OFFERYNNAU STATUDOL CYMRU

2012 Rhif 2978 (Cy.304)

IECHYD Y CYHOEDD, CYMRU

HALOGI BWYD

Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) (Dirymu) 2012

NODYN ESBONIADOL

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

1. Mae'r Gorchymyn hwn yn dirymu, o ran Cymru Orchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) 1991 (O.S. 1991/5), Gorchymyn Allforio Defaid (Gwahardd) 1991 (O.S. 1991/58) a gorchmynion perthnasol. Mae Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) 1991 yn cynnwys gwaharddiadau brys sy'n cyfyngu ar amryw o weithgareddau er mwyn rhwystro pobl rhag bwyta bwyd sy'n dod o ddefaid mewn ardaloedd dynodedig penodol ac sydd wedi ei wneud, neu a allai fod wedi ei wneud, yn anaddas at y diben hwnnw oherwydd i sylweddau ymbelydrol ddianc o adweithydd niwclear yn Chernobyl yn yr Ukrain. Mae Gorchymyn Allforio Defaid (Gwahardd) 1991 yn cynnwys cyfyngiadau perthynol ar allforio defaid i'r UE a'r defaid hynny wedi cael eu symud o ardaloedd sy'n ddarostyngedig i'r gwaharddiadau brys hyn. Effaith y Gorchymyn hwn yw dileu'r gwaharddiadau brys o'r ardaloedd sy'n dal yn ddarostyngedig i gyfyngiad a chodi'r cyfyngiadau ar allforio defaid i'r UE a'r defaid hynny wedi cael eu symud o'r ardaloedd hyn.

2. Ni luniwyd asesiad effaith rheoleiddiol ar gyfer y Gorchymyn hwn gan nad oes ganddo effaith ar gostau busnes.

WELSH STATUTORY INSTRUMENTS

2012 No. 2978 (W.304)

PUBLIC HEALTH, WALES

CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) (Revocation) Order 2012

EXPLANATORY NOTE

(This note is not part of the Order)

1. This Order revokes, in relation to Wales, the Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) Order 1991 (S.I. 1991/5), the Export of Sheep (Prohibition) Order 1991 (S.I. 1991/58) and related orders. The Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) Order 1991 contains emergency prohibitions restricting various activities in order to prevent human consumption of food which is derived from sheep in certain designated areas, and which has been, or may have been rendered unsuitable for that purpose in consequence of the escape of radioactive substances from a nuclear reactor situated at Chernobyl in the Ukraine. The Export of Sheep (Prohibition) Order 1991 contains related restrictions on exporting to the EU, sheep which have been moved from areas subject to these emergency prohibitions. The effect of this Order is to remove the emergency prohibitions from the remaining areas which are subject to restriction and lift the restrictions on exporting to the EU, sheep which have been moved from these areas.

2. A regulatory impact assessment has not been produced for this Order as it has no impact on the costs of business.

OFFERYNNAU STATUDOL CYMRU

2012 Rhif 2978 (Cy.304)

IECHYD Y CYHOEDD, CYMRU

HALOGI BWYD

Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) (Dirymu) 2012

Gwnaed *28 Tachwedd 2012*

Yn dod i rym yn unol ag erthygl 1

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd iddynt gan adran 11 o Ddeddf Iechyd Anifeiliaid 1981(**1**) ac adrannau 1(1), (2) a (10) a 24(1) a (3) o Ddeddf Diogelu Bwyd a'r Amgylchedd 1985(**2**), a hwythau bellach heb fod o'r farn bod, neu y gall fod, amgylchiadau sy'n debygol o greu perygl i iechyd pobl os ydynt yn bwyta bwyd fel y'i pennir yng Ngorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) 1991(**3**), yn gwneud y Gorchymyn a ganlyn:

(**1**) 1981 p.22. Rhoddwyd y pŵer i wneud gorchmynion o dan adran 11 yn wreiddiol i "the Minister" fel y'i diffiniwyd yn adran 86(1) o Ddeddf 1981. Trosglwyddwyd swyddogaethau'r Gweinidog, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 2004 (O.S. 2004/3044). Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32), a pharagraff 30 o Atodlen 11 iddi, mae'r pwerau hynny wedi eu breinio bellach yng Ngweinidogion Cymru.

(**2**) 1985 p.48. Diwygiwyd adran 1(1) a (2) gan adran 51(2)(a) a (b) o Ddeddf Diogelwch Bwyd 1990 (p.16). Mae adran 1(2) yn diffinio "designating authority". Mae swyddogaethau a roddwyd o dan Ddeddf 1985 i "the Secretary of State" yn arferadwy gan Weinidogion Cymru a'r Ysgrifennydd Gwladol dros Gymru yn gydredol o ran Cymru. Trosglwyddwyd y swyddogaethau i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32), a pharagraff 30 o Atodlen 11 iddi, mae'r pwerau hynny wedi eu breinio bellach yng Ngweinidogion Cymru.

(**3**) O.S. 1991/5, a ddiwygiwyd gan y Gorchmynion eraill sydd i'w dirymu ac a restrir yn yr Atodlen i'r Gorchymyn hwn.

WELSH STATUTORY INSTRUMENTS

2012 No. 2978 (W.304)

PUBLIC HEALTH, WALES

CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) (Revocation) Order 2012

Made *28 November 2012*

Coming into force in accordance with article 1

The Welsh Ministers, in exercise of the powers conferred on them by section 11 of the Animal Health Act 1981(**1**) and sections 1(1), (2) and (10) and 24(1) and (3) of the Food and Environment Protection Act 1985(**2**), no longer being of the opinion that there exists or may exist circumstances which are likely to create a hazard to human health through human consumption of food as specified in the Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) Order 1991(**3**), make the following Order:

(**1**) 1981 c.22. The power to make orders under section 11 was originally conferred on "the Minister" as defined in section 86(1) of the 1981 Act. The functions of the Minister, 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 2004 (S.I. 2004/3044). By virtue of section 162 of and paragraph 30 of Schedule 11, to the Government of Wales Act 2006 (c.32) those powers now vest in the Welsh Ministers.

(**2**) 1985 c.48. Section 1(1) and (2) was amended by section 51(2)(a) and (b) of the Food Safety Act 1990 (c.16). Section 1(2) defines "designating authority". Functions conferred under the 1985 Act on "the Secretary of State" are exercisable by the Welsh Ministers and Secretary of State for Wales concurrently in relation to Wales. The functions were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of, and paragraph 30 of Schedule 11, to the Government of Wales Act 2006 (c.32) those powers now vest in the Welsh Ministers.

(**3**) S.I. 1991/5, amended by the other Orders to be revoked, listed in the Schedule to this Order.

Enwi, cychwyn a chymhwyso

1. Enw'r Gorchymyn hwn yw Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) (Dirymu) 2012. Mae'n gymwys o ran Cymru a daw i rym drannoeth y diwrnod y caiff ei wneud.

Dirymu

2. Mae'r Gorchmynion a bennir yn yr Atodlen wedi eu dirymu.

Title, commencement and application

1. The title of this Order is the Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) (Revocation) Order 2012. It applies in relation to Wales and comes into force on the day after the day on which it is made.

Revocation

2. The Orders specified in the Schedule are revoked.

Lesley Griffiths

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

28 Tachwedd 2012

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

28 November 2012

YR ATODLEN

Erthygl 2

GORCHMYNION SYDD WEDI EU DIRYMU

Gorchmynion	*Cyfeirnodau*
Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) 1991	O.S. 1991/5
Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) (Dirymu'n Rhannol) 1991	O.S. 1991/2780
Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) (Dirymu'n Rhannol) 1994	O.S. 1994/63
Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) (Dirymu'n Rhannol)1995	O.S. 1995/46
Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) (Dirymu'n Rhannol) 1998	O.S. 1998/72
Gorchymyn Diogelu Bwyd (Gwaharddiadau Brys) (Ymbelydredd mewn Defaid) (Cymru) (Dirymu'n Rhannol) 2011	O.S. 2011/2759
Gorchymyn Allforio Defaid (Gwahardd) 1991	O.S. 1991/58

SCHEDULE

Article 2

ORDERS REVOKED

Orders	*References*
Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) Order 1991	S.I. 1991/5
Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) (Partial Revocation) Order 1991	S.I. 1991/2780
Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) (Partial Revocation) Order 1994	S.I. 1994/63
Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) (Partial Revocation) Order 1995	S.I. 1995/46
Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) (Partial Revocation) Order 1998	S.I. 1998/72
Food Protection (Emergency Prohibitions) (Radioactivity in Sheep) (Wales) (Partial Revocation) Order 2011	S.I. 2011/2759
Export of Sheep (Prohibition) Order 1991	S.I. 1991/58

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£4.00

W1445/12/12 ON