OFFERYNNAU STATUDOL CYMRU

2011 Rhif 626 (Cy.90)

AMAETHYDDIAETH, CYMRU

BWYD, CYMRU

Rheoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) (Diwygio) 2011

NODYN ESBONIADOL

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

1. Mae'r Rheoliadau hyn (yn *rheoliad 2*) yn diwygio Rheoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) 2009 (O.S. 2009/3376 (Cy.298)) drwy hepgor paragraffau (5) i (7) o reoliad 12 o'r Rheoliadau hynny.

2. Yr oedd y paragraffau hynny yn gwneud darpariaeth i weithredydd busnes bwyd, a oedd wedi apelio yn erbyn gwrthod neu dynnu'n ôl awdurdodiad ar gyfer sefydliad busnes bwyd, barhau i weithredu'r sefydliad tra'n aros am ganlyniad yr apêl honno.

3. Mae asesiad effaith rheoleiddiol wedi ei baratoi o gostau a buddion tebygol cydymffurfio â'r Rheoliadau hyn, ac y mae ar gael gan yr Asiantaeth Safonau Bwyd, Llawr 11, Southgate House, Caerdydd, CF10 1EW.

WELSH STATUTORY INSTRUMENTS

2011 No. 626 (W.90)

AGRICULTURE, WALES

FOOD, WALES

The Official Feed and Food Controls (Wales) (Amendment) Regulations 2011

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations (at *regulation 2*) amend the Official Feed and Food Controls (Wales) Regulations 2009 (S.I. 2009/3376 (W.298)) by omitting paragraphs (5) to (7) of regulation 12 of those Regulations.

2. Those paragraphs made provision for a food business operator who has appealed against the refusal or withdrawal of an authorisation of a food business establishment to continue to operate the establishment pending the outcome of that appeal.

3. A regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations and is available from the Food Standards Agency, 11th Floor, Southgate House, Cardiff, CF10 1EW.

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Gwnaed	*2 Mawrth 2011*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*7 Mawrth 2011*
Yn dod i rym	*1 Ebrill 2011*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd iddynt gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**1**).

Dynodwyd Gweinidogion Cymru at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 o ran mesurau sy'n ymwneud â bwyd (gan gynnwys diod) gan gynnwys cynhyrchu sylfaenol o ran bwyd a mesurau sy'n ymwneud â bwyd anifeiliaid sy'n cael ei gynhyrchu neu ei fwydo i anifeiliaid sy'n cynhyrchu bwyd(**2**), polisi amaethyddol cyffredin yr Undeb Ewropeaidd(**3**) a mesurau ym meysydd milfeddygol a ffytoiechydol i ddiogelu iechyd y cyhoedd(**4**).

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 gosod gweithdrefnau o ran materion diogelwch bwyd(**5**), bu ymgynghori agored a thryloyw â'r

(**1**) 1972 p.68.

(**2**) O.S. 2005/1971. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan y dynodiad hwn i Weinidogion Cymru gan baragraffau 28 a 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (2006 p.32).

(**3**) O.S. 2010/2690.

(**4**) O.S. 2008/1792.

(**5**) OJ Rhif L31, 1.2.2002, t.1, fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 596/2009 Senedd Ewrop a'r Cyngor sy'n addasu nifer o offerynnau'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).

WELSH STATUTORY INSTRUMENTS

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AGRICULTURE, WALES

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The Official Feed and Food Controls (Wales) (Amendment) Regulations 2011

Made	*2 March 2011*
Laid before the National Assembly for Wales	*7 March 2011*
Coming into force	*1 April 2011*

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 2(2) of the European Communities Act 1972(**1**).

The Welsh Ministers are designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to measures relating to food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals(**2**), the common agricultural policy of the European Union(**3**) and measures in the veterinary and phytosanitary fields for the protection of public health(**4**).

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(**5**) there has been open and

(**1**) 1972 c.68.

(**2**) S.I. 2005/1971. Functions of the National Assembly for Wales under this designation were transferred to the Welsh Ministers by paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32).

(**3**) S.I. 2010/2690.

(**4**) S.I. 2008/1792.

(**5**) 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).

cyhoedd wrth baratoi a gwerthuso'r Rheoliadau a ganlyn.

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) (Diwygio) 2011 a deuant i rym ar 1 Ebrill 2011.

Diwygio'r Rheoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) 2009

2.–(1) Mae Rheoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) 2009(**1**) wedi eu diwygio yn unol â'r paragraff a ganlyn.

(2) Yn rheoliad 12 (yr hawl i apelio), hepgorer paragraffau (5) i (7).

transparent public consultation during the preparation and evaluation of the following Regulations.

Title and commencement

1. The title of these Regulations is the Official Feed and Food Controls (Wales) (Amendment) Regulations 2011 and they come into force on 1 April 2011.

Amendment of the Official Feed and Food Controls (Wales) Regulations 2009

2.–(1) The Official Feed and Food Controls (Wales) Regulations 2009(**1**) are amended in accordance with the following paragraph.

(2) In regulation 12 (right of appeal), omit paragraphs (5) to (7).

Gwenda Thomas

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

2 Mawrth 2011

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

2 March 2011

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(**1**) O.S. 2009/3376 (Cy.298).

(**1**) S.I. 2009/3376 (W.298).

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