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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2014 Rhif 1102 (Cy. 110)**

**2014 No. 1102 (W. 110)**

**BWYD, CYMRU**

**FOOD, WALES**

Rheoliadau Trosglwyddo  
Swyddogaethau (Bwyd) (Cymru)  
2014

The Transfer of Functions (Food)  
(Wales) Regulations 2014

**NODYN ESBONIADOL**

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

Mae'r Rheoliadau hyn, sy'n gymwys i Gymru, yn diwygio Rheoliadau Bwyd Meddygol (Cymru) 2000 (O.S. 2000/1866 (Cy.125)), Rheoliadau Hysbysiadau o Farchnata Bwyd at Ddefnydd Maethol Neilltuol (Cymru) 2007 (O.S. 2007/1040 (Cy.100)), Rheoliadau Honiadau am Faethiad ac Iechyd (Cymru) 2007 (O.S. 2007/2611 (Cy.222)), a Rheoliadau Fformiwla Fabanod a Fformiwla Ddilynol (Cymru) 2007 (O.S. 2007/3573 (Cy.316)), drwy drosglwyddo swyddogaethau maethiad o dan bob set o reoliadau o'r Asiantaeth Safonau Bwyd i Weinidogion Cymru.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

**EXPLANATORY NOTE**

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

These Regulations, which apply to Wales, amend the Medical Food (Wales) Regulations 2000 (S.I. 2000/1866 (W.125)), the Notification of Marketing of Food for Particular Nutritional Uses (Wales) Regulations 2007 (S.I. 2007/1040 (W.100)), the Nutrition and Health Claims (Wales) Regulations 2007 (S.I. 2007/2611 (W.222)), and the Infant Formula and Follow-on Formula (Wales) Regulations 2007 (S.I. 2007/3573 (W.316)), by transferring nutrition functions under each set of regulations from the Food Standards Agency to the Welsh Ministers.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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2014**

**The Transfer of Functions (Food)  
(Wales) Regulations 2014**

*Gwnaed* 25 Ebrill 2014

*Made* 25 April 2014

*Gosodwyd gerbron Cynulliad Cenedlaethol  
Cymru* 29 Ebrill 2014

*Laid before the National Assembly for Wales*  
29 April 2014

*Yn dod i rym* 23 Mai 2014

*Coming into force* 23 May 2014

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddwyd iddynt gan adrannau 6(4), 16(1)(e) ac (f), 17(1) a (2), 26(1)(a) (3) ac 48(1) o Ddeddf Diogelwch Bwyd 1990(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by sections 6(4), 16(1)(e) and (f), 17(1) and (2), 26(1)(a) and (3) and 48(1) of the Food Safety Act 1990(1).

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

In accordance with section 48(4A) of that Act, the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency.

**Enwi, cychwyn a chymhwyso**

**Title, commencement and application**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Trosglwyddo Swyddogaethau (Bwyd) (Cymru) 2014.

1.—(1) The title of these Regulations is the Transfer of Functions (Food) (Wales) Regulations 2014.

(2) Daw'r Rheoliadau hyn i rym ar 23 Mai 2014 ac maent yn gymwys o ran Cymru.

(2) These Regulations come into force on 23 May 2014 and apply in relation to Wales.

**Diwygio Rheoliadau Bwyd Meddygol (Cymru) 2000**

**Amendment of the Medical Food (Wales) Regulations 2000**

2. Yn rheoliad 3 (cyfyngiadau ar werthu) o Reoliadau Bwyd Meddygol (Cymru) 2000(2), ym mharagraff (3), is-baragraff (a), yn lle "yr Asiantaeth Safonau Bwyd" rhodder "Gweinidogion Cymru".

2. In regulation 3 (restrictions on sale) of the Medical Food (Wales) Regulations 2000(2), in paragraph (3), sub-paragraph (a), for "the Food Standards Agency" substitute "the Welsh Ministers".

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(1) 1990 p.16, fel y'i diwygiwyd. Trosglwyddwyd swyddogaethau "the Ministers" i'r graddau y maent yn arferadwy o ran Cymru 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 Safonau Bwyd 1999 (1999 p.28), ac yna i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (2006 p.32).

(2) O.S. 2000/1866 (Cy.125), fel y'i diwygiwyd.

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(1) 1990 c.16, as amended. Functions of "the Ministers" 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 Food Standards Act 1999 (1999 c.28), and subsequently transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32).

(2) S.I. 2000/1866 (W.125), as amended.

### **Diwygio Rheoliadau Hysbysiadau o Farchnata Bwyd at Ddefnydd Maethol Neilltuol (Cymru) 2007**

3. Mae Rheoliadau Hysbysiadau o Farchnata Bwyd at Ddefnydd Maethol Neilltuol (Cymru) 2007(1) wedi eu diwygio fel a ganlyn:

- (a) yn rheoliad 2 (dehongli), ym mharagraff 1 cyn y diffiniad o “awdurdod bwyd” mewnosoder—  
“ystyr “yr Asiantaeth” (“*the Agency* yw’r Asiantaeth Safonau Bwyd.”; a ”)
- (b) yn rheoliad 3 (cyfyngiad ar werthu), paragraff 2, is-baragraff (a), yn lle “yr Asiantaeth Safonau Bwyd” rhodder “Gweinidogion Cymru”.

### **Diwygio Rheoliadau Honiadau am Faethiad ac Iechyd (Cymru) 2007**

4. Yn rheoliad 3 (awdurdodau cymwys) o Reoliadau Honiadau am Faethiad ac Iechyd (Cymru) 2007(2), yn is-baragraff (a), yn lle “yw’r Asiantaeth Safonau Bwyd” rhodder “yw Gweinidogion Cymru”.

### **Diwygio Rheoliadau Fformiwla Fabanod a Fformiwla Ddilynol (Cymru) 2007**

5. Mae Rheoliadau Fformiwla Fabanod a Fformiwla Ddilynol (Cymru) 2007(3) wedi eu diwygio fel a ganlyn:

- (a) yn rheoliad 2 (dehongli) hepgorer y diffiniad o “yr Asiantaeth”; a
- (b) yn rheoliad 13 (hysbysiad o fformiwla fabanod) yn lle “i’r Asiantaeth drwy anfon ati” rhodder “i Weinidogion Cymru drwy anfon atynt”.

### **Amendment of the Notification of Marketing of Food for Particular Nutritional Uses (Wales) Regulations 2007**

3. The Notification of Marketing of Food for Particular Nutritional Uses (Wales) Regulations 2007(1) are amended as follows:

- (a) in regulation 2 (interpretation), in paragraph 1 after the definition of “the Act” insert—

““the Agency” (“*yr Asiantaeth*”) means the Food Standards Agency.”; and

- (b) in regulation 3 (restriction on sale), paragraph 2, sub-paragraph (a), for “the Food Standards Agency” substitute “the Welsh Ministers”.

### **Amendment of the Nutrition and Health Claims (Wales) Regulations 2007**

4. In regulation 3 (competent authorities) of the Nutrition and Health Claims (Wales) Regulations 2007(2), in sub-paragraph (a), for “the Food Standards Agency” substitute “the Welsh Ministers”.

### **Amendment of the Infant Formula and Follow-on Formula (Wales) Regulations 2007**

5. The Infant Formula and Follow-on Formula (Wales) Regulations 2007(3) are amended as follows:

- (a) in regulation 2 (interpretation) omit the definition of “the Agency”; and
- (b) in regulation 13 (notification of infant formula) for “the Agency by forwarding to it” substitute “the Welsh Ministers by forwarding to them”.

*Mark Drakeford*

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,  
un o Weinidogion Cymru

25 Ebrill 2014

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

25 April 2014

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(1) O.S. 2007/1040 (Cy.100), fel y’i diwygiwyd.  
(2) O.S. 2007/2611 (Cy.222), fel y’i diwygiwyd.  
(3) O.S. 2007/3573 (Cy.316), fel y’i diwygiwyd.

(1) S.I. 2007/1040 (W.100), as amended.  
(2) S.I. 2007/2611 (W.222), as amended.  
(3) S.I. 2007/3573 (W.316), as amended.

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