OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2016 Rhif 1130 (Cy. 270)

2016 No. 1130 (W. 270)

BWYD, CYMRU

FOOD, WALES

Rheoliadau Caseinau a Chaseinadau (Cymru) 2016

The Caseins and Caseinates (Wales) Regulations 2016

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn gweithredu Cyfarwyddeb (EU) 2015/2203 Senedd Ewrop a'r Cyngor ar gyd-ddynesu cyfreithiau'r Aelod-wladwriaethau sy'n ymwneud â chaseinau a chaseinadau wedi eu bwriadu i'w bwyta gan bobl ac yn diddymu Cyfarwyddeb y Cyngor 83/417/EEC (OJ Rhif L 314, 1.12.2015, t 1).

Mae'r Rheoliadau hyn yn dirymu ac yn disodli Rheoliadau Caseinau a Chaseinadau 1985 (O.S. 1985/2026) a Rheoliadau Caseinau a Chaseinadau (Diwygio) 1989 (O.S. 1989/2321) o ran Cymru.

Nid yw'r Rheoliadau hyn ond yn gymwys i gynhyrchion casein wedi eu bwriadu i'w bwyta gan bobl (rheoliad 3).

Mae'r Rheoliadau hyn—

(a) yn rhagnodi diffiniadau a safonau ar gyfer cynhyrchion casein penodol (rheoliad 2 ac Atodlenni 1 i 3);

(b) yn gwahardd defnyddio unrhyw gasein neu gaseinad wrth baratoi bwyd os nad yw'n cydymffurfio â safonau neilltuol (rheoliad 4 ac Atodlen 4);

(c) yn ddarostyngedig i eithriadau penodedig, yn gwahardd labelu neu hysbysebu bwyd ag enwau cynhyrchion casein os nad yw'r bwyd yn gynnyrch casein neu'n cynnwys cynnyrch casein (rheoliad 5);

(d) yn gosod gofynion ychwanegol o ran labelu cynhyrchion casein (rheoliad 6);

(e) yn gosod rhwymedigaeth ar bob cyngor sir neu gyngor bwrdeistref sirol i orfodi'r Rheoliadau yn ei ardal (rheoliad 7);

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Directive (EU) 2015/2203 of the European Parliament and of the Council on the approximation of the laws of the Member States relating to caseins and caseinates intended for human consumption and repealing Council Directive 83/417/EEC (OJ No L 314, 1.12.2015, p 1).

These Regulations revoke and replace the Caseins and Caseinates Regulations 1985 (S.I. 1985/2026) and the Caseins and Caseinates (Amendment) Regulations 1989 (S.I. 1989/2321) in relation to Wales.

These Regulations only apply to casein products intended for human consumption (regulation 3).

These Regulations—

(a) prescribe definitions and standards for certain casein products (regulation 2 and Schedules 1 to 3);

(b) prohibit the use of any casein or caseinate in the preparation of food if it does not comply with particular standards (regulation 4 and Schedule 4);

(c) subject to specified exceptions, prohibit the labelling or advertisement of food with the names of casein products unless the food is or contains a casein product (regulation 5);

(d) impose additional requirements as to the labelling of casein products (regulation 6);

(e) impose an obligation on each county council or county borough council to enforce the Regulations in its area (regulation 7);

(f) yn cymhwyso gydag addasiadau ddarpariaethau penodol o Ddeddf Diogelwch.

Bwyd 1990 (1990 p. 16). Mae hyn yn cynnwys cymhwyso (gydag addasiadau) adran 10(1), sy'n galluogi i hysbysiad gwella gael ei gyflwyno sy'n gwneud cydymffurfedd â rheoliadau 4, 5 neu 6 o'r Rheoliadau hyn yn ofynnol. Mae'r darpariaethau, fel y maent yn cael eu cymhwyso, yn gwneud methu â chydymffurfio â hysbysiad gwella yn drosedd (rheoliad 8).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau 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.

(f) apply certain provisions of the Food Safety Act 1990 (1990 c. 16), with modifications.

This includes the application (with modifications) of section 10(1), enabling an improvement notice to be served to require compliance with regulations 4, 5 or 6 of these Regulations. The provisions, as applied, make the failure to comply with an improvement notice an offence (regulation 8).

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.

2016 Rhif 1130 (Cy. 270)

BWYD, CYMRU

Rheoliadau Caseinau a Chaseinadau (Cymru) 2016

Gwnaed	*20 Tachwedd 2016*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*25 Tachwedd 2016*
Yn dod i rym	*22 Rhagfyr 2016*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir gan adrannau 6(4), 16(1)(a), (e), (f), 17(1), 26(1), (2)(e) a (3), 31(1) a 48 o Ddeddf Diogelwch Bwyd 1990(**1**).

Yn unol ag adran 48(4A)(**2**) o'r Ddeddf honno, mae Gweinidogion Cymru wedi rhoi sylw i gyngor perthnasol a roddwyd iddynt gan yr Asiantaeth Safonau Bwyd cyn gwneud y Rheoliadau hyn.

Ymgynghorwyd yn agored ac yn dryloyw â'r cyhoedd wrth lunio a gwerthuso'r Rheoliadau hyn yn unol â gofynion 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(**1**).

(**1**) 1990 p. 16. Diwygiwyd adran 6(4) gan baragraff 6 o Atodlen 9 i Ddeddf Dadreoleiddio a Chontractio Allan 1994 (p. 40), paragraff 10(1) a (3) o Atodlen 5 ac Atodlen 6 i Ddeddf Safonau Bwyd 1999 (p. 28) ("Ddeddf 1999"), ac O.S. 2002/794. Diwygiwyd adran 16(1) gan baragraff 8 o Atodlen 5 i Ddeddf 1999. Diwygiwyd adran 17(1) gan baragraffau 8 a 12(a) o Atodlen 5 i Ddeddf 1999 ac O.S. 2011/1043. Diwygiwyd adran 26(3) gan Atodlen 6 i Ddeddf 1999. Diwygiwyd adran 48 gan baragraff 8 o Atodlen 5 i Ddeddf 1999. Trosglwyddwyd swyddogaethau a oedd gynt yn arferadwy gan "the Ministers", i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan O.S 1999/672 fel y'i darllenir gydag adran 40(3) o Ddeddf 1999, a'u trosglwyddo wedi hynny i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(**2**) Mewnosodwyd adran 48(4A) gan baragraff 21 o Atodlen 5 i Ddeddf 1999.

2016 No. 1130 (W. 270)

FOOD, WALES

The Caseins and Caseinates (Wales) Regulations 2016

Made	*20 November 2016*
Laid before the National Assembly for Wales	*25 November 2016*
Coming into force	*22 December 2016*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 6(4), 16(1)(a), (e), (f), 17(1), 26(1), (2)(e) and (3), 31(1) and 48 of the Food Safety Act 1990(**1**).

In accordance with section 48(4A)(**2**) of that Act, the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency before making these Regulations.

There has been open and transparent public consultation during the preparation and evaluation of these Regulations 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(**1**) .

(**1**) 1990 c. 16. Section 6(4) was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act 1994 (c. 40), paragraph 10(1) and (3) of Schedule 5 and Schedule 6 to the Food Standards Act 1999 (c. 28) ("the 1999 Act"), and S.I. 2002/794. Section 16(1) was amended by paragraph 8 of Schedule 5 to the 1999 Act. Section 17(1) was amended by paragraphs 8 and 12(a) of Schedule 5 to the 1999 Act and S.I. 2011/1043. Section 26(3) was amended by Schedule 6 to the 1999 Act. Section 48 was amended by paragraph 8 of Schedule 5 to the 1999 Act. Functions formerly exercisable by the "the Ministers" so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by 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 (c. 32).

(**2**) Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the 1999 Act.

Enwi, cymhwyso a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Caseinau a Chaseinadau (Cymru) 2016.

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

(3) Daw'r Rheoliadau hyn i rym ar 22 Rhagfyr 2016.

Dehongli

2. Yn y Rheoliadau hyn—

ystyr "casein asid bwytadwy" ("*edible acid casein*") yw cynnyrch llaeth a geir drwy wahanu, golchi a sychu tolch a gafwyd drwy ddefnyddio asid i waddodi llaeth sgim a/neu gynhyrchion eraill a geir o laeth ac sy'n cydymffurfio â'r safonau a nodir yn Atodlen 1;

ystyr "caseinad bwytadwy" ("*edible caseinate*") yw cynnyrch llaeth a geir drwy effaith casein bwytadwy neu dolch colfran casein bwytadwy gyda chyfryngau niwtraleiddio, ac sydd wedyn yn cael ei sychu ac sy'n cydymffurfio â'r safonau a nodir yn Atodlen 2;

ystyr "casein cywair llaeth bwytadwy" ("*edible rennet casein*") yw cynnyrch llaeth a geir drwy wahanu, golchi a sychu tolch llaeth sgim a/neu gynhyrchion eraill a geir o laeth; ceir y dolch drwy adwaith cywair llaeth neu ensymau tolchi eraill ac sy'n cydymffurfio â'r safonau a nodir yn Atodlen 3;

ystyr "cynnyrch casein" ("*casein product*") yw casein asid bwytadwy, caseinad bwytadwy neu gasein cywair llaeth bwytadwy;

ystyr "y Ddeddf" ("*the Act*") yw Deddf Diogelwch Bwyd 1990;

ystyr "FIC" ("*FIC*") yw Rheoliad (EU) Rhif 1169/2011 Senedd Ewrop a'r Cyngor ynghylch darparu gwybodaeth am fwyd i ddefnyddwyr, sy'n diwygio Rheoliadau (EC) Rhif 1924/2006 ac (EC) Rhif 1925/2006 Senedd Ewrop a'r Cyngor, ac sy'n diddymu Cyfarwyddeb y Comisiwn 87/250/EEC, Cyfarwyddeb y Cyngor 90/496/EEC, Cyfarwyddeb y Comisiwn 1999/10/EC, Cyfarwyddeb 2000/13/EC Senedd Ewrop a'r Cyngor, Cyfarwyddebau'r Comisiwn 2002/67/EC a 2008/5/EC a Rheoliad y Comisiwn (EC) Rhif 608/2004(**1**);

Title, application and commencement

1.—(1) The title of these Regulations is the Caseins and Caseinates (Wales) Regulations 2016.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 22 December 2016.

Interpretation

2. In these Regulations—

"the Act" ("*y Ddeddf*") means the Food Safety Act 1990;

"casein product" ("*cynnyrch casein*") means edible acid casein, edible caseinate or edible rennet casein;

"edible acid casein" ("*casein asid bwytadwy*") means a milk product obtained by separating, washing and drying the acid-precipitated coagulum of skimmed milk and/or of other products obtained from milk and complying with the standards set out in Schedule 1;

"edible caseinate" ("*caseinad bwytadwy*") means a milk product obtained by action of edible casein or edible casein curd coagulum with neutralizing agents, followed by drying and complying with the standards set out in Schedule 2;

"edible rennet casein" ("*casein cywair llaeth bwytadwy*") means a milk product obtained by separating, washing and drying the coagulum of skimmed milk and/or of other products obtained from milk; the coagulum is obtained through the reaction of rennet or other coagulating enzymes and complying with the standards set out in Schedule 3;

"FIC" ("*FIC*") means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004(**1**);

(**1**) OJ Rhif L 31, 1.2.2002, t 1, a ddiwygiwyd ddiwethaf gan Reoliad (EU) Rhif 652/2014 Senedd Ewrop a'r Cyngor (OJ Rhif L 189, 27.6.2014, t 1).

(**1**) OJ No L 31, 1.2.2002, p 1, last amended by Regulation (EU) No 652/2014 of the European Parliament and of the Council (OJ No L 189, 27.6.2014, p 1).

mae i “gweithredydd busnes bwyd” yr ystyr a roddir i “food business operator” yn Erthygl 3 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor;

mae “gwerthu” (“*sell*”, “*sale*”) yn cynnwys meddu ar rywbeth i'w werthu a chynnig, dangos neu hysbysebu rhywbeth i'w werthu;

ystyr “Rheoliad (EC) Rhif 1332/2008” (“*Regulation (EC) No 1332/2008*”) yw Rheoliad (EC) Rhif 1332/2008 Senedd Ewrop a'r Cyngor yn ymwneud ag ensymau bwyd ac sy'n diwygio Cyfarwyddeb y Cyngor 83/417/EEC, Rheoliad y Cyngor (EC) Rhif 1493/1999, Cyfarwyddeb 2000/13/EC, Cyfarwyddeb y Cyngor 2001/112/EC a Rheoliad (EC) Rhif 258/97(**2**).

“food business operator” (“*gweithredydd busnes bwyd*”) has the meaning given in Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council;

“Regulation (EC) No 1332/2008 (“*Rheoliad (EC) Rhif 1332/2008*”) means Regulation (EC) No 1332/2008 of the European Parliament and of the Council on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97(**2**);

“sell” (“*gwerthu*”) includes possess for sale and offer, expose or advertise for sale, and “sale” (“*gwerthu*”) is to be construed accordingly.

Cwmpas

3. Mae'r Rheoliadau hyn yn gymwys i gaseinau a chaseinadau wedi eu bwriadu i'w gwerthu ar gyfer eu bwyta gan bobl.

Scope

3. These Regulations apply to caseins and caseinates intended for sale for human consumption.

Cyfyngu ar ddefnyddio caseinau a chaseinadau wrth baratoi bwyd

4.—(1) Ni chaiff unrhyw berson ddefnyddio unrhyw gasein neu gaseinad wrth baratoi bwyd os nad yw'n cydymffurfio â'r safonau a nodir yn Atodlen 4.

(2) Rhaid i berson sy'n marchnata caseinau neu gaseinadau nad ydynt yn cydymffurfio â pharagraff (1), at ddiben ac eithrio defnyddio'r caseinau neu gaseinadau wrth baratoi bwyd, ddangos yn benodol, neu awgrymu'n glir natur neu ansawdd y cynnyrch neu'r defnydd y bwriedir ei wneud ohono.

Restriction on the use of caseins and caseinates in the preparation of food

4.—(1) No person may use any casein or caseinate in the preparation of food if it does not comply with the standards set out in Schedule 4.

(2) A person marketing caseins or caseinates which do not comply with paragraph (1), for a purpose other than the caseins or caseinates being used in the preparation of food, must indicate explicitly or by clear implication the nature, quality or intended use of the product.

Cyfyngu cyffredinol ar farchnata cynhyrchion casein

5.—(1) Ni chaiff unrhyw berson werthu unrhyw fwyd â label sy'n cynnwys enw unrhyw gynnyrch casein, pa un a yw wedi ei gysylltu â'r pecyn neu'r cynhwysydd neu wedi ei argraffu arno ai peidio, oni chydymffurfir â'r gofynion a nodir ym mharagraff (4).

(2) Ni chaiff unrhyw berson arddangos unrhyw docyn neu hysbysiad gydag unrhyw fwyd sy'n cael ei gynnig neu ei ddangos i'w werthu gan y person hwnnw, sy'n cynnwys enw unrhyw gynnyrch casein oni chydymffurfir â'r gofynion a nodir ym mharagraff (4).

General restriction on marketing of casein products

5.—(1) No person may sell any food with a label, whether or not attached to or printed on the package or container, which includes the name of any casein product unless the requirements set out in paragraph (4) are complied with.

(2) No person may display with any food offered or exposed for sale by that person any ticket or notice which includes the name of any casein product unless the requirements set out in paragraph (4) are complied with.

(**1**) OJ Rhif L 304, 22.11.2011, t 18, a ddiwygiwyd ddiwethaf gan Reoliad Dirprwyedig y Comisiwn (EU) Rhif 78/2014 (OJ Rhif L 27, 30.1.2014, t 7).

(**2**) OJ Rhif L 354, 3.12.2008, t 7, a ddiwygiwyd ddiwethaf gan Reoliad y Comisiwn (EU) Rhif 1056/2012 (OJ Rhif L 313, 13.11.2012, t 9).

(**1**) OJ No L 304, 22.11.2011, p 18, last amended by Commission Delegated Regulation (EU) No 78/2014 (OJ No L 27, 30.1.2014, p 7).

(**2**) OJ No L 354, 3.12.2008, p 7, last amended by Commission Regulation (EU) No 1056/2012 (OJ No L 313, 13.11.2012, p 9).

(3) Ni chaiff unrhyw berson gyhoeddi, na bod yn rhan o gyhoeddi, unrhyw hysbyseb am fwyd sy'n cynnwys enw cynnyrch casein oni chydymffurfir â'r gofynion a nodir ym mharagraff (4).

(4) Y gofynion yw—

(a) bod y bwyd yn gynnyrch casein neu yn cynnwys cynnyrch casein; neu

(b) bod yr enw yn cael ei ddefnyddio mewn cyd-destun sy'n dangos yn benodol neu'n awgrymu'n glir nad yw'r bwyd yn gynnyrch casein ac nad yw'n cynnwys cynnyrch casein.

Labelu cynhyrchion casein

6.—(1) Heb leihau effaith darpariaethau FIC, ni chaiff unrhyw berson werthu unrhyw gynnyrch casein oni bai ei fod wedi ei farcio neu ei labelu â'r manylion a ganlyn—

(a) enw'r cynnyrch casein hwnnw fel y'i diffinnir yn rheoliad 2 ac, yn achos caseinadau bwytadwy, gan ddangos y cation neu gationau a restrir ym mharagraff 4 o Atodlen 2;

(b) yn achos cynhyrchion casein sy'n cael eu gwerthu fel cymysgeddau—

(i) y geiriau "mixture of" wedi eu dilyn gan enwau'r cynhyrchion casein sydd yn y cymysgedd, yn nhrefn ddisgynnol eu pwysau;

(ii) yn achos caseinadau bwytadwy, gan ddangos y cation neu gationau a restrir ym mharagraff 4 o Atodlen 2;

(iii) yn achos cymysgeddau sy'n cynnwys caseinadau bwytadwy, y cynnwys protein;

(c) pwysau net y cynnyrch casein, wedi ei fynegi mewn cilogramau neu gramau;

(d) enw neu enw busnes a chyfeiriad y gweithredydd busnes bwyd y marchnetir y cynnyrch o dan ei enw neu ei enw busnes, neu, os nad yw'r gweithredydd busnes bwyd hwnnw wedi ei sefydlu yn yr Undeb Ewropeaidd, enw neu enw busnes a chyfeiriad y sawl a'i mewnforiodd i farchnad yr Undeb Ewropeaidd;

(e) yn achos cynnyrch casein wedi ei fewnforio o wledydd y tu allan i'r Undeb Ewropeaidd, enw gwlad tarddiad y cynnyrch; ac

(f) lot adnabod y cynnyrch casein neu'r dyddiad cynhyrchu.

(2) Rhaid i'r manylion y mae paragraff (1) yn eu gwneud yn ofynnol fod yn hawdd i'w gweld, yn glir i'w darllen, yn annileadwy ac wedi eu rhoi yn Saesneg, naill ai yn unig neu yn ogystal ag unrhyw iaith arall.

(3) No person may publish, or be a party to the publication of, any advertisement for food which includes the name of a casein product unless the requirements set out in paragraph (4) are complied with.

(4) The requirements are that—

(a) the food is or contains a casein product; or

(b) the name is used in such a context as to indicate explicitly or by clear implication that the food is not a casein product and does not contain one.

Labelling of casein products

6.—(1) Without prejudice to the provisions of FIC, no person may sell any casein product unless it is marked or labelled with—

(a) the name of that casein product as defined in regulation 2 and in the case of edible caseinates with an indication of the cation or cations listed in paragraph 4 of Schedule 2;

(b) in the case of casein products sold as mixtures—

(i) the words "mixture of" followed by the names of the casein products which make up the mixture, in descending order of weight;

(ii) an indication of the cation or cations listed in paragraph 4 of Schedule 2 in the case of edible caseinates;

(iii) in the case of mixtures containing edible caseinates, the protein content;

(c) the net quantity of the casein product, expressed in kilograms or grams;

(d) the name or business name and the address of the food business operator under whose name or business name the product is marketed or, if that food business operator is not established in the European Union, the importer into the European Union market;

(e) in the case of a casein product imported from countries outside the European Union, the name of the country of origin; and

(f) the lot identification of the casein product or the date of production.

(2) The particulars required by paragraph (1) must be easily visible, clearly legible, indelible and given in English, either exclusively or in addition to any other language.

(3) Caniateir rhoi'r manylion y cyfeirir atynt ym mharagraff (1)(b)(iii), (c), (d) ac (e) mewn dogfen sy'n cyd-fynd â'r cynnyrch.

(4) Heb leihau effaith darpariaethau FIC, pan fo cynnwys protein llaeth unrhyw gynnyrch casein dros y lleiafswm a nodir ar gyfer y cynnyrch hwnnw—

(a) yng nghofnod 2 o'r tabl ym mharagraff 1 o Atodlen 1 mewn perthynas â chaseinau asid bwytadwy;

(b) yng nghofnod 2 o'r tabl ym mharagraff 1 o Atodlen 2 mewn perthynas â chaseinadau bwytadwy; neu

(c) yng nghofnod 2 o'r tabl ym mharagraff 1 o Atodlen 3 mewn perthynas â chasein cywair llaeth bwytadwy,

caiff person farcio'r ffaith ar becyn, label neu gynhwysydd y cynnyrch hwnnw.

(5) Pan fo cynnyrch casein sydd wedi ei farcio neu ei labelu ag "edible acid casein" yn unol â pharagraff (1)(a) yn cael ei farcio neu ei labelu yn Gymraeg yn ogystal â Saesneg, rhaid defnyddio'r geiriau "casein asid bwytadwy".

(6) Pan fo cynnyrch casein sydd wedi ei farcio neu ei labelu ag "edible caseinate" yn unol â pharagraff (1)(a) yn cael ei farcio neu ei labelu yn Gymraeg yn ogystal â Saesneg, rhaid defnyddio'r geiriau "caseinad bwytadwy".

(7) Pan fo cynnyrch casein sydd wedi ei farcio neu ei labelu ag "edible rennet casein" yn unol â pharagraff (1)(a) yn cael ei farcio neu ei labelu yn Gymraeg yn ogystal â Saesneg, rhaid defnyddio'r geiriau "casein cywair llaeth bwytadwy".

(8) Pan fo cynnyrch casein sydd wedi ei farcio neu ei labelu â "mixture of" yn unol â pharagraff (1)(b)(i) yn cael ei farcio neu ei labelu yn Gymraeg yn ogystal â Saesneg, rhaid defnyddio'r geiriau "cymysgedd o" wedi eu dilyn gan enwau'r cynhyrchion casein sydd yn y cymysgedd, yn nhrefn ddisgynnol eu pwysau.

Gorfodi

7. Dyletswydd awdurdod bwyd o fewn ei ardal ac awdurdod iechyd porthladd o fewn ei ddosbarth yw gorfodi'r Rheoliadau hyn.

Cymhwyso ac addasu darpariaethau'r Ddeddf

8.—(1) Mae adran 10(1) a (2) o'r Ddeddf (hysbysiadau gwella) yn gymwys at ddibenion y Rheoliadau hyn gyda'r addasiad (yn achos adran 10(1)) a nodir yn Rhan 1 o Atodlen 5 at ddibenion—

(a) galluogi i hysbysiad gwella gael ei gyflwyno i berson sy'n ei gwneud yn ofynnol i'r person

(3) The particulars referred to in paragraph (1)(b)(iii), (c), (d) and (e) may be given in a document accompanying the product.

(4) Without prejudice to the provisions of FIC, where any casein product exceeds the minimum milk protein content set out for that product in—

(a) entry 2 of the table in paragraph 1 of Schedule 1 in relation to edible acid caseins;

(b) entry 2 of the table in paragraph 1 of Schedule 2 in relation to edible caseinates; or

(c) entry 2 of the table in paragraph 1 of Schedule 3 in relation to edible rennet casein,

a person may mark that fact on the package, label or container of that product.

(5) Where a casein product that is marked or labelled with "edible acid casein" in accordance with paragraph (1)(a) is marked or labelled in Welsh in addition to English, the words "casein asid bwytadwy" must be used.

(6) Where a casein product that is marked or labelled with "edible caseinate" in accordance with paragraph (1)(a) is marked or labelled in Welsh in addition to English, the words "caseinad bwytadwy" must be used.

(7) Where a casein product that is marked or labelled with "edible rennet casein" in accordance with paragraph (1)(a) is marked or labelled in Welsh in addition to English, the words "casein cywair llaeth bwytadwy" must be used.

(8) Where a casein product that is marked or labelled with "mixture of" in accordance with (1)(b)(i) is marked or labelled in Welsh in addition to English, the words "cymysgedd o" must be used followed by the names of the casein products which make up the mixture, in descending order of weight.

Enforcement

7. It is the duty of a food authority within its area and a port health authority within its district to enforce these Regulations.

Application and modification of provisions of the Act

8.—(1) Section 10(1) and (2) of the Act (improvement notices) applies for the purposes of these Regulations with the modification (in the case of section 10(1)) set out in Part 1 of Schedule 5 for the purposes of—

(a) enabling an improvement notice to be served on a person requiring that person to comply

hwnnw gydymffurfio ag unrhyw un neu ragor o ddarpariaethau rheoliadau 4, 5, neu 6; a

(b) gwneud methu â chydymffurfio â hysbysiad y cyfeirir ato yn is-baragraff (a), yn drosedd.

(2) Mae darpariaethau'r Ddeddf a bennir yng ngholofn 1 y tabl yn Rhan 2 o Atodlen 5 yn gymwys, gyda'r addasiadau a bennir yng ngholofn 2 o'r tabl hwnnw, at ddibenion y Rheoliadau hyn.

(3) Nid yw paragraffau (1) a (2) yn lleihau effaith cymhwyso'r Ddeddf at y Rheoliadau hyn at ddibenion ac eithrio'r rhai a bennir ym mharagraff (1).

Dirymiadau

9. Mae'r Rheoliadau a ganlyn wedi eu dirymu—

(a) Rheoliadau Caseinau a Chaseinadau 1985(**1**);

(b) Rheoliadau Caseinau a Chaseinedau (Diwygio) 1989(**2**).

with any of the provisions of regulations 4, 5 or 6; and

(b) making the failure to comply with a notice referred to in sub-paragraph (a) an offence.

(2) The provisions of the Act specified in column 1 of the table in Part 2 of Schedule 5 apply, with the modifications specified in column 2 of that table, for the purposes of these Regulations.

(3) Paragraphs (1) and (2) are without prejudice to the application of the Act to these Regulations for purposes other than those specified in paragraph (1).

Revocations

9. The following Regulations are revoked—

(a) The Caseins and Caseinates Regulations 1985(**1**);

(b) The Caseins and Caseinates (Amendment) Regulations 1989(**2**).

Rebecca Evans

Gweinidog Iechyd y Cyhoedd a Gwasanaethau Cymdeithasol o dan awdurdod Ysgrifennydd y Cabinet dros Iechyd, Llesiant a Chwaraeon, un o Weinidogion Cymru
20 Tachwedd 2016

Minister for Social Services and Public Health under authority of the Cabinet Secretary for Health, Well-being and Sport, one of the Welsh Ministers

20 November 2016

(**1**) O.S. 1985/2026.
(**2**) O.S. 1989/2321.

(**1**) S.I. 1985/2026.
(**2**) S.I. 1989/2321.

ATODLEN 1

Safonau sy'n gymwys i gaseinau asid bwytadwy

Rheoliad 2

1. Ffactorau hanfodol o ran cyfansoddiad

1	Uchafswm cynnwys lleithedd	12% yn ôl y pwysau
2	Lleiafswm cynnwys protein llaeth a gyfrifir o'r echdyniad sych	90% yn ôl y pwysau
	lleiafswm cynnwys casein y protein llaeth	95% yn ôl y pwysau
3	Uchafswm cynnwys braster llaeth	2% yn ôl y pwysau
4	Uchafswm asidedd titradiadwy wedi ei fynegi fel ml o hydoddiant sodiwm hydrocsid decinormal fesul g	0,27
5	Uchafswm cynnwys lludw (yn cynnwys P_2O_5)	2,5% yn ôl y pwysau
6	Uchafswm cynnwys lactos anhydrus	1% yn ôl y pwysau
7	Uchafswm cynnwys gwaddod (gronynnau wedi llosgi)	22,5 mg mewn 25 g

2. Halogyddion

Uchafswm cynnwys plwm	0,75 mg/kg

3. Amhureddau

Sylweddau estronol (fel gronynnau pren neu fetel, blew neu dameidiau o bryfed)	dim mewn 25 g

4. Cymhorthion prosesu, meithriniadau bacteriol a chynhwysion awdurdodedig

1. asidau:
   - — asid lactig
   - — asid hydroclorig
   - — asid sylffwrig
   - — asid citrig
   - — asid asetig
   - — asid orthoffosfforig
2. meithriniadau bacteriol sy'n creu asid lactig
3. Maidd

SCHEDULE 1

Standards applicable to edible acid caseins

Regulation 2

1. Essential factors of composition

1	Maximum moisture content	12% by weight
2	Minimum milk protein content calculated on the dried extract	90% by weight
	of which minimum casein content	95% by weight
3	Maximum milk fat content	2% by weight
4	Maximum titratable acidity, expressed in ml of decinormal sodium hydroxide solution per g	0,27
5	Maximum ash content (P_2O_5 included)	2,5% by weight
6	Maximum anhydrous lactose content	1% by weight
7	Maximum sediment content (burnt particles)	22,5 mg in 25 g

2. Contaminants

Maximum lead content	0,75 mg/kg

3. Impurities

Extraneous matter (such as wood or metal particles, hairs or insect fragments)	nil in 25 g

4. Processing aids, bacterial cultures and authorised ingredients

1. acids:
   - — lactic acid
   - — hydrochloric acid
   - — sulphuric acid
   - — citric acid
   - — acetic acid
   - — orthophosphoric acid
2. bacterial cultures producing lactic acid
3. Whey

5. Nodweddion organoleptig

1	Arogl	Dim aroglau estron
2	Ymddangosiad	Lliw yn amrywio o wyn i wyn hufennog; ni chaniateir i'r cynnyrch gynnwys unrhyw lympiau na fyddent yn chwalu o dan bwysau ysgafn.

5. Organoleptic characteristics

1.	Odour	No foreign odours
2.	Appearance	Colour ranging from white to creamy white; the product must not contain any lumps that would not break up under slight pressure.

ATODLEN 2

Safonau sy'n gymwys i gaseinadau bwytadwy

Rheoliad 2

1. Ffactorau hanfodol o ran cyfansoddiad

1	Uchafswm cynnwys lleithedd	8% yn ôl y pwysau
2	Lleiafswm cynnwys protein llaeth a gyfrifir o'r echdyniad sych	88% yn ôl y pwysau
	lleiafswm cynnwys casein y protein llaeth	95% yn ôl y pwysau
3	Uchafswm cynnwys braster llaeth	2% yn ôl y pwysau
4	Uchafswm cynnwys lactos anhydrus	1% yn ôl y pwysau
5	Gwerth pH	6,0 hyd at 8,0
6	Uchafswm cynnwys gwaddod (gronynnau wedi llosgi)	22,5 mg mewn 25 g

2. Halogyddion

Uchafswm cynnwys plwm	0,75 mg/kg

3. Amhureddau

Sylweddau estronol (fel gronynnau pren neu fetel, blew neu dameidiau o bryfed)	dim mewn 25 g

4. Ychwanegion bwyd
(cyfryngau niwtraleiddio a byffro opsiynol)

hydrocsidau carbonadau ffosffadau citradau	o	sodiwm potasiwm calsiwm amoniwm magnesiwm

5. Nodweddion

1.	Arogl	Blasau ac aroglau estron ysgafn iawn
2.	Ymddangosiad	Lliw yn amrywio o wyn i wyn hufennog; ni chaniateir i'r cynnyrch gynnwys unrhyw lympiau na fyddent yn chwalu o dan bwysau ysgafn.
3.	Hydoddedd	Bron yn gyfan gwbl hydawdd mewn dŵr distyll, ac eithrio caseinad calsiwm.

SCHEDULE 2

Standards applicable to edible caseinates

Regulation 2

1. Essential factors of composition

1	Maximum moisture content	8% by weight
2	Minimum milk protein content calculated on the dried extract	88% by weight
	of which minimum casein content	95% by weight
3	Maximum milk fat content	2% by weight
4	Maximum anhydrous lactose content	1% by weight
5	pH value	6,0 to 8,0
6	Maximum sediment content (burnt particles)	22,5 mg in 25 g

2. Contaminants

Maximum lead content	0,75 mg/kg

3. Impurities

Extraneous matter (such as wood or metal particles, hairs or insect fragments)	nil in 25 g

4. Food additives
(optional neutralising and buffering agents)

hydroxydes carbonates phosphates citrates	of	sodium potassium calcium ammonium magnesium

5. Characteristics

1.	Odour	Very slight foreign flavours and odours
2.	Appearance	Colour ranging from white to creamy white; the product must not contain any lumps that would not break up under slight pressure.
3.	Solubility	Almost entirely soluble in distilled water, except for calcium caseinate.

ATODLEN 3

Safonau sy'n gymwys i gaseinau cywair llaeth bwytadwy

Rheoliad 2

1. Ffactorau hanfodol o ran cyfansoddiad

1	Uchafswm cynnwys lleithedd	12% yn ôl y pwysau
2	Lleiafswm cynnwys protein llaeth a gyfrifir o'r echdyniad sych	84% yn ôl y pwysau
	lleiafswm cynnwys casein y protein llaeth	95% yn ôl y pwysau
3	Uchafswm cynnwys braster llaeth	2% yn ôl y pwysau
4	Uchafswm cynnwys lludw (yn cynnwys P_2O_5)	7,5% yn ôl y pwysau
5	Uchafswm cynnwys lactos anhydrus	1% yn ôl y pwysau
6	Uchafswm cynnwys gwaddod (gronynnau wedi llosgi)	15 mg mewn 25 g

2. Halogyddion

Uchafswm cynnwys plwm	0,75 mg/kg

3. Amhureddau

Sylweddau estronol (fel gronynnau pren neu fetel, blew neu dameidiau o bryfed)	dim mewn 25 g

4. Cymhorthion prosesu

— cywair llaeth sy'n bodloni gofynion Rheoliad (EC) Rhif 1332/2008(**1**);

— ensymau tolchi llaeth eraill sy'n bodloni gofynion Rheoliad (EC) Rhif 1332/2008.

5. Nodweddion organoleptig

1	Arogl	Dim aroglau estron
2	Ymddangosiad	Lliw yn amrywio o wyn i wyn hufennog; ni chaniateir i'r cynnyrch gynnwys unrhyw lympiau na fyddent yn chwalu o dan bwysau ysgafn.

(**1**) OJ Rhif L 354, 3.12.2008, t 7, a ddiwygiwyd ddiwethaf gan Reoliad y Comisiwn (EU) Rhif 1056/2012 dyddiedig 12 Tachwedd 2012.

SCHEDULE 3

Standards applicable to edible rennet caseins

Regulation 2

1. Essential factors of composition

1	Maximum moisture content	12% by weight
2	Minimum milk protein content calculated on the dried extract	84% by weight
	of which minimum casein content	95% by weight
3	Maximum milk fat content	2% by weight
4	Maximum ash content (P_2O_5 included)	7,5% by weight
5	Maximum anhydrous lactose content	1% by weight
6	Maximum sediment content (burnt particles)	15 mg in 25 g

2. Contaminants

Maximum lead content	0,75 mg/kg

3. Impurities

Extraneous matter (such as wood or metal particles, hairs or insect fragments)	nil in 25 g

4. Processing aids

— rennet meeting the requirements of Regulation (EC) No 1332/2008(**1**);

— other milk-coagulating enzymes meeting the requirements of Regulation (EC) No 1332/2008.

5. Organoleptic characteristics

1.	Odour	No foreign odours
2.	Appearance	Colour ranging from white to creamy white; the product must not contain any lumps that would not break up under slight pressure.

(**1**) OJ No L 354, 3.12.2008, p 7, last amended by Commission Regulation (EU) No 1056/2012 of 12 November 2012.

ATODLEN 4

Safonau sy'n gymwys i gaseinau a chaseinadau mewn bwyd

Rheoliad 4

1. Halogyddion

Uchafswm cynnwys plwm	0,75 mg/kg

2. Amhureddau

Sylweddau estronol (fel gronynnau pren neu fetel, blew neu dameidiau o bryfed)	dim mewn 25 g

SCHEDULE 4

Standards applicable to caseins and caseinates in food

Regulation 4

1. Contaminants

Maximum lead content	0,75 mg/kg

2. Impurities

Extraneous matter (such as wood or metal particles, hairs or insect fragments)	nil in 25 g

ATODLEN 5

Cymhwyso ac addasu darpariaethau'r Ddeddf

Rheoliad 8

Rhan 1

Addasu adran 10(1)

1. Yn lle adran 10(1) rhodder—

"If an authorised officer has reasonable grounds for believing that a person is failing to comply with any of regulations 4, 5 or 6 of the Caseins and Caseinates (Wales) Regulations 2016, the authorised officer may, by a notice served on that person (in this Act referred to as an "improvement notice")—

(a) state the officer's grounds for believing that the person is failing to comply with the relevant provisions;

(b) specify the matters which constitute the person's failure so to comply;

(c) specify the measures which, in the officer's opinion, the person must take in order to secure compliance; and

(d) require the person to take measures, or measures that are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice."

SCHEDULE 5

Application and modification of provisions of the Act

Regulation 8

Part 1

Modification of section 10(1)

1. For section 10(1) substitute—

"If an authorised officer has reasonable grounds for believing that a person is failing to comply with any of regulations 4, 5 or 6 of the Caseins and Caseinates (Wales) Regulations 2016, the authorised officer may, by a notice served on that person (in this Act referred to as an "improvement notice")—

(a) state the officer's grounds for believing that the person is failing to comply with the relevant provisions;

(b) specify the matters which constitute the person's failure so to comply;

(c) specify the measures which, in the officer's opinion, the person must take in order to secure compliance; and

(d) require the person to take measures, or measures that are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice."

Rhan 2

Cymhwyso ac addasu darpariaethau eraill o'r Ddeddf

Part 2

Application and modification of other provisions of the Act

Colofn 1 *Darpariaeth y Ddeddf*	*Colofn 2* *Addasiadau*	*Column 1* *Provision of the Act*	*Column 2* *Modifications*
Adran 2 (ystyr estynedig "sale" etc.)	Yn is-adran (1), yn lle "this Act", rhodder "the Caseins and Caseinates (Wales) Regulations 2016". Yn is-adran (2), yn lle "this Act", rhodder "the Caseins and Caseinates (Wales) Regulations 2016".	Section 2 (extended meaning of "sale" etc.)	In subsection (1), for "this Act" substitute "the Caseins and Caseinates (Wales) Regulations 2016". In subsection (2), for "this Act" substitute "the Caseins and Caseinates (Wales) Regulations 2016".
Adran 3 (rhagdybiaethau y bwriedir i fwyd gael ei fwyta gan bobl)	Yn is-adran (1), yn lle "this Act", rhodder "the Caseins and Caseinates (Wales) Regulations 2016"	Section 3 (presumptions that food intended for human consumption)	In subsection (1), for "this Act" substitute "the Caseins and Caseinates (Wales) Regulations 2016"
Adran 20 (troseddau oherwydd bai person arall)	Yn lle "any of the preceding provisions of this Part", rhodder "section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016"	Section 20 (offences due to fault of another person)	For "any of the preceding provisions of this Part" substitute "section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016"
Adran 21(1) a (5) (amddiffyniad diwydrwydd dyladwy)	Yn is-adran (1), yn lle "any of the preceding provisions of this Part", rhodder "section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016"	Section 21(1) and (5) (defence of due diligence)	In subsection (1), for "any of the preceding provisions of this Part" substitute "section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016"
Adran 30(8) (tystiolaeth o dystysgrifau a roddir gan ddadansoddydd neu archwilydd bwyd)	Yn lle "this Act", rhodder "the Caseins and Caseinates (Wales) Regulations 2016"	Section 30(8) (evidence of certificates given by a food analyst or examiner)	For "this Act" substitute "the Caseins and Caseinates (Wales) Regulations 2016"

Colofn 1 *Darpariaeth y Ddeddf*	*Colofn 2* *Addasiadau*
Adran 33 (rhwystro etc. swyddogion)	Yn is-adran (1), yn lle "this Act" (ym mhob man y digwydd), rhodder "the Caseins and Caseinates (Wales) Regulations 2016"
Adran 35(1)(**1**) a (2)(**2**) (cosbi (cosbi troseddau)	Yn is-adran (1), ar ôl "section 33(1) above", mewnosoder ", as applied and modified by regulation 8 of, and Schedule 5 to, the Caseins and Caseinates (Wales) Regulations 2016" Ar ôl is-adran (1) mewnosoder— "(1A) A person guilty of an offence under section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016, is liable, on summary conviction, to a fine." Yn is-adran (2), yn lle "any other offence under this Act", rhodder "an offence under section 33(2), as applied by regulation 8 of, and Schedule 5 to, the Caseins and Caseinates (Wales) Regulations 2016"

Column 1 *Provision of the Act*	*Column 2* *Modifications*
Section 33 (obstruction etc. of officers)	In subsection (1), for "this Act" (in each place occurring) substitute "the Caseins and Caseinates (Wales) Regulations 2016"
Section 35(1)(**1**) and (2)(**2**) (punishment of offences)	In subsection (1), after "section 33(1) above", insert ", as applied and modified by regulation 8 of, and Schedule 5 to, the Caseins and Caseinates (Wales) Regulations 2016" After subsection (1), insert— "(1A) A person guilty of an offence under section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016, is liable, on summary conviction, to a fine." In subsection (2) for "any other offence under this Act" substitute "an offence under section 33(2), as applied by regulation 8 of, and Schedule 5 to, the Caseins and Caseinates (Wales) Regulations 2016"

(**1**) Mae adran 35(1) wedi ei diwygio gan baragraff 42 o Atodlen 26 i Ddeddf Cyfiawnder Troseddol 2003 (p. 44) o ddyddiad i'w benodi. Mae diwygiadau eraill i adran 35(1) nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) Diwygiwyd adran 35(2) gan O.S. 2015/664. Mae diwygiadau eraill i adran 35(2) nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**1**) Section 35(1) is amended by paragraph 42 of Schedule 26 to the Criminal Justice Act 2003 (c. 44) from a date to be appointed. There are other amendments to section 35(1) not relevant to these Regulations.

(**2**) Section 35(2) was amended by S.I. 2015/664. There are other amendments to section 35(2) not relevant to these Regulations.

Colofn 1 *Darpariaeth y Ddeddf*	*Colofn 2* *Addasiadau*
Adran 36 (troseddau gan gyrff corfforaethol)	Yn is-adran (1), yn lle "this Act", rhodder "section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016"
Adran 36A(**1**) (troseddau gan bartneriaethau Albanaidd)	Yn lle "this Act" rhodder "section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016"
Adran 37(1), (3), (5) a (6) (apelau)	Yn lle is-adran (1) rhodder— "(1) Any person who is aggrieved by a decision of an authorised officer of a food authority to serve an improvement notice under section 10(1), as applied and modified by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016, may appeal to a magistrates' court." Yn lle is-adran (5) rhodder— "(5) The period within which such an appeal as is mentioned in subsection (1) above may be brought shall be— one month from the date on which notice of the decision was served on the person

Column 1 *Provision of the Act*	*Column 2* *Modifications*
Section 36 (offences by body corporate)	In subsection (1), for "this Act" substitute "section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016"
Section 36A(**1**) (offences by Scottish partnerships)	For "this Act" substitute "section 10(2), as applied by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016"
Section 37(1), (3), (5) and (6) (appeals)	For subsection (1) substitute— "(1) Any person who is aggrieved by a decision of an authorised officer of a food authority to serve an improvement notice under section 10(1), as applied and modified by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016, may appeal to a magistrates' court." For subsection (5) substitute— "(5) The period within which such an appeal as is mentioned in subsection (1) above may be brought shall be— one month from the date on which notice of the decision was served on the person

(**1**) Mewnosodwyd adran 36A gan adran 40(1) o Ddeddf Safonau Bwyd 1999 (p. 28) a pharagraffau 7 ac 16 o Atodlen 5 iddi.

(**1**) Section 36A was inserted by section 40(1) of, and paragraphs 7 and 16 of Schedule 5 to, the Food Standards Act 1999 (c. 28).

Colofn 1 *Darpariaeth y Ddeddf*	*Colofn 2* *Addasiadau*	*Column 1* *Provision of the Act*	*Column 2* *Modifications*
	desiring to appeal; or the period specified in the improvement notice, whichever ends the earlier; and in the case of such an appeal, the making of the complaint shall be deemed for the purposes of this subsection to be the bringing of the appeal.”		desiring to appeal; or the period specified in the improvement notice, whichever ends the earlier; and in the case of such an appeal, the making of the complaint shall be deemed for the purposes of this subsection to be the bringing of the appeal.”
	Yn is-adran (6)— yn lle “(3) or (4)” rhodder “(1)”, ac ym mharagraff (a), hepgorer “or to the sheriff”.		In subsection (6)— for “(3) or (4)” substitute “(1)”, and in paragraph (a), omit “or to the sheriff”.
Adran 39 (apelau yn erbyn hysbysiadau gwella)	Yn lle is-adran (1) rhodder— “(1) On an appeal against an improvement notice served under section 10(1), as applied and modified by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016, the magistrates’ court may either cancel or affirm the notice and, if it affirms it, may do so either in its original form or with such modifications as the court may in the circumstances think fit.”	Section 39 (appeals against improvement notices)	For subsection (1) substitute— “(1) On an appeal against an improvement notice served under section 10(1), as applied and modified by regulation 8 of the Caseins and Caseinates (Wales) Regulations 2016, the magistrates’ court may either cancel or affirm the notice and, if it affirms it, may do so either in its original form or with such modifications as the court may in the circumstances think fit.”
	Yn is-adran (3), hepgorer “for want of prosecution”.		In subsection (3), omit “for want of prosecution”.

Colofn 1 *Darpariaeth y Ddeddf*	*Colofn 2* *Addasiadau*
Adran 44 (amddiffyn swyddogion sy'n gweithredu'n ddidwyll)	Yn lle "this Act" (ym mhob man y digwydd), rhodder "the Caseins and Caseinates (Wales) Regulations 2016"

Column 1 *Provision of the Act*	*Column 2* *Modifications*
Section 44 (protection of officers acting in good faith)	For "this Act" (in each place occurring) substitute "the Caseins and Caseinates (Wales) Regulations 2016"

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