



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2011 Rhif 400 (Cy.57)

2011 No. 400 (W.57)

BWYD, CYMRU

FOOD, WALES

Rheoliadau Dŵr Mwynol Naturiol,
Dŵr Ffynnon a Dŵr Yfed wedi'i
Botelu (Cymru) (Diwygio)
2011

The Natural Mineral Water, Spring
Water and Bottled Drinking Water
(Wales) (Amendment) Regulations
2011

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu (Cymru) 2007 (O.S. 2007/3165 (Cy.276)) ymhellach drwy:

These Regulations further amend the Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007 (S.I. 2007/3165 (W.276)) by:

- (a) diweddarau'r cyfeiriad at Reoliadau Meddyginiaethau Milfeddygol 2009 (O.S. 2009/2297) yn rheoliad 3(1)(a) o Reoliadau 2007 (rheoliad 2(2)); a
- (b) darparu y caniateir defnyddio ieithoedd yn ychwanegol at y Saesneg ar y marc neu'r label (rheoliad 2(3)).

- (a) updating the reference to the Veterinary Medicines Regulations 2009 (S.I. 2009/2297) in regulation 3(1)(a) of the 2007 Regulations (regulation 2(2)); and
- (b) providing that languages in addition to English may be used on the marking or label (regulation 2(3)).

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Gwnaed 12 Chwefror 2011

Made 12 February 2011

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 15 Chwefror 2011

*Laid before the National
Assembly for Wales* 15 February 2011

Yn dod i rym 14 Mawrth 2011

Coming into force 14 March 2011

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd gan adrannau 16(1)(e), 17(1), 26(1)(a) a 48(1) o Ddeddf Diogelwch Bwyd 1990(1) ac sydd bellach wedi eu breinio ynddynt(2).

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 16(1)(e), 17(1), 26(1)(a) and 48(1) of the Food Safety Act 1990(1) and now vested in them(2).

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

In accordance with section 48(4A) of that Act, they have taken into account relevant advice given by the Food Standards Agency.

Fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n gosod egwyddorion cyffredinol a gofynion cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn

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

(1) 1990 p.16; amnewidiwyd adran 1(1) a (2) (y diffiniad o "food") gan O.S. 2004/2990. Diwygiwyd adrannau 17 a 48 gan baragraffau 12 a 21 yn eu trefn o Atodlen 5 i Ddeddf Safonau Bwyd 1999 (1999 p.28), ("Deddf 1999"). Diwygiwyd adran 48 hefyd gan O.S. 2004/2990. Diwygiwyd adran 26(3) gan Atodlen 6 i Ddeddf 1999. Diwygiwyd adran 53(2) gan baragraff 19 o Atodlen 16 i Ddeddf Dadreoleiddio a Chontractio Allan 1994 (1994 p.40), Atodlen 6 i Ddeddf 1999, O.S. 2004/2990 ac O.S. 2004/3279.

(1) 1990 c.16; section 1(1) and (2) (definition of "food") was substituted by S.I. 2004/2990. Sections 17 and 48 were amended by paragraphs 12 and 21 respectively of Schedule 5 to the Food Standards Act 1999 (1999 c.28), ("the 1999 Act"). Section 48 was also amended by S.I. 2004/2990. Section 26(3) was amended by Schedule 6 to the 1999 Act. Section 53(2) was amended by paragraph 19 of Schedule 16 to the Deregulation and Contracting Out Act 1994 (1994 c. 40), Schedule 6 to the 1999 Act, S.I. 2004/2990 and S.I. 2004/3279.

(2) Trosglwyddwyd swyddogaethau oedd gynt yn arferadwy gan "the Ministers" (sef, mewn perthynas â Chymru a Lloegr ac yn gweithredu ar y cyd, y Gweinidog dros Amaeth, Pysgodfeydd a Bwyd a'r Ysgrifenyddion Gwladol sydd â chyfrifoldeb yn eu tro dros ieched yn Lloegr a bwyd ac ieched yng Nghymru, ac, mewn perthynas â'r Alban, yr Ysgrifennydd Gwladol) i'r graddau yr oeddent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) fel y'i darllenir gydag adran 40(3) o Ddeddf 1999, ac a drosglwyddwyd wedi hynny i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (2006 p.32). Trosglwyddwyd y swyddogaethau hynny i'r graddau yr oeddent yn arferadwy mewn perthynas â'r Alban i Weinidogion yr Alban gan adran 53 o Ddeddf yr Alban 1998 (1998 p.46) fel y'i darllenir gydag adran 40(2) o Ddeddf 1999.

(2) Functions formerly exercisable by "the Ministers" (being, in relation to England and Wales and acting jointly, the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with health in England and food and health in Wales and, in relation to Scotland, the Secretary of State) so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) as read with section 40(3) of the 1999 Act, and subsequently transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32). Those functions so far as exercisable in relation to Scotland were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (1998 c.46) as read with section 40(2) of the 1999 Act.

gosod gweithdrefnau o ran materion diogelwch bwyd(1), cafwyd ymgynghori agored a thryloyw â'r cyhoedd yn ystod cyfnod paratoi a gwerthuso'r Rheoliadau hyn.

Enwi , cychwyn a chymhwyso

1.–(1) Enw'r Rheoliadau hyn yw Rheoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu (Cymru) (Diwygio) 2011 a deuant i rym ar 14 Mawrth 2011.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Diwygio Rheoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu (Cymru) 2007

2.–(1) Mae Rheoliadau Dŵr Mwynol Naturiol, Dŵr Ffynnon a Dŵr Yfed wedi'i Botelu (Cymru) 2007(2) ("Rheoliadau 2007") wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3(1)(a), yn lle "Rheoliadau Meddyginiaethau Milfeddygol 2005(3)" rhodder "Rheoliadau Meddyginiaethau Milfeddygol 2009(4)".

(3) Ar ôl rheoliad 3 mewnosoder–

"Iaith ychwanegol

3A. Nid oes dim yn y Rheoliadau hyn yn atal potel rhag cael ei marcio na'i labelu ag unrhyw iaith arall yn ychwanegol at y Saesneg."

Food Safety Authority and laying down procedures in matters of food safety(1) there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

Title, commencement and application

1.–(1) The title of these Regulations is the Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) (Amendment) Regulations 2011 and they come into force on 14 March 2011.

(2) These Regulations apply in relation to Wales.

Amendments to the Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007

2.–(1) The Natural Mineral Water, Spring Water and Bottled Drinking Water (Wales) Regulations 2007(2) ("the 2007 Regulations") are amended as follows.

(2) In regulation 3(1)(a), for "the Veterinary Medicines Regulations 2005(3)" substitute "the Veterinary Medicines Regulations 2009(4)".

(3) Insert after regulation 3–

"Additional language

3A. Nothing in these Regulations prevents a bottle being marked or labelled with any other language in addition to English."

Gwenda Thomas

Y Dirprwy Weinidog dros Wasanaethau Cymdeithasol o dan awdurdod y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

12 Chwefror 2011

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

12 February 2011

(1) OJ Rhif L31, 1.2.2002, t.1, fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 596/2009 o Senedd Ewrop a'r Cyngor sy'n addasu nifer o offerynnau sy'n ddarostyngedig i'r weithdrefn y cyfeirir ati yn Erthygl 251 o'r Cytuniad i Benderfyniad y Cyngor 1999/468/EC mewn cysylltiad â'r weithdrefn reoleiddio ynghyd â chraffu: Addasu at y weithdrefn reoleiddio ynghyd â chraffu - Rhan Pedwar (OJ Rhif L188, 18.7.2009, t.14).

(2) O.S. 2007/3165 (Cy.276), a ddiwygiwyd gan O.S. 2009/1897 (Cy.170), ac O.S. 2010/748 (Cy.76).

(3) O.S. 2005/2745.

(4) O.S. 2009/2297.

(1) OJ No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 596/2009 of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny: Adaptation to the regulatory procedure with scrutiny - Part Four (OJ No. L188, 18.7.2009, p.14).

(2) S.I. 2007/3165 (W.276), amended by S.I. 2009/1897 (W.170), and S.I. 2010/748 (W.76).

(3) S.I. 2005/2745.

(4) S.I. 2009/2297.

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