consignments of specified pelagic fish only,

specifying under which of paragraph (a) or (b) of that regulation that reduction has been made; and

(f) the amount of the general landings charge.

(4) During the period of 1 year beginning on the day on which a vendor makes a return under this regulation-

- (a) the relevant food authority to which it was made may require the vendor to provide separate information of the kind required by paragraph (3) in respect of each transaction included in it; and
- (b) the vendor must retain records which are sufficient to enable the supply of such information.

### **Tâl am gynhyrchion pysgodfeydd sy'n cael eu glanio o lestri ffatri**

13.-(1) Yn ddarostyngedig i baragraff (2), yn gyfraniad o ran y gwariant yr eir iddo gan yr awdurdod bwyd perthnasol wrth arfer y rheolaethau swyddogol sy'n ofynnol o dan Atodiad III i Reoliad 854/2004, rhaid i berchennog neu feistr llestr ffatri dalu 1 Ewro i'r awdurdod am bob tonnell o gynhyrchion pysgodfeydd sy'n cael ei glanio.

(2) Mae'r tâl sy'n daladwy o dan baragraff (1) i fod yn daladwy yn ychwanegol at y tâl sy'n daladwy o dan reoliad 10 ond nid yw'n gymwys o ran mewnforyn trydydd gwledydd neu gynhyrchion pysgodfeydd perthnasol a werthir am y tro cyntaf yng Nghymru.

### **Gostwng y tâl o ran cynhyrchion sy'n cael eu glanio o lestri ffatri**

14. Rhaid i'r awdurdod bwyd perthnasol y mae tâl yn daladwy iddo o dan reoliad 13 ostwng y tâl hwnnw o 55% pan fo-

- (a) gwerthiant cyntaf a pharatoi neu brosesu yn digwydd yn y llestr ffatri; neu
- (b) amodau gweithredu mewn llestr ffatri, a gwarantau o ran gwiriadau'r llong ei hun, yn gyfryw fel bod modd gostwng gofynion staff arolygu.

### **Casglu ac anfon y tâl llestr ffatri**

15.-(1) Cyn pen 7 niwrnod o bob cyfnod cyfrifydda pryd y glaniwyd cynhyrchion pysgodfeydd y mae tâl yn daladwy ynglŷn â hwy o dan reoliad 13 oddi ar lestr ffatri, rhaid i berchennog neu feistr y llestr sy'n gyfrifol am dalu'r tâl hwnnw wneud datganiad ysgrifenedig am niferoedd ynglŷn ag ef ar gyfer yr awdurdod bwyd perthnasol y mae'n daladwy iddo.

(2) Rhaid i'r datganiad niferoedd roi gwybodaeth sy'n ymwneud â glanio cynhyrchion pysgodfeydd o lestr ffatri yn ystod y cyfnod cyfrifydda hwnnw neu, os bu mwy nag un glaniad, gwybodaeth o ran y cyfanswm ohonynt.

(3) Rhaid i ddatganiad niferoedd a wnaed o dan y rheoliad hwn gynnwys yr wybodaeth a ganlyn -

- (a) y cyfnod cyfrifydda y mae a wnelo'r datganiad niferoedd ag ef;
- (b) enw pob llestr ffatri y mae cynhyrchion pysgodfeydd yn cael eu glanio oddi arno a phob lle glanio;
- (c) nifer y glaniadau yn ystod y cyfnod cyfrifydda hwnnw;
- (ch) pwysau'r cynhyrchion pysgodfeydd sy'n cael eu glanio;
- (d) swm unrhyw ostyngiad o dan reoliad 14 a wnaed, gan bennu o dan ba baragraff, p'un ai

### **Charge for fishery products landed from factory vessels**

13.-(1) Subject to paragraph (2), by way of contribution in respect of the expenditure incurred by the relevant food authority in exercising the official controls required under Annex III to Regulation 854/2004, the owner or master of a factory vessel must pay to that authority 1 Euro per tonne of fishery products which is landed.

(2) The charge payable under paragraph (1) is be payable in addition to the charge payable under regulation 10 but does not apply in relation to third country imports or relevant fishery products which are sold for the first time in Wales.

### **Reduction of the charge in respect of products landed from factory vessels**

14. The relevant food authority to which a charge is payable under regulation 13 must reduce that charge by 55% where-

- (a) first sale and preparation or processing is carried out on the same factory vessel; or
- (b) operating conditions on a factory vessel, and guarantees as to the ship's own checks, are such that inspection staff requirements can be reduced.

### **Collection and remittance of the factory vessel charge**

15.-(1) Within 7 days of the end of each account period in which fishery products in respect of which a charge is payable under regulation 13 have been landed from a factory vessel, the owner or master of the vessel who is responsible for paying that charge must make a written return in respect of it to the relevant food authority to which it is payable.

(2) The return must give information which relates to the landing of fishery products from a factory vessel during that account period or, if there has been more than one such landing, information in respect of the aggregate of them.

(3) A return made under this regulation must include the following information-

- (a) the account period to which the return relates;
- (b) the name of each factory vessel from which fishery products are landed and each place of landing;
- (c) the number of landings during that account period;
- (d) the weight of the fishery products landed;
- (e) the amount of any reduction under regulation 14 which has been made, specifying under

(a) neu (b) o'r rheoliad hwnnw, y gwnaed y gostyngiad; ac

(dd) swm y tâl sy'n daladwy o dan reoliad 13(1).

(4) Yn ystod cyfnod o flwyddyn sy'n dechrau ar y diwrnod y mae meist'r neu berchennog yn gwneud datganiad niferoedd o dan y rheoliad hwn-

(a) caiff yr awdurdod bwyd perthnasol y gwnaed y datganiad niferoedd ar ei gyfer ei gwneud yn ofynnol i'r meist'r neu i'r perchennog ddarparu gwybodaeth ar wahân o'r math sy'n ofynnol gan baragraff (3) o ran pob glaniad a gynhwysir ynddo; a

(b) rhaid i'r meist'r neu'r perchennog gadw cofnodion sy'n ddigonol at alluogi cyflenwi'r wybodaeth honno.

### **Tâl o ran llestri ffatri dramor**

16. O ran y gwariant yr eir iddo gan yr awdurdod cymwys wrth arfer y rheolaethau swyddogol sy'n ofynnol o dan baragraff 2(c) a 3(a) (i'r graddau mae a wnelo â llestri ffatri) neu 3(b) o Bennod I o Atodiad III i Reoliad 854/2004, rhaid i berchennog neu feistr llestr ffatri dalu gwir gostau'r rheolaethau swyddogol i'r awdurdod hwnnw.

### **Tâl o ran sefydliadau paratoi neu brosesu**

17. Yn gyfraniad o ran y gwariant yr eir iddo gan yr awdurdod bwyd perthnasol wrth arfer y rheolaethau swyddogol sy'n ofynnol o dan Atodiad III i Reoliad 854/2004 o ran sefydliad paratoi neu brosesu, rhaid i berchennog neu weithredydd y sefydliad dalu 1 Ewro i'r awdurdod hwnnw am bob tunnell o gynhyrchion pysgodfeydd sy'n mynd i'r sefydliad hwnnw.

### **Gostwng y tâl o ran sefydliadau paratoi neu brosesu**

18. Rhaid i'r awdurdod bwyd perthnasol y mae tâl yn daladwy iddo o dan reoliad 17 ostwng y tâl hwnnw o 55% pan fydd gwaith paratoi neu brosesu yn digwydd-

- (a) ar yr un safle â'r gwerthiant cyntaf; neu
- (b) mewn sefydliad lle mae'r amodau gweithredu a'r gwarantau o ran gwiriadau'r sefydliad ei hun yn gyfryw fel bod modd gostwng gofynion staff arolygu.

### **Casglu ac anfon taliadau sy'n ymwneud â sefydliadau paratoi neu brosesu**

19.-(1) Cyn pen 7 niwrnod o bob cyfnod cyfrifydda pryd yr aeth cynhyrchion pysgodfeydd i sefydliad paratoi neu brosesu, rhaid i'r perchennog neu'r gweithredydd sy'n gyfrifol am dalu'r tâl o dan reoliad 17 sy'n ymwneud â'r sefydliad hwnnw wneud

which of paragraph (a) or (b) of that regulation that reduction has been made; and

(f) the amount of the charge payable under regulation 13(1).

(4) During the period of 1 year beginning on the day on which a master or owner makes a return under this regulation-

(a) the relevant food authority to whom the return was made may require the master or owner to provide separate information of the kind required by paragraph (3) in respect of each landing included in it; and

(b) the master or owner must retain records which are sufficient to enable the supply of such information.

### **Charge in respect of factory vessels abroad**

16. In respect of the expenditure incurred by the competent authority in exercising the official controls required under paragraph 2(c) and (3)(a) (insofar as it relates to factory vessels) or 3(b) of Chapter I of Annex III to Regulation 854/2004, the owner or master of a factory vessel must pay to that authority the actual costs of the official controls.

### **Charge in respect of preparation or processing establishments**

17. By way of contribution in respect of the expenditure incurred by the relevant food authority in exercising the official controls required under Annex III to Regulation 854/2004 in respect of a preparation or processing establishment, the proprietor or operator of the establishment must pay to that authority 1 Euro per tonne of fishery products entering that establishment.

### **Reduction of the charge in respect of preparation or processing establishments**

18. The relevant food authority to which a charge is payable under regulation 17 must reduce that charge by 55% where preparation or processing is carried out-

- (a) on the same site as the first sale; or
- (b) in an establishment in which operating conditions and guarantees as to the establishment's own checks are such that inspection staff requirements can be reduced.

### **Collection and remittance of charges relating to preparation or processing establishments**

19.-(1) Within 7 days of the end of each account period in which fishery products have entered a preparation or processing establishment, the proprietor or operator who is responsible for paying the charge under regulation 17 relating to that establishment must

datganiad ysgrifenedig am niferoedd ynglŷn ag ef ar gyfer yr awdurdod bwyd perthnasol y mae'n daladwy iddo.

(2) Rhaid i'r datganiad niferoedd roi gwybodaeth sy'n ymwneud â'r cynhyrchion pysgodfeydd sydd wedi mynd i'r sefydliad yn ystod y cyfnod cyfrifydda hwnnw.

(3) Rhaid i ddatganiad niferoedd a wnaed o dan y rheoliad hwn gynnwys yr wybodaeth a ganlyn-

- (a) y cyfnod cyfrifydda y mae a wnelo'r datganiad niferoedd ag ef;
- (b) pwysau'r cynhyrchion pysgodfeydd sy'n mynd i'r sefydliad;
- (c) swm unrhyw ostyngiad o dan reoliad 18 a wnaed, gan bennu o dan ba baragraff, p'un ai (a) neu (b), o'r rheoliad hwnnw y gwnaed y gostyngiad; a
- (ch) swm y tâl sy'n daladwy o dan reoliad 17.

(4) Yn ystod y cyfnod o flwyddyn sy'n dechrau ar y diwrnod pryd y mae perchennog neu weithredydd yn gwneud datganiad o dan y rheoliad hwn-

- (a) caiff yr awdurdod bwyd perthnasol y gwnaed y datganiad niferoedd ar ei gyfer ei gwneud yn ofynnol i'r perchennog neu'r gweithredydd roi gwybodaeth ar wahân o'r math sy'n ofynnol gan baragraff (3) o ran pob swp o gynhyrchion pysgodfeydd a gynhwysir ynddo; a
- (b) rhaid i'r perchennog neu'r gweithredydd gadw cofnodion sy'n ddigonol at alluogi cyflenwi'r wybodaeth honno.

### **Taliadau o ran sefydliadau eraill**

**20.** O ran y gwariant yr eir iddo gan yr awdurdod bwyd perthnasol wrth gyflawni arolygiad rhaglunedig at ddibenion rheolaethau swyddogol sy'n ofynnol o dan Atodiad III i Reoliad 854/2004, rhaid i berchennog sefydliad lle nad yw cynhyrchion pysgodfeydd ond yn cael eu hoeri, eu rhewi, eu pecynnu neu'u storio dalu i'r awdurdod hwnnw wir gostau'r arolygiad rhaglunedig hwnnw.

make a written return in respect of that charge to the relevant food authority to which it is payable.

(2) The return must give information which relates to the fishery products which have entered that establishment during that account period.

(3) A return made under this regulation must include the following information-

- (a) the account period to which the return relates;
- (b) the weight of the fishery products entering the establishment;
- (c) the amount of any reduction under regulation 18 which has been made, specifying under which of paragraph (a) or (b) of that regulation that reduction has been made; and
- (d) the amount of the charge payable under regulation 17.

(4) During the period of one year beginning on the day on which a proprietor or operator makes a return under this regulation-

- (a) the relevant food authority to whom the return was made may require the proprietor or operator to provide separate information of the kind required by paragraph (3) in respect of each batch of fishery products included in it; and
- (b) the proprietor or operator must retain records which are sufficient to enable the supply of any such information.

### **Charges in respect of other establishments**

**20.** In respect of the expenditure incurred by the relevant food authority in carrying out a programmed inspection for the purposes of the official controls required under Annex III to Regulation 854/2004, the proprietor of an establishment in which fishery products are only chilled, frozen, packaged or stored must pay to that authority the actual costs of that programmed inspection.

**TALIADAU RHEOLAETHAU SWYDDOGOL  
AM LANIO CYNHYRCHION PRYSGODFEYDD  
YN UNIONGYRCHOL O LESTRI TRYDYDD  
GWLEDYDD**

**Tâl o ran gwiriadau swyddogol ar laniadau  
uniongyrchol o drydydd gwledydd.**

21.-(1) Pan werthir unrhyw gynhyrchion pysgodfeydd perthnasol am y tro cyntaf yng Nghymru (y cyfeirir ato yn y Rhan hon fel "trafodiad taladwy"), rhaid i'r gwerthwr gynnwys yn y pris y mae'n ofynnol i'r prynwr ei dalu amdanynt swm hafal i'r tâl y cyfeirir ato yn y Rhan hon fel "tâl glanio uniongyrchol o drydydd gwledydd".

(2) Yn ddarostyngedig i reoliad 22, swm y tâl glanio uniongyrchol o drydydd gwledydd yw-

- (a) o ran y gwariant yr eir iddo wrth arfer y rheolaethau swyddogol sy'n ofynnol o dan Bennod II o Atodiad III i Reoliad 854/2004, 1 Ewro am bob tonnell o gynhyrchion pysgodfeydd perthnasol am y 50 tonnell gyntaf a 0.5 Ewro y dunnell am bob tonnell ychwanegol o'r cynhyrchion hynny, ac eithrio pan na fo'r gwir gostau sy'n briodoladwy i arfer y rheolaethau swyddogol mewn perthynas â llwyth heb ei ddadlwytho o bysgod eigionol penodedig yn fwy na 50 Ewro, ni fydd tâl glanio uniongyrchol o drydydd gwledydd o ran y llwyth hwnnw yn fwy na'r swm hwnnw; a
- (b) o ran y gwariant yr eir iddo wrth arfer rheolaethau swyddogol ar lestri ac ar amodau glanio, 1 Ewro y dunnell.

(3) Rhaid i'r gwerthwr dalu'r tâl glanio uniongyrchol o drydydd gwledydd i'r awdurdod bwyd perthnasol.

**Gostwng y tâl glanio uniongyrchol o drydydd  
gwledydd**

22. Rhaid i'r awdurdod bwyd perthnasol y mae tâl yn daladwy iddo o dan reoliad 21(3) ostwng o 55% y rhan o'r tâl glanio uniongyrchol o drydydd gwledydd a gyfrifir yn unol â rheoliad 21(2)(a) pan fo unrhyw un o'r rheolaethau swyddogol sy'n ofynnol o dan Bennod II o Atodiad III i Reoliad 854/2004 yn cael eu hwyluso ar y sail-

- (a) bod pysgod yn cael eu graddio o ran ffresni a/neu maint yn unol â rheolau perthnasol gwladwriaethau neu'r Gymuned; neu
- (b) bod trafodiadau gwerthiant cyntaf yn cael eu grwpio ynghyd.

**OFFICIAL CONTROLS CHARGES FOR  
DIRECT LANDINGS FROM THIRD COUNTRY  
VESSELS**

**Charge in respect of official checks on third  
country direct landings**

21.-(1) When any relevant fishery products are sold for the first time in Wales (referred to in this Part as a "chargeable transaction"), the vendor must include in the price which the purchaser is required to pay for them an amount equal to the charge referred to in this Part as the "third country direct landings charge".

(2) Subject to regulation 22, the amount of the third country direct landings charge is-

- (a) in respect of the expenditure incurred in exercising the official controls required under Chapter II of Annex III to Regulation 854/2004, 1 Euro per tonne of relevant fishery products for the first 50 tonnes and 0.5 Euro per tonne for each additional tonne of such products, except that where the actual costs attributable to the exercise of the official controls in relation to an unloaded consignment of specified pelagic fish do not exceed 50 Euros, the third country direct landings charge in respect of that consignment will not exceed that amount; and
- (b) in respect of the expenditure incurred in exercising official controls on vessels and on conditions of landing, 1 Euro per tonne.

(3) The vendor must pay the third country direct landings charge to the relevant food authority.

**Reduction of the third country direct landings  
charge**

22. The relevant food authority to which a charge is payable under regulation 21(3) must reduce by 55% the part of the third country direct landings charge which is calculated in accordance with regulation 21(2)(a) where any of the official controls required under Chapter II of Annex III to Regulation 854/2004 are facilitated on the basis that-

- (a) the fish are graded for freshness and/or size in accordance with relevant national or Community rules; or
- (b) the first sale transactions are grouped together.



## Trefniadau casglu ac anfon

23.-(1) Rhaid i werthwr sydd wedi gwneud trafodiad taladwy cyn pen 7 niwrnod ar ddiwedd cyfnod cyfrifydda pryd y gwnaed y trafodiad taladwy wneud datganiad niferoedd ynglŷn ag ef ar gyfer yr awdurdod bwyd perthnasol y mae'r tâl glanio uniongyrchol o drydydd gwledydd yn daladwy neu, os bu mwy nag un trafodiad o'r fath, gwybodaeth o ran cyfanswm y trafodiadau.

(2) Rhaid i'r gwerthwr gynnwys yn y datganiad niferoedd hwnnw yr wybodaeth a ganlyn-

- (a) y cyfnod cyfrifydda y mae a wnelo'r datganiad niferoedd ag ef;
- (b) lleoedd glanio a gwerthiant cyntaf y cynhyrchion pysgodfeydd y mae a wnelont ag ef;
- (c) ar gyfer glanio cynhyrchion pysgodfeydd heblaw pysgod eigionol penodedig-
  - (i) enw pob llestr a nifer y llwythi sy'n cael eu glanio oddi arno,
  - (ii) cyfanswm pwysau'r llwythi y mae pob llestr yn eu glanio nad ydynt yn fwy na 50 tonnell ynghyd 50 tonnell gyntaf o lwythi y mae eu pwysau yn fwy na'r swm hwnnw, a
  - (iii) cyfanswm pwysau'r llwythi llai'r pwysau a gyfrifir o dan baragraff (ii);
- (ch) ar gyfer glaniadau o bysgod eigionol penodedig -
  - (i) enw pob llestr a nifer y llwythi sy'n cael eu glanio oddi arno, a
  - (ii) cyfanswm pwysau'r llwythi y mae pob llestr yn eu glanio nad ydynt yn fwy na 50 tonnell ynghyd 50 tonnell gyntaf o lwythi y mae eu pwysau yn fwy na'r swm hwnnw;
- (d) swm unrhyw ostyngiad o dan reoliad 22 a wnaed o ran-
  - (i) llwythi o bysgod nad ydynt ond yn bysgod heblaw pysgod eigionol penodedig, a
  - (ii) llwythi o bysgod eigionol penodedig yn unig,

gan bennu o dan ba baragraff, p'un ai (a) neu (b), o'r rheoliad hwnnw y gwnaed y gostyngiad; ac

(dd) swm y tâl glanio uniongyrchol o drydydd gwledydd.

(3) Rhaid i'r gwerthwr, yn ychwanegol at yr wybodaeth sy'n ofynnol o dan baragraff (2), gynnwys yn y datganiad niferoedd wybodaeth ar-

- (a) cyfanswm pwysau'r holl gynhyrchion pysgodfeydd sy'n cael eu glanio, gan gynnwys pysgod eigionol penodedig; a
- (b) swm y tâl o ran y cynhyrchion hynny.

## Collection and remittance arrangements

23.-(1) A vendor who has entered into a chargeable transaction must within 7 days of the end of the account period during which the chargeable transaction took place make a return in respect of it to the relevant food authority to which the third country direct landings charge is payable or, if there has been more than one such transaction, information in respect of the aggregate of the transactions.

(2) The vendor must include in that return the following information-

- (a) the account period to which the return relates;
- (b) the places of landing and first sale of the fishery products to which it relates;
- (c) for landings of fishery products other than specified pelagic fish-
  - (i) the name of each vessel and the number of consignments landed from it,
  - (ii) the aggregate weight of consignments landed by each vessel which do not exceed 50 tonnes and the first 50 tonnes of consignments the weight of which exceeds that amount, and
  - (iii) the aggregate weight of consignments less the weight calculated under paragraph (ii);
- (d) for landings of specified pelagic fish-
  - (i) the name of each vessel and the number of consignments landed from it, and
  - (ii) the aggregate weight of consignments landed by each vessel which do not exceed 50 tonnes and the first 50 tonnes of consignments the weight of which exceeds that amount;
- (e) the amount of any reduction under regulation 22 which has been made in respect of-
  - (i) consignments of fish consisting only of fish other than specified pelagic fish, and
  - (ii) consignments of specified pelagic fish only,

specifying under which of paragraph (a) or (b) of that regulation that reduction has been made; and

(f) the amount of the third country direct landings charge.

(3) The vendor must, in addition to the information required under paragraph (2), include in the return information on-

- (a) the total weight of all fishery products landed, including specified pelagic fish; and
- (b) the amount of the charge in respect of those products.

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

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

30 Tachwedd 2005

30 November 2005

*D. Elis-Thomas*

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the National Assembly

DIFFINIADAU O DDEDDFWRIAETH  
GYMUNEDOLDEFINITIONS OF COMMUNITY  
LEGISLATION

ystyr "Cyfarwyddeb 2004/41" ("*Directive 2004/41*") yw Cyfarwyddeb 2004/41/EC Senedd Ewrop a'r Cyngor sy'n diddymu cyfarwyddebau penodol ynglŷn â hylendid bwyd ac amodau iechyd ar gyfer cynhyrchu a rhoi ar y farchnad gynhyrchion penodol sy'n dod o anifeiliaid ac a fwriedir i'w bwyta gan bobl ac sy'n diwygio Cyfarwyddebau'r Cyngor 89/662/EEC a 92/118/EEC a Phenderfyniad y Cyngor 95/408/EC(1);

ystyr "Rheoliad 178/2002" ("*Regulation 178/2002*") yw Rheoliad (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, fel y diwygiwyd y Rheoliad hwnnw ddiwethaf gan Reoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor yn diwygio Rheoliad (EC) Rhif 178/2002 sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd;

ystyr "Rheoliad 852/2004" ("*Regulation 852/2004*") yw Rheoliad (EC) Rhif 852/2004 Senedd Ewrop a'r Cyngor ar hylendid deunyddiau bwyd(2) fel y'i darllenir gyda Rheoliad A a Rheoliad B;

ystyr "Rheoliad 853/2004" ("*Regulation 853/2004*") yw Rheoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor sy'n gosod rheolau hylendid penodol ar gyfer bwyd sy'n dod o anifeiliaid(3), fel y'i diwygiwyd gan Reoliad C a Rheoliad E ac fel y'i darllenir gyda Chyfarwyddeb 2004/41, Rheoliad A, Rheoliad C a Rheoliad E;

ystyr "Rheoliad 854/2004" ("*Regulation 854/2004*") yw Rheoliad (EC) Rhif 854/2004 Senedd Ewrop a'r Cyngor yn gosod rheolau penodol ar gyfer trefnu rheolaethau swyddogol ar gynhyrchion sy'n dod o anifeiliaid ac a fwriedir i'w bwyta gan bobl(4), fel y diwygiwyd y Rheoliad hwnnw gan Reoliad 882/2004, Rheoliad C a Rheoliad E ac fel y'i darllenir gyda Chyfarwyddeb 2004/41, Rheoliad C, Rheoliad D a Rheoliad E;

"Directive 2004/41" means Directive 2004/41/EC of the European Parliament and of the Council repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC(1);

"Regulation 178/2002" means 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 as last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council amending Regulation (EC) No. 178/2002 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;

"Regulation 852/2004" means Regulation (EC) No. 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(2) as read with Regulation A and Regulation B;

"Regulation 853/2004" means Regulation (EC) No. 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin(3) as amended by Regulation C and Regulation E and as read with Directive 2004/41, Regulation A, Regulation C and Regulation E;

"Regulation 854/2004" means Regulation (EC) No. 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption(4) as amended by Regulation 882/2004, Regulation C and Regulation E and as read with Directive 2004/41, Regulation C, Regulation D and Regulation E;

(1) OJ Rhif L157, 30.4.2004, t.33. Mae testun diwygiedig Cyfarwyddeb 2004/41 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L195, 2.6.2004, t.12).

(2) OJ Rhif L139, 30.4.2004, t.1. Mae testun diwygiedig Rheoliad 852/2004 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L226, 25.6.2004, t.3).

(3) OJ Rhif L139, 30.4.2004, t.55. Mae testun diwygiedig Rheoliad 853/2004 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L226, 25.6.2004, t.22).

(4) OJ Rhif L155, 30.4.2004, t.206. Mae testun diwygiedig Rheoliad 854/2004 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L226, 25.6.2004, t.83).

(1) OJ No. L157, 30.4.2004, p.33. The revised text of Directive 2004/41/EC is now set out in a Corrigendum (OJ No. L195, 2.6.2004, p.12).

(2) OJ No. L139, 30.4.2004, p.1. The revised text of Regulation (EC) No. 852/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.3).

(3) OJ No. L139, 30.4.2004, p.55. The revised text of Regulation (EC) No. 853/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.22).

(4) OJ No. L155, 30.4.2004, p.206. The revised text of Regulation (EC) No. 854/2004 is now set out in a Corrigendum (OJ No. L226, 25.6.2004, p.83).

ystyr "Rheoliad 882/2004" ("*Regulation 882/2004*") yw Rheoliad (EC) Rhif 882/2004 Senedd Ewrop a'r Cyngor ar reolaethau swyddogol a gyflawnir i sicrhau gwirhad cydymffurfedd â chyfraith bwyd, iechyd anifeiliaid a rheolau lles anifeiliaid<sup>(1)</sup> fel y'i darllenir gyda Rheoliad C a Rheoliad E;

ystyr "Rheoliad A" ("*Regulation A*") yw Rheoliad y Comisiwn dyddiedig 20 Gorffennaf 2005 sy'n gweithredu Rheoliad (EC) Rhif 853/2004 Senedd Ewrop a'r Cyngor o ran gwarantiau arbennig ynghylch salmonela ar gyfer llwythi o gigoedd ac wyau penodol i'r Ffindir ac i Sweden;

ystyr "Rheoliad B" ("*Regulation B*") yw Rheoliad y Comisiwn dyddiedig 23 Medi 2005 ar feini prawf microbiolegol ar gyfer deunyddiau bwyd;

ystyr "Rheoliad C" ("*Regulation C*") yw Rheoliad y Comisiwn dyddiedig 23 Medi 2005 sy'n gosod mesurau gweithredu ar gyfer cynhyrchion penodol o dan Rheoliad (EC) Rhif 853/2004, er mwyn trefnu rheolaethau swyddogol o dan Rheoliadau (EC) Rhifau 854/2004 a 882/2004, sy'n rhanddirymu Rheoliad (EC) Rhif 852/2004 ac yn diwygio Rheoliadau (EC) Rhifau 853/2004 a 854/2004;

ystyr "Rheoliad D" ("*Regulation D*") yw Rheoliad y Comisiwn dyddiedig 23 Medi 2005 sy'n gosod rheolau penodol ar reolaethau swyddogol ar *Trichinella* mewn cig; ac

ystyr "Rheoliad E" ("*Regulation E*") yw Rheoliad y Comisiwn dyddiedig 5 Hydref sy'n gosod trefniadau trosiannol ar gyfer gweithredu Rheoliadau (EC) Rhif 853/2004, (EC) Rhifau 854/2004 ac 882/2004 Senedd Ewrop a'r Cyngor ac yn diwygio Rheoliadau (EC) Rhifau 853/2004 a 854/2004.

"Regulation 882/2004" means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules<sup>(1)</sup> as read with Regulation C and Regulation E;

"Regulation A" means the Commission Regulation of 20 July 2005 implementing Regulation (EC) No. 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs;

"Regulation B" means the Commission Regulation of 23 September 2005 on microbiological criteria for foodstuffs;

"Regulation C" means the Commission Regulation of 23 September 2005 laying down implementing measures for certain products under Regulation (EC) No. 853/2004, for the organisation of official controls under Regulations (EC) Nos. 854/2004 and 882/2004, derogating from Regulation (EC) No. 852/2004 and amending Regulations (EC) Nos. 853/2004 and 854/2004;

"Regulation D" means the Commission Regulation of 23 September 2005 laying down specific rules on official controls for *Trichinella* in meat; and

"Regulation E" means the Commission Regulation of 5 October laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) Nos. 854/2004 and 882/2004 of the European Parliament and of the Council and amending Regulations (EC) Nos. 853/2004 and 854/2004.

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(1) OJ Rhif L165, 30.4.2004, t.1. Mae testun diwygiedig Rheoliad 882/2004 wedi'i nodi bellach mewn Corrigendwm (OJ Rhif L191, 28.5.2004, t.1).

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(1) OJ No. L165, 30.4.2004, p.1. The revised text of Regulation (EC) No. 882/2004 is now set out in a Corrigendum (OJ No. L191, 28.5.2004, p.1).

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OFFERYNNAU STATUDOL

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**2005 Rhif 3297 (Cy.255)**

**BWYD, CYMRU**

Rheoliadau Cynhyrchion  
Pysgodfeydd (Taliadau  
Rheolaethau Swyddogol) (Cymru)  
2005

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STATUTORY INSTRUMENTS

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**2005 No. 3297 (W.255)**

**FOOD, WALES**

The Fishery Products (Official  
Controls Charges) (Wales)  
Regulations  
2005

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