

OFFERYNNAU STATUDOL CYMRU

1999 Rhif 3464 (Cy.52)

BWYD, CYMRU

Rheoliadau Esgyrn Cig Eidion (Diwygio) (Cymru) 1999

Wedi'u gwneud - - 16 Rhagfyr 1999

Yn dod i rym - - 17 Rhagfyr 1999

Drwy arfer y pwerau a roddwyd i Weinidogion y Goron gan adrannau 16(1)(a), (b), (c), (d) ac (f) a (3), 26 a 48(1) o Ddeddf Diogelwch Bwyd 1990(1) a pharagraffau 2(1), 3(1), 5(1) a 6(1)(a) o Atodlen 1 iddi, ac a freiniwyd bellach yng Nghynulliad Cenedlaethol Cymru(2), wedi ymgynghori yn unol ag adran 48(4) o'r Ddeddf honno â'r sefydliadau hynny sydd yn eu tyb hwy yn cynrychioli buddiannau y mae'n debygol y bydd y Rheoliadau canlynol yn effeithio'n sylweddol arnynt, mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol:

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Esgyrn Cig Eidion (Diwygio) (Cymru) 1999, maent yn gymwys i Gymru'n unig a deuant i rym ar 17 Rhagfyr 1999.

Diwygiadau i Reoliadau Esgyrn Cig Eidion 1997

2.—(1) I'r graddau y maent yn gymwys i Gymru, diwygir Rheoliadau Esgyrn Cig Eidion 1997(3) yn unol â pharagraffau canlynol y rheoliad hwn.

(2) Rhoddir y rheoliad canlynol yn lle rheoliad 3 (cig eidion ac esgyrn ynddo) —

“Bone-in beef

3.—(1) Subject to paragraphs (2) and (3) below, no person shall use any bone-in beef in the preparation in the course of a business of any food or ingredient for human consumption.

(2) The prohibition in paragraph (1) above shall not apply to the use of bone-in beef in the production of food for sale direct to the ultimate consumer at the premises where the production takes place, including the case where the sale involves delivery of take-away food.

(3) Nothing in paragraph (1) above shall prohibit the processing or treatment of bone-in beef for sale as such.”

(3) Rhoddir y rheoliad canlynol yn lle rheoliad 4 (esgyrn) —

(1) 1990 c. 16; “the Ministers” is defined in section 4(1) of the Act.

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) S.I. 1997/2959

“Bones

4.—(1) Subject to paragraph (3) below, no person shall sell any bone removed from bone-in beef deboned in Great Britain for use in the preparation in the course of a business of any food or ingredient for human consumption.

(2) Subject to paragraph (4) below, no person shall use any bone removed from bone-in beef deboned in Great Britain in the preparation in the course of a business of any food or ingredient for human consumption.

(3) The prohibition in paragraph (1) above shall not apply to the sale of bones for use in the production of food for sale direct to the ultimate consumer at the premises where the production takes place, including the case where the sale to the ultimate consumer involves delivery of take-away food.

(4) The prohibition in paragraph (2) above shall not apply to the use of bones in the production of food for sale direct to the ultimate consumer at the premises where the production takes place, including the case where the sale involves delivery of take-away food.”.

(4) Rhoddir y rheoliad canlynol yn lle rheoliad 5 (bwyd a chynhwysion bwyd) —

“Food and food ingredients

5.—(1) Subject to paragraph (5) below, no person shall in the course of a business sell for human consumption any food an ingredient of which consists of bones removed from bone-in beef deboned in Great Britain.

(2) Subject to paragraph (6) below, no person shall in the course of a business sell for human consumption any food an ingredient of which is derived from bones removed from bone-in beef deboned in Great Britain.

(3) No person shall sell any substance derived from bones removed from bone-in beef deboned in Great Britain for use in the preparation in the course of a business of any food or ingredient for human consumption.

(4) Subject to paragraph (7) below, no person shall use any substance derived from bones removed from bone-in beef deboned in Great Britain in the preparation in the course of a business of any food or ingredient for human consumption.

(5) The prohibition in paragraph (1) above shall not apply to the sale of any food, an ingredient of which consists of bones, direct to the ultimate consumer at the premises where it was produced (including the case where the sale involves delivery of take-away food) if the bones in question were added to the food at those premises.

(6) The prohibition in paragraph (2) above shall not apply to the sale of food direct to the ultimate consumer at the premises where it was produced (including the case where the sale involves delivery of take-away food) if the ingredient in question was derived from the bones concerned at those premises.

(7) The prohibition in paragraph (4) above shall not apply to the use of a substance in the production of food for sale direct to the ultimate consumer at the premises where the production takes place (including the case where the sale involves delivery of take-away food) if that substance was derived from the bones concerned at those premises.

(8) For the purposes of this regulation, an ingredient or substance shall be treated as derived from bones removed from bone-in beef regardless of whether it was derived from the bones before, during or after their removal from the bone-in beef.”.

(5) Diddymir Rheoliad 6 (tynnu esgyrn).

(6) Rhoddir y rheoliad canlynol yn lle rheoliad 7 (storio esgyrn) —

“Storage of bones and substances

7.—(1) Subject to paragraph (2) below, the operator of any food premises shall ensure that —

- (a) all bones at the premises which have been removed from bone-in beef deboned in Great Britain; and
- (b) all substances at the premises which have been derived from bones removed from bone-in beef deboned in Great Britain,

are stored separately from and do not come into contact with any other food at those premises.

(2) Paragraph (1) above shall not apply to the storage of bones and substances at any premises at which (pursuant to these Regulations) the bones and substances are used in the production of food for sale direct to the ultimate consumer at those premises.”.

(7) Diddymir rheoliad 8 (gwaredu esgyrn).

(8) Rhoddir y rheoliad canlynol yn lle rheoliad 9 (cofnodion) —

“Records

9.—(1) Each person who at food premises debones bone-in beef shall make a record of the place to which the bones concerned are consigned.

(2) Where those bones are re-consigned the person re-consigning them shall make a record of the place to which they are consigned.

(3) Any record required to be made pursuant to paragraph (1) or (2) above shall be kept for at least 2 years from the date of making.

(4) This regulation shall not apply where bones are —

- (a) disposed of by way of sale to the ultimate consumer; or
- (b) not consigned or re-consigned for human consumption.”.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(4).

16 Rhagfyr 1999

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EXPLANATORY NOTE

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

1. Mae'r Rheoliadau hyn yn diwygio Rheoliadau Esgyrn Cig Eidion 1997 ([O.S. 1997/2959](#)) i'r graddau eu bod yn gymwys i Gymru.
2. Effaith y diwygiadau yw caniatáu —
 - (a) adwerthu esgyrn cig eidion;
 - (b) gwerthu cig eidion ac esgyrn ynddo, hyd yn oed os yw wedi'i brosesu neu'i drin cyn ei werthu;
 - (c) defnyddio cig eidion ac esgyrn ynddo, esgyrn cig eidion ac (yn ddarostyngedig i amodau) sylweddau sy'n deillio o esgyrn cig eidion wrth gynhyrchu bwyd mewn mannau arlwyo a mannau prydau mynd allan;
 - (ch) (yn ddarostyngedig i amodau) gwerthu unrhyw fwyd sy'n cynnwys cynhwysion sy'n cynnwys esgyrn cig eidion mewn mannau arlwyo a mannau prydau mynd allan ac sy'n cael ei gynhyrchu yno; a
 - (d) (yn ddarostyngedig i amodau) gwerthu unrhyw fwyd sy'n cynnwys cynhwysion sy'n deillio o esgyrn cig eidion yn y mannau hynny ac sy'n cael ei gynhyrchu yno.
- 3 Nid codi'r gwaharddiad ar ddefnyddio esgyrn at gynhyrchion wedi'u gwneud a'u prosesu yw effaith y Rheoliadau hyn.
4. Mae'r Rheoliadau hyn yn gwneud nifer o ddiwygiadau ôl-ddilynol i [O.S. 1997/2959](#) ac yn enwedig maent yn newid y ddarpariaeth bresennol (rheoliad 7) sy'n ymwneud â storio esgyrn. Maent hefyd yn newid y ddarpariaeth bresennol (rheoliad 9) ynglŷn â chadw cofnodion.