CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2006 Rhif 3256 (Cy.296)

AMAETHYDDIAETH, CYMRU

Rheoliadau Bwyd Anifeiliaid (Sylweddau Annymunol Penodol) (Cymru) 2006

NODYN ESBONIADOL

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

1. Mae'r Rheoliadau hyn yn gwneud diwygiadau pellach i Reoliadau Bwydydd Anifieliaid (Cymru) 2006 (OS 2006/116 (Cy.14) a ddiwygiwyd eisoes gan O.S. 2006/617 (Cy.69) ac O.S. 2006/2928 (Cy.263) ("y Rheoliadau Bwydydd Anifeiliaid"), ac maent hefyd yn diwygio Rheoliadau Bwyd Anifeiliaid (Hylendid a Gorfodi) (Cymru) Rheoliadau 2005 (O.S. 2005/3368 (Cy.265) ("y Rheoliadau Hylendid Bwyd Anifeiliaid").

2. Mae'r Rheoliadau hyn yn darparu ar gyfer gweithredu'r Cyfarwyddebau CE a ganlyn-

(a) Cyfarwyddeb y Comisiwn 2005/86/EC sy'n diwygio Atodiad I i Gyfarwyddeb 2002/32/EC Senedd Ewrop a'r Cyngor ar sylweddau annymunol mewn bwyd anifeiliaid o ran camffeclor (OJ Rhif L318, 6.12.2005, t.16);

(b) Cyfarwyddeb y Comisiwn 2005/87/EC sy'n diwygio Cyfarwyddeb 2002/32/EC Senedd Ewrop a'r Cyngor ar sylweddau annymunol mewn bwyd anifeiliaid o ran plwm, fflworin a chadmiwm (OJ Rhif L318, 6.12.2005, t.19); ac

(c) Cyfarwyddeb y Comisiwn 2006/13/EC sy'n diwygio Atodiadau I a II i Gyfarwyddeb 2002/32/EC Senedd Ewrop a'r Cyngor ar sylweddau annymunol mewn bwyd anifeiliaid o ran deuocsinau a PCBs o fath deuocsin (OJ Rhif L32, 4.2.2006, t.44).

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 3256 (W.296)

AGRICULTURE, WALES

The Feed (Specified Undesirable Substances) (Wales) Regulations 2006

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations make further amendments to the Feeding Stuffs (Wales) Regulations 2006 (SI 2006/116 (W.14) as already amended by S.I. 2006/617 (W.69) and S.I. 2006/2928 (W.263) ("the Feeding Stuffs Regulations"), and also amend the Feed (Hygiene and Enforcement) (Wales) Regulations 2005 (S.I. 2005/3368 (W.265) ("the Feed Hygiene Regulations").

2. These Regulations provide for the implementation of the following EC Directives-

(a) Commission Directive 2005/86/EC amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards camphechlor (OJ No. L318, 6.12.2005, p.16);

(b) Commission Directive 2005/87/EC amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards lead, fluorine and cadmium (OJ No. L318, 6.12.2005, p.19); and

(c) Commission Directive 2006/13/EC amending Annexes I and II to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed as regards dioxins and dioxin-like PCBs (OJ No. L32, 4.2.2006, p.44).

3. Mae'r Rheoliadau yn gweithredu hefyd ddarpariaeth a gynhwysir yng Nhgyfarwyddeb y Cyngor 79/373/EEC ar gylchredu fwydydd anifeiliaid cyfansawdd (OJ Rhif L86, 6.4.1979, t.30), fel y'i diwygiwyd y Gyfarwyddeb honno ddiwethaf gan Reoliad y Cyngor (EC) Rhif 807/2003 (OJ Rhif L122, 16.5.2003, t.36). Mae'r darpariaeth hon yn perthyn i gyfyngiadau ar amrywio ar gyfer datganiad o gynnwys lleithedd Bwydydd Anifeiliaid ar gyfer Anifeiliad anwes.

4. Mae'r Rheoliadau'n diwygio'r Rheoliadau Bwydydd Anifieiliaid-

(a) Yn Rhan B o Atodlen 4 drwy fewnosod cyfyngiadau ar amrywio ar gyfer datganiadau o gynnwys lleithedd bwydydd anifeiliaid cyfansawdd ar gyfer anifeiliaid anwes (rheoliad 2(2) ac Atodlen 1);

(b) ym Mhennod A o Atodlen 5 drwy ddiwygio'r cofnodion presennol ar gyfer cadmiwm, deuocsinau, fflworin a phlwm, a thrwy ychwanegu cofnodion newydd at swm y deuocsinau a PCBs o fath deuocsin (rheoliad 2(2) a Rhan 1 o Atodlen 2 i'r Rheoliadau hyn); a

(c) ym Mhennod D o Atodlen 5 drwy ddiwygiolr cofnodion presennol ar gyfer camffeclor (tocsaffen) (rheoliad 2(3) a Rhan 2 o Atodlen 2 i'r Rheoliadau hyn).

5. Mae'r Rheoliadau'n diwygio'r Rheoliadau Hylendid Bwyd Anifeiliaid-

(a) drwy fewnosod rheoliad 24A newydd i roi i swyddogion awdurdodedig awdurdod bwyd anifeiliaid bwerau mynediad, samplu, arolygu a gweithgareddau cysylltiedig er mwyn cyflawni'r swyddogaethau ymchwil sy'n ofynnol gan Gyfarwyddeb 2002/32/EC fel y'i diwygiwyd gan Gyfarwyddeb y Comisiwn 2006/13/EC (rheoliad 3(2)); a

(b) drwy ddiwygio rheoliad 27(4) (sy'n ymdrin â datgelu gwybodaeth ynghylch samplu) er mwyn ymestyn ei gymhwysiad i samplu a gynhelir o dan reoliad 24A (rheoliad 3(3)).

6. Mae arfarniad rheoliadol o'r effaith y bydd yr offeryn hwn yn ei gael ar gostau busnes wedi'i baratoi a'i osod yn llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau gan yr Asiantaeth Safonau Bwyd, Llawr 11, Southgate House, Wood Street, Caerdydd, CF10 1EW.

3. The Regulations also implement a provision contained in Council Directive 79/373/EEC on the circulation of compound feedingstuffs (OJ No. L86, 6.4.1979, p30), as last amended by Council Regulation (EC) No. 807/2003 (OJ No. L122, 16.5.2003, p.36). This provision relates to the limits of variation for the declaration of the moisture content of compound pet foods.

4. The Regulations amend the Feeding Stuffs Regulations -

(a) in Part B of Schedule 4 by inserting limits of variation for declarations of the moisture content of compound pet foods (regulation 2(2) and Schedule 1);

(b) in Chapter A of Schedule 5 by amending the existing entries for cadmium, dioxin, fluorine and lead, and by adding new entries relating to the sum of dioxins and dioxin-like PCBs (regulation 2(3) and Part 1 of Schedule 2 to these Regulations); and

(c) in Chapter D of Schedule 5 by amending the existing entries for camphechlor (toxaphene) (regulation 2(4) and Part 2 of Schedule 2 to these Regulations).

5. The Regulations amend the Feed Hygiene Regulations -

(a) by inserting a new regulation 24A to give authorised officers of a feed authority powers of entry, sampling, inspection and associated activities in order to carry out the investigative functions required by Directive 2002/32/EC as amended by Commission Directive 2006/13/EC (regulation 3(2)); and

(b) by amending regulation 27(4) (which deals with disclosure of information related to sampling) so as to extend its application to sampling conducted under regulation 24A (regulation 3(3)).

6. A full regulatory appraisal of the effect that this instrument 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.

OFFERYNNAU STATUDOL

2006 Rhif 3256 (Cy.296)

AETHYDDIAETH,CYMRU

Rheoliadau Bwyd Anifeiliaid (Sylweddau Annymunol Penodol) (Cymru) 2006

Wedi'u gwneud	*5 Rhagfyr 2006*
Yn dod i rym	*26 Rhagfyr 2006*

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd gan adrannau 66(1), 68(1), 69(1), 74A ac 84 o Ddeddf Amaethyddiaeth 1970(**1**).

I'r graddau na ellir gwneud y Rheoliadau hyn o dan y pwerau yn y Ddeddf Amaethyddiaeth a bennir uchod, mae Cynulliad Cenedlaethol Cymru'n gwneud y Rheoliadau hyn yn rhinwedd y ffaith iddo gael ei ddynodi at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**2**) o ran mesurau ym maes milfeddygaeth i ddiogelu iechyd y cyhoedd(**3**).

Bu ymgynghori yn ystod paratoi'r Rheoliadau hyn yn unol â gofynion adran 84(1) o Deddf Amaethyddiaeth 1970 neu fel y bo'n briodol o Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor(**4**) sy'n pennu egwyddorion a gofynion cyffredinol cyfraith fwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewropeaidd ac yn pennu gweithdrefnau o ran materion diogelwch bwyd.

(**1**) 1970 p.40. Mae adran 66(1) yn cynnwys diffiniadau o'r ymadroddion "the Ministers", "prescribed" a "regulations"; Trosglwyddwyd swyddogaethau "the Secretary of State", i'r graddau yr oeddent yn arferadwy mewn perthynas â Chymru i Gynulliad Cenedlaethol Cymru gan O.S.1999/672.

(**2**) 1972 p.68.

(**3**) O.S. 2003/1246.

(**4**) OJ Rhif L31, 1.2.2002, t.1, fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 1642/2003 Senedd Ewrop a'r Cyngor (OJ Rhif L245, 29.9.2003, t.4).

STATUTORY INSTRUMENTS

2006 No. 3256 (W.296)

AGRICULTURE, WALES

The Feed (Specified Undesirable Substances) (Wales) Regulations 2006

Made	*5 December 2006*
Coming into force	*26 December 2006*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by sections 66(1), 68(1), 69(1), 74A and 84 of the Agriculture Act 1970(**1**).

In so far as these Regulations cannot be made under the powers in the Agriculture Act specified above, the National Assembly for Wales makes these Regulations by virtue of being designated for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to measures in the veterinary field for the protection of public health(**3**).

There has been consultation during the preparation of these Regulations in accordance with the requirements of section 84(1) of the Agriculture Act 1970 or as appropriate of Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(**4**) 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.

(**1**) 1970 c.40. Section 66(1) contains definitions of the expressions "the Ministers", "prescribed" and "regulations". Functions of "the Secretary of State", so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672.

(**2**) 1972 c.68.

(**3**) S.I. 2003/1246.

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

Enwi a Chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Bwyd Anifeiliaid (Sylweddau Annymunol Penodol) (Cymru) 2006 a deuant i rym ar 26 Rhagfyr 2006.

Diwygiadau i Reoliadau Bwydydd Anifeiliaid (Cymru) 2006

2.-(1) Diwygir Rheoliadau Bwydydd Anifeiliaid (Cymru) 2006(**1**) yn unol â pharagraffau (2) i (4).

(2) Yn Rhan B o Atodlen 4 (cyfyngiadau ar amrywiad), ar ôl y cofnodion sy'n ymwneud â methionin mewnosoder y cyfnodion ar gyfer lleithedd fel a nodir yn Atodlen 1 i'r Rheoliadau hyn.

(3) O ran y tabl ym Mhennod A o Atodlen 5 (cyfyngiadau rhagnodedig ar gyfer sylweddau annymunol)-

(a) yn lle'r cofnodion yn y tabl hwnnw sy'n ymwneud â chadmiwm, deuocsin, flworin a phlwm yn eu trefn rhodder y cofnodion ar gyfer y sylweddau hynny fel a osodir yn y tabl yn Rhan 1 o Atodlen 2 i'r Rheoliadau hyn;

(b) ar ôl y cofnodion ar gyfer deuocsin mewnosoder y cofnodion ar gyfer y swm o ddeuocsinau a PCBs o fath deuocsin fel a nodir yn y tabl yn Rhan 1 o Atodlen 2 i'r Rheoliadau hyn, ac

(c) yn droednodiadau i'r tabl hwnnw ychwaneger y troednodiadau i'r tabl yn Rhan 1 o Atodlen 2 i'r Rheoliadau hyn.

(4) O ran y tabl ym Mhennod D o Atodlen 5 -

(a) yn lle'r cofnodion yn y tabl hwnnw sy'n ymwneud â chamffeclor (tocsaffen) rhodder y cofnodion fel a osodir yn y tabl yn Rhan 2 o Atodlen 2 i'r Rheoliadau hyn; a

(b) yn droednodyn i'r tabl hwnnw ychwaneger y troednodyn i'r tabl yn Rhan 2 o Atodlen 2 i'r Rheoliadau hyn.

Diwygiadau i Reoliadau Bwyd Anifeiliaid (Hylendid a Gorfodi) (Cymru) 2005

3.-(1) Diwygir Rheoliadau Bwyd Anifeiliaid (Hylendid a Gorfodi) (Cymru) 2005(**2**) yn unol â pharagraffau (2) a (3).

(**1**) O.S. 2006/116 (Cy.14), fel y'i diwygiwyd gan O.S. 2006/617 (Cy.69) ac O.S. 2006/2928. (Cy.263).

(**2**) O.S. 2005/3368 (Cy.265).

Title and Commencement

1. The title of these Regulations is the The Feed (Specified Undesirable Substances) (Wales) Regulations 2006 and they come into force on 26 December 2006.

Amendments to the Feeding Stuffs (Wales) Regulations 2006

2.-(1) The Feeding Stuffs (Wales) Regulations 2006(**1**) are amended in accordance with paragraphs (2) to (4).

(2) In Part B of Schedule 4 (limits of variation), after the entries relating to methionine insert the entries for moisture as set out in Schedule 1 to these Regulations.

(3) In relation to the table in Chapter A of Schedule 5 (prescribed limits for undesirable substances)-

(a) for the entries in that table relating to cadmium, dioxin, fluorine and lead respectively substitute the entries for those substances as set out in the table in Part 1 of Schedule 2 to these Regulations;

(b) after the entries for dioxin insert the entries for sum of dioxins and dioxin-like PCBs as set out in the table in Part 1 of Schedule 2 to these Regulations, and

(c) as footnotes to that table add the footnotes to the table in Part 1 of Schedule 2 to these Regulations.

(4) In relation to the table in Chapter D of Schedule 5 -

(a) for the entries in that table relating to camphechlor (toxaphene) substitute the entries as set out in the table in Part 2 of Schedule 2 to these Regulations, and

(b) as a footnote to that table add the footnote to the table in Part 2 of Schedule 2 to these Regulations.

Amendments to the Feed (Hygiene and Enforcement) (Wales) Regulations 2005

3.-(1) The Feed (Hygiene and Enforcement) (Wales) Regulations 2005(**2**) are amended in accordance with paragraphs (2) and (3).

(**1**) S.I. 2006/116 (W.14), as amended by S.I. 2006/617 (W.69) and S.I. 2006/2928 (W.263).

(**2**) S.I. 2005/3368 (W.265).

(2) Ar ôl rheoliad 24, mewnosoder y rheoliad canlynol-

"**24**A.-(1) At ddibenion cyflawni ymchwiliadau, yn unol ag Erthygl 4.2 o Gyfarwyddeb 2002/32, er mwyn penderfynu ffynhonnell y sylweddau annymunol hynny a restrir yn Atodiad II i'r Gyfarwyddeb honno pan fydd trothwyon gweithredu a bennir yn yr Atodiad hwnnw wedi cael eu cyrraedd, caiff swyddog awdurdodedig, ar bob adeg resymol ac wrth ddangos, os gofynnir amdani, ddogfen a ddilyswyd yn briodol sy'n dangos ei awdurdod, fynd i mewn i unrhyw fangre (nad yw'n fangre a ddefnyddir fel annedd yn unig) lle mae gan y swyddog achos rhesymol dros gredu bod bwyd anifeiliaid yn cael neu wedi cael ei weithgynhyrchu neu ei gynhyrchu, wedi'i roi ar y farchnad neu'n cael ei gadw er mwyn ei roi ar y farchnad, ei gynnwys mewn unrhyw gynnyrch arall neu ei ddefnyddio.

(2) Caiff swyddog awdurdodedig sy'n mynd i mewn i unrhyw fangre yn rhinwedd y rheoliad hwn -

(a) mynd â'r personau eraill hynny gydag ef y mae'r swyddog yn tybio eu bod yn angenrheidiol ac unrhyw gyfarpar;

(b) arolygu unrhyw beth y mae gan y swyddog hawl i'w arolygu o dan reoliad 24(5), ac

(c) cymryd sampl yn y fangre honno o unrhyw ddeunydd y mae'n ymddangos i'r swyddog sy'n fwyd anifeiliaid a weithgynhyrchwyd, a gynhyrchwyd, a roddwyd ar y farchnad neu y bwriedir ei roi ar y farchnad neu sy'n ddeunydd a ddefnyddir neu y bwriedir ei ddefnyddio fel bwyd anifeiliaid.

(3) Os bydd swyddog awdurdodedig er mwyn cymryd sampl yn unol â pharagraff (2)(c) yn cymryd deunydd o un cynhwysydd neu fwy ohonynt y mae pob un ohonynt yn pwyso dim mwy na chwe chilogram, ac sydd wedi cael eu datgelu i'w gwerthu drwy fanwerthu, caiff perchennog y cynhwysydd neu'r cynwysyddion ei gwneud yn ofynnol i'r swyddog awdurdodedig brynu'r cynhwysydd neu'r cynwysyddion ar ran yr awdurdod y mae'r swyddog yn gweithio iddo.

(4) Mae gan swyddog awdurdodedig sy'n mynd i mewn i unrhyw fangre yn rhinwedd y rheoliad hwn yr un hawliau i gael gweld, arolygu a chopïo cofnodion, gan gynnwys cofnodion a gedwir ar gyfrifiadur neu a gynhyrchir ganddo, fel a bennir ym mharagraff (9)(a) a (b) a (10)(c) o reoliad 24.

(5) Mae paragraff (14) o reoliad 24 yn gymwys i'r pwer mynediad o dan y rheoliad hwn fel y mae'n gymwys i'r cyfryw bwerau o dan y rheoliad hwnnw.

(2) After regulation 24, insert the following regulation -

"**24A**.-(1) For the purpose of carrying out investigations, in accordance with Article 4.2 of Directive 2002/32, to determine the source of those undesirable substances listed in Annex II to that Directive where action thresholds specified in that Annex have been reached, an authorised officer may, at all reasonable times and on producing if requested some duly authenticated document showing his or her authority, enter any premises (not being premises used only as a dwelling) on which the officer has reasonable cause to believe that feed has been or is being manufactured or produced, has been placed on the market or is being kept for the purpose of being placed on the market, incorporated into another product or used.

(2) An authorised officer entering any premises by virtue of this regulation may -

(a) take with him or her such other persons and such equipment as may appear to the officer to be necessary;

(b) inspect anything that the officer has the right to inspect under regulation 24(5), and

(c) take on those premises a sample of any material appearing to the officer to be a feed manufactured, produced, placed on the market or intended to be placed on the market or to be material used or intended for use as feed.

(3) Where for the purposes of taking a sample pursuant to paragraph (2)(c) an authorised officer takes material from one or more containers each of which weighs no more than six kilograms, and which are exposed for sale by retail, the owner of the container or containers may require the authorised officer to purchase the container or containers on behalf of the authority for which the officer acts.

(4) An authorised officer entering any premises by virtue of this regulation has the same rights to production, inspection and copying of records, including records kept on or produced by a computer, as are specified in paragraphs (9)(a) and (b) and (10)(c) of regulation 24.

(5) Paragraph (14) of regulation 24 applies to the power of entry under this regulation as it does to such powers under that regulation.

(6) Ystyr Cyfarwyddeb 2002/32 yw Cyfarwyddeb 2002/32/EC Senedd Ewrop a'r Cyngor(**1**) ar sylweddau annymunol mewn bwyd aneifiliaid, fel y'i diwygiwyd gan Gyfarwyddeb y Comisiwn 2003/57/EC(**2**), Cyfarwyddeb y Comisiwn 2003/100(**3**), Cyfarwyddeb y Comisiwn 2005/8/EC(**4**), Cyfarwyddeb y Comisiwn 2005/86/EC(**5**), Cyfarwyddeb y Comisiwn 2005/87/EC(**6**) a Chyfarwyddeb y Comisiwn 2006/13/EC(**7**)."

(1) Ym mharagraff (4) o reoliad 27, ar ôl yr ymadrodd "reoliad 24" mewnosoder "neu reoliad 24A".

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**8**)

5 Rhagfyr 2006

Llywydd y Cynulliad Cenedlaethol

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(6) Directive 2002/32 means Directive 2002/32/EC of the European Parliament and of the Council(**1**) on undesirable substances in animal feed, as amended by Commission Directive 2003/57/EC(**2**), Commission Directive 2003/100(**3**), Commission Directive 2005/8/EC(**4**), Commission Directive 2005/86/EC(**5**), Commission Directive 2005/87/EC(**6**) and Commission Directive 2006/13/EC(**7**)."

(3) In paragraph (4) of regulation 27, after the expression "regulation 24" insert "or regulation 24A".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**8**)

5 December 2006

D. Elis-Thomas

The Presiding Officer of the National Assembly

(**1**) OJ Rhif L140, 30.5.2002, t.10.

(**2**) OJ Rhif L151, 19.6.2003, t.38.

(**3**) OJ Rhif L285, 1.11.2003, t.33.

(**4**) OJ Rhif L27, 29.1.2005, t.44.

(**5**) OJ Rhif L318, 6.12.2005, t.16.

(**6**) OJ Rhif L318, 6.12.2005, t.19.

(**7**) OJ Rhif L32, 4.2.2006, t.44. Cyflwynodd y Gyfarwyddeb ddiwygio hon drothwyon gweithredu a'r gofyniad i ymchwilio.

(**8**) 1998 p.38.

(**1**) OJ No. L140, 30.5.2002, p.10.

(**2**) OJ No. L151, 19.6.2003, p.38.

(**3**) OJ No. L285, 1.11.2003, p.33.

(**4**) OJ No. L27, 29.1.2005, p.44.

(**5**) OJ No. L318, 6.12.2005, p.16.

(**6**) OJ No. L318, 6.12.2005, p.19.

(**7**) OJ No. L32, 4.2.2006, p44. This amending Directive introduced action thresholds and the requirement to investigate.

(**8**) 1998 c.38.

ATODLEN 1   SCHEDULE 1

Rheoliad 2(2)

Regulation 2(2)

Y cofnodion sydd i'w hychwanegu yn Rhan B o Atodlen 4 i Reoliadau Bwydydd Anifeiliaid (Cymru) 2006

Entries to be added in Part B of Schedule 4 to the Feeding Stuffs (Wales) Regulations 2006

"

Analytical constituents	*Limits of variation (absolute value in percentage by weight, except where otherwise specified)*
Moisture	If present in excess- 3 for declarations of 40% or more 7.5% of the amount stated for declarations of 20% or more but less than 40% 1.5 for declarations less than 20%

"

ATODLEN 2 SCHEDULE 2

RHAN 1 PART 1

Y cofnodion sydd i'w rhoi yn lle cofnodion neu sydd i'w hychwanegu ym Mhennod A o Atodlen 5 i Reoliadau Bwydydd Anifeiliaid (Cymru) 2006

Entries to be substituted or added in Chapter A of Schedule 5 to the Feeding Stuffs (Wales) Regulations 2006

"

Column 1: Undesirable substances	*Column 2: Products intended for animal feed*	*Column 3: Maximum content in mg/kg of feeding stuffs referred to a moisture content of 12%*
Cadmium[(1)]	Feed materials of vegetable origin	1
	Feed materials of animal origin	2
	Feed materials of mineral origin	2
	except:	
	- phosphates	10
	Additives belonging to the functional group of compounds of trace elements	10
	except:	
	- copper oxide, manganous oxide, zinc oxide and manganous sulphate monohydrate	30
	Additives belonging to the functional groups of binders and anti-caking agents	2
	Premixtures	15
	Mineral feeding stuffs:	
	- containing less than 7% phosphorus	5
	- containing 7% or more phosphorus	0.75 per 1% phosphorus, subject to a maximum of 7.5
	Complementary feeding stuffs for pet animals	2
	Other complementary feeding stuffs	0.5
	Complete feeding stuffs for cattle, sheep and goats and feeding stuffs for fish	1
	except:	
	- complete feeding stuffs for pet animals	2
	- complete feeding stuffs for calves, lambs and kids, and other complete feeding stuffs	0.5

Dioxins (sum of polychlorinated dibenzo-para-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs))expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors) 1997[2][3]	Feed materials of plant origin with the exception of vegetable oils and their by-products	0.75 ng WHO-PCDD/F-TEQ/kg
	Vegetable oils and their by-products	0.75 ng WHO-PCDD/F-TEQ/kg
	Feed materials of mineral origin	1.0 ng WHO-PCDD/F-TEQ/kg
	Animal fat, including milk fat and egg fat	2.0 ng WHO-PCDD/F-TEQ/kg
	Other land animal products, including milk and milk products and eggs and egg products	0.75 ng WHO-PCDD/F-TEQ/kg
	Fish oil	6.0 ng WHO-PCDD/F-TEQ/kg
	Fish, other aquatic animals, their products and by-products, with the exception of fish oil and fish protein hydrolysates containing more than 20% fat[4]	1.25 ng WHO-PCDD/F-TEQ/kg
	Fish protein hydrolysates containing more than 20% fat	2.25 ng WHO-PCDD/F-TEQ/kg
	The additives kaolinitic clay, calcium sulphate dihydrate, vermiculite, natrolite-phonolite synthetic calcium aluminates and clinoptilolite of sedimentary origin belonging to the functional groups of binders and anti-caking agents	0.75 ng WHO-PCDD/F-TEQ/kg
	Additives belonging to the functional group of compounds of trace elements	1.0 ng WHO-PCDD/F-TEQ/kg
	Premixtures	1.0 ng WHO-PCDD/F-TEQ/kg
	Compound feeding stuffs, with the exception of feed for fur-producing animals, pet foods and feed for fish	0.75 ng WHO-PCDD/F-TEQ/kg
	Feed for fish and pet foods	2.25 ng WHO-PCDD/F-TEQ/kg
		Note in respect of all entries in column 3: upper bound concentrations are calculated on the assumption that all values of the different congeners below the limit of quantification are equal to the limit of quantification

Sum of dioxins and dioxin-like PCBs (sum of polychlorinated dibenzo-para-dioxins (PCDDs), polychlorinated dibenzofurans (PCDFs) and polychlorinated biphenyls (PCBs)) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors) 1997[2]	Feed materials of plant origin with the exception of vegetable oils and their by-products	1.25 ng WHO-PCDD/F-PCB-TEQ/kg
	Vegetable oils and their by-products	1.5 ng WHO-PCDD/F-PCB-TEQ/kg
	Feed materials of mineral origin	1.5 ng WHO-PCDD/F-PCB-TEQ/kg
	Animal fat, including milk fat and egg fat	3.0 ng WHO-PCDD/F-PCB-TEQ/kg
	Other land animal products, including milk and milk products and eggs and egg products	1.25 ng WHO-PCDD/F-PCB-TEQ/kg
	Fish oil	24.0 ng WHO-PCDD/F-PCB-TEQ/kg
	Fish, other aquatic animals, their products and by-products, with the exception of fish oil and fish protein hydrolysates containing more than 20% fat[4]	4.5 ng WHO-PCDD/F-PCB-TEQ/kg
	Fish protein hydrolysates containing more than 20% fat	11.0 ng WHO-PCDD/F-PCB-TEQ/kg
	Additives belonging to the functional groups of binders and anti-caking agents	1.5 ng WHO-PCDD/F-PCB-TEQ/kg
	Additives belonging to the functional group of compounds of trace elements	1.5 ng WHO-PCDD/F-PCB-TEQ/kg
	Premixtures	1.5 ng WHO-PCDD/F-PCB-TEQ/kg
	Compound feeding stuffs, with the exception of feed for fur-producing animals, pet foods and feed for fish	1.5 ng WHO-PCDD/F-PCB-TEQ/kg
	Feed for fish and pet foods	7.0 ng WHO-PCDD/F-PCB-TEQ/kg
		Note in respect of all entries in column 3: upper bound concentrations are calculated on the assumption that all values of the different congeners below the limit of quantification are equal to the limit of quantification

Fluorine[5]	Feed materials	150
	except:	
	- feeding stuffs of animal origin other than marine crustaceans such as marine krill	500
	- marine crustaceans such as marine krill	3,000
	- phosphates	2,000
	- calcium carbonate	350
	- magnesium oxide	600
	- calcareous marine algae	1,000
	Vermiculite (E 561)	3,000
	Complementary feeding stuffs	
	- containing 4% phosphorus or less	500
	- containing more than 4% phosphorus	125 per 1% phosphorus
	Complete feeding stuffs	150
	except:	
	- complete feeding stuffs for cattle, sheep and goats	
	- - in lactation	30
	- - other	50
	- complete feeding stuffs for pigs	100
	- complete feeding stuffs for poultry	350
	- complete feeding stuffs for chicks	250
Lead[1]	Feed materials	10
	except:	
	- green fodder (including products such as hay, silage, fresh grass, etc)	30
	- phosphates and calcareous marine algae	15
	- calcium carbonate	20
	- yeasts	5
	Additives belonging to the functional group of compounds of trace elements	100
	except:	
	- zinc oxide	400
	- manganous oxide, iron carbonate, copper carbonate	200

	Additives belonging to the functional groups of binders and anti-caking agents	30
	except:	
	-clinoptilolite of volcanic origin	60
	Premixtures	200
	Complementary feeding stuffs	10
	except:	
	- mineral feeding stuffs	15
	Complete feeding stuffs	5

(1) Maximum levels refer to an analytical determination of this substance, whereby extraction is performed in nitric acid (5% w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied where it can be demonstrated that the procedure used has an equal extraction efficiency.

(2) WHO-TEFs for human risk assessment based on the conclusions of the World Health Organisation meeting in Stockholm, Sweden, 15-18 June 1997 (Van den Berg et al., (1998), Toxic Equivalency Factors (TEFs) for PCBs, PCDDs and PCDFs for Humans and for Wildlife, Environmental Health Perspectives, 106(12), 775).

(3) The separate maximum level for dioxins (PCDD/F) remains applicable for a temporary period. The products intended for animal feed mentioned in column 2 have to comply both with the maximum levels for dioxins and with the maximum levels for the sum of dioxins and dioxin-like PCBs during that temporary period.

(4) Fresh fish directly delivered and used without intermediate processing for the production of feed for fur-producing animals is not subject to the maximum levels, while maximum levels of 4.0 ng WHO-PCDD/F-TEQ/kg product and 8.0 ng WHO-PCDD/F-PCB-TEQ/kg product are applicable to fresh fish used for the direct feeding of pet animals, zoo and circus animals. The products, processed animal proteins produced from these animals (fur-producing animals, pet animals and zoo and circus animals) cannot enter the food chain and cannot be fed to farmed animals which are kept, fattened or bred for the production of food.

(5) Maximum levels refer to an analytical determination of fluorine, whereby extraction is performed with hydrochloric acid 1 N for 20 minutes at ambient temperature. Equivalent extraction procedures can be applied where it can be demonstrated that the procedure used has an equal extraction efficiency.

"

RHAN 2 PART 2

Y cofnodion sydd i'w rhoi yn lle cofnodion ym Mhennod D o Atodlen 5 i Reoliadau Bwydydd Anifeiliaid (Cymru) 2006

Entries to be substituted in Chapter D of Schedule 5 to the Feeding Stuffs (Wales) Regulations 2006

"

Column 1: Undesirable substances	*Column 2: Products intended for animal feed*	*Column 3: Maximum content in mg/kg of feeding stuffs referred to a moisture content of 12%*
Camphechlor (toxaphene) - sum of indicator congeners CHB 26, 50 and 62[(1)]	Fish, other aquatic animals, their products and by-products with the exception of fish oil	0.02
	Fish oil	0.2
	Feeding stuffs for fish	0.05

(1) Numbering system according to Parlar, prefixed by either "CHB" or "Parlar #":

- CHB 26: 2-endo,3-exo,5-endo, 6-exo, 8,8,10,10-octochlorobornane,

- CHB 50: 2-endo,3-exo,5-endo, 6-exo, 8,8,9,10,10-nonachlorobornane,

- CHB 62: 2,2,5,5,8,9,9,10,10- nonachlorobornane. "

OFFERYNNAU STATUDOL

2006 Rhif 3256 (Cy.296)

AMAETHYDDIAETH, CYMRU

Rheoliadau Bwyd Anifeiliaid (Sylweddau Annymunol Penodol) (Cymru) 2006

STATUTORY INSTRUMENTS

2006 No. 3256 (W.296)

AGRICULTURE, WALES

The Feed (Specified Undesirable Substances) (Wales) Regulations 2006

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