CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2002 Rhif 1797 (Cy.172)

AMAETHYDDIAETH, CYMRU

Rheoliadau Porthiant (Diwygio) (Cymru) 2002

NODYN ESBONIADOL

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

1. Mae'r Rheoliadau hyn yn diwygio am y trydydd tro Reoliadau Porthiant (Cymru) 2001 (O.S. 2001/343 (Cy.15), "y prif Reoliadau").

2. Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig. Mae Rheoliadau Porthiant (Diwygio) 2002 (O.S. 2002/892, "Rheoliadau Cymru a Lloegr"), sy'n gweithredu'r un newidiadau yn Lloegr ag a wneir mewn perthynas â Chymru gan y Rheoliadau hyn, yn cynnwys dwy ddarpariaeth sydd hefyd yn gymwys i Gymru a Gogledd Iwerddon. Mae rheoliad 3 o Reoliadau Cymru a Lloegr yn gymwys i Gymru, Lloegr a Gogledd Iwerddon i'r graddau y mae'n berthnasol i reoliad 11 (fel y'i diwygiwyd gan Reoliadau Cymru a Lloegr) neu 12 o'r Prif Reoliadau. Mae rheoliad 5 o Reoliadau Cymru a Lloegr hefyd yn gymwys i Gymru, Lloegr a Gogledd Iwerddon.

3. Mae'r Rheoliadau hyn yn gweithredu -

(a) Cyfarwyddeb y Comisiwn 2001/79/EC sy'n diwygio Cyfarwyddeb y Cyngor 87/153/EEC sy'n pennu canllawiau ar gyfer asesu ychwanegion mewn maeth i anifeiliaid (OJ Rhif L267, 6.10.2001, t.1);

(b) Cyfarwyddeb y Cyngor 2001/102/EC sy'n diwygio Cyfarwyddeb 1999/29/EC ar sylweddau a chynhyrchion annymunol mewn maeth anifeiliaid (OJ Rhif L6, 10.1.2002, t.45); ac

(c) Cyfarwyddeb y Comisiwn 2002/1/EC sy'n diwygio Cyfarwyddeb 94/39/EC o ran porthiant anifeiliaid i gynnal gwaith yr afu mewn achos o annigonedd cronig yr afu.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2002 No. 1797 (W.172)

AGRICULTURE, WALES

The Feeding Stuffs (Amendment) (Wales) Regulations 2002

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend for the third time the Feeding Stuffs Regulations (Wales) 2001 (S.I. 2001/343 (W.15), "the principal Regulations").

2. These Regulations apply to Wales only. The Feeding Stuffs (Amendment) Regulations 2002 (S.I. 2002/892, "the England and Wales Regulations"), which implement the same changes in England as are made in respect of Wales by these Regulations, contain two provisions which also apply to Wales and Northern Ireland. Regulation 3 of the England and Wales Regulations applies to England, Wales and Northern Ireland in so far as it relates to regulation 11 (as amended by the England and Wales Regulations) or 12 of the principal Regulations. Regulation 5 of the England and Wales Regulations also applies to England, Wales and Northern Ireland.

3. These Regulations implement -

(a) Commission Directive 2001/79/EC amending Council Directive 87/153/EEC fixing guidelines for the assessment of additives in animal nutrition (OJ No. L267, 6.10.2001, p.1);

(b) Council Directive 2001/102/EC amending Directive 1999/29/EC on the undesirable substances and products in animal nutrition (OJ No. L6, 10.1.2002, p.45); and

(c) Commission Directive 2002/1/EC amending Directive 94/39/EC as regards animal feedingstuffs for the support of liver function in case of chronic liver insufficiency.

4. Mae'r Rheoliadau hyn hefyd yn darparu ar gyfer gorfodi'r Rheoliadau canlynol -

(a) Rheoliad y Comisiwn (EC) Rhif 2013/2001 ynghylch awdurdodiad dros dro ar ddefnydd ychwanegyn newydd ac awdurdodiad parhaol o ychwanegyn mewn porthiant (OJ Rhif L272, 13.10.2001, t.24);

(b) Rheoliad y Comisiwn (EC) Rhif 2200/2001 ynghylch awdurdodiad dros dro o ychwanegion mewn porthiant (OJ Rhif L299, 15.11.2001, t.1); ac

(c) Rheoliad y Comisiwn (EC) Rhif 256/2002 ynghylch awdurdodiad dros dro ar ychwanegyn ac awdurdodiad parhaol o ychwanegyn mewn porthiant (OJ Rhif L41, 13.2.2002, t.6).

5. Mae'r Rheoliadau hyn -

(a) yn addasu darpariaethau'r prif Reoliadau sy'n darparu ar gyfer gorfodi darpariaethau'r Rheoliadau hynny a wnaed o dan Ddeddf y Cymunedau Ewropeaidd 1972 (*rheoliad 5*);

(b) yn ychwanegu tri Rheoliad newydd gan y Comisiwn at restr Rheoliadau'r Comisiwn y rhoddwyd awdurdodiad odanynt i farchnata ychwanegion bwyd a gynhwysir yn Atodlen 3 i'r prif Reoliadau (*rheoliad 7 ac Atodlen 1*);

(c) addasu'r rheolaethau yn y prif Reoliadau sy'n rheoli presenoldeb sylweddau annymunol mewn porthiant anifeiliaid drwy bennu uchafswm lefelau newydd ar gyfer Diocsin mewn porthiant (*rheoliad 8 ac Atodlen 2*);

(ch) addasu darpariaethau'r prif Reoliadau sy'n rheoli porthiant dietetig o ran y nodweddion maethlon a labelu porthiant sy'n ofynnol pan fwriedir ef i gynorthwyo swyddogaeth yr afu mewn achos o annigonedd cronig yr afu mewn cŵn neu gathod (*rheoliad 10 ac Atodlen 3*);

(d) gwneud diwygiadau i'r prif Reoliadau i gywiro mân wallau ynddynt (*rheoliadau 4 a 9*); ac

(dd) gwneud diwygiadau canlyniadol i'r Rheoliadau hynny ac i Reoliadau Porthiant (Samplu a Dadansoddi) 1999 (O.S.1999/1663), Rheoliadau Porthiant (Sefydliadau a Chyfryngwyr) 1999 (O.S. 1999/1872) a Rheoliadau Porthiant (Gorfodi) 1999 (O.S. 1999/2325) (*rheoliadau 1999, 3, 6 ac 11 i 13*).

(e) Noder hefyd yr effaith ar Reoliadau Cymru a Lloegr y cyfeirir atynt ym mharagraff 2 uchod, sy'n addasu darpariaethau'r prif Reoliadau sy'n pennu'r weithdrefn i'w dilyn mewn perthynas

4. These Regulations also provide for the enforcement of the following Regulations -

(a) Commission Regulation (EC) No. 2013/2001 concerning the provisional authorisation of a new additive use and the permanent authorisation of an additive in feedingstuffs (OJ No. L272, 13.10.2001, p.24);

(b) Commission Regulation (EC) No. 2200/2001 concerning provisional authorisation of additives in feedingstuffs (OJ No. L299, 15.11.2001, p.1); and

(c) Commission Regulation (EC) No. 256/2002 concerning the provisional authorisation of an additive and the permanent authorisation of an additive in feedingstuffs (OJ No. L41, 13.2.2002, p.6).

5. These Regulations -

(a) modify the provisions of the principal Regulations which provide for the enforcement of the provisions of those Regulations which are made under the European Communities Act 1972 (*regulation 5*);

(b) add three new Commission Regulations to the list of Commission Regulations under which authorisation for the marketing of feed additives has been granted which is contained in Schedule 3 to the principal Regulations (*regulation 7 and Schedule 1*);

(c) modify the controls in the principal Regulations regulating the presence of undesirable substances in animal feed by specifying new maximum levels for Dioxin in feed (*regulation 8 and Schedule 2*);

(d) modify the provisions of the principal Regulations regulating dietetic feeds as regards the required nutritional characteristics and labelling of feeds intended for the support of liver function in case of chronic liver insufficiency in dogs or cats (*regulation 10 and Schedule 3*);

(e) make amendments to the principal Regulations to correct minor errors in them (*regulations 4 and 9*); and

(f) make consequential amendments to those Regulations and to the Feeding Stuffs (Sampling and Analysis) Regulations 1999 (S.I.1999/1663), the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999 (S.I. 1999/1872) and the Feeding Stuffs (Enforcement) Regulations 1999 (S.I. 1999/2325) (*regulations 3, 6 and 11 to 13*).

(g) Note also the effect of the England and Wales Regulations referred to in paragraph 2 above, which modify the provisions of the principal Regulations which specify the procedure to be

ag asesu ychwanegion bwyd y ceisiwyd awdurdodiad marchnata ar eu cyfer ac o ran ceisiadau am awdurdodiad o'r fath (*rheoliadau 3 a 5 o Reoliadau Cymru a Lloegr*).

6. Cafodd arfarniad rheoliadol ei baratoi mewn perthynas â'r Rheoliadau hyn a rhoddwyd copi yn llyfrgell Cynulliad Cenedlaethol Cymru, ynghyd â nodyn trosi sy'n nodi sut y trosir prif elfennau'r Cyfarwyddebau i'r gyfraith ddomestig drwy'r Rheoliadau hyn. Gellir cael copïau ar gais oddi wrth yr Asiantaeth Safonau Bwyd (Cymru), Llawr 1, Southgate House, Wood Street, Caerdydd CF10 1EW.

followed in relation to the assessment of feed additives for which marketing authorisation has been sought and as regards applications for such authorisation (*regulations 3 and 5 of the England and Wales Regulations*).

6. A regulatory appraisal has been prepared in respect of these Regulations and a copy placed in the library of the National Assembly for Wales, together with a transposition note setting out how the main elements of the Directives referred to in paragraph 3 above are transposed into domestic law by these Regulations. Copies may be obtained on request from the Food Standards Agency (Wales), 1st Floor, Southgate House, Wood Street, Cardiff CF10 1EW.

OFFERYNNAU STATUDOL

2002 Rhif 1797 (Cy.172)

AMAETHYDDIAETH, CYMRU

Rheoliadau Porthiant (Diwygio) (Cymru) 2002

Wedi'u gwneud *9 Gorffennaf 2002*

Yn dod i rym *5 Awst 2002*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 66(1), 68(1) ac (1A), 69(1), 74A, 75(1), 76(1), 77(4), 78(6), 79(1) a 84 o Ddeddf Amaethyddiaeth 1970(**a**) ac sydd bellach yn arferadwy ganddo mewn perthynas â Chymru(**b**), ac ar ôl ymgynghori yn unol ag adran 84(1) o'r Ddeddf honno â'r personau neu'r cyrff hynny y mae'n ymddangos iddo eu bod yn cynrychioli'r buddiannau perthnasol(**c**), a chan ei fod wedi'i ddynodi(**ch**) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**d**) mewn perthynas â pholisi amaethydddol cyffredin y Gymuned Ewropeaidd (i'r graddau na ellir gwneud y Rheoliadau hyn o dan y pwerau yn Neddf Amaethyddiaeth 1970 a bennir uchod), yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1. Enw'r Rheolidau hyn yw Rheoliadau Porthiant (Diwygio) (Cymru) 2002, deuant i rym ar 5 Awst 2002 ac maent yn gymwys i Gymru yn unig.

Diwygio Rheoliadau Porthiant (Cymru) 2001

2. Diwygir Rheoliadau Porthiant (Cymru) 2001 ("y prif Reoliadau")(**dd**) yn unol â rheoliadau 3 i 10 isod.

(a) 1970 p.40.

(b) Yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. Rhif 1999/672).

(c) Rhaid darllen y gofyniad i ymgynghori ar y cyd ag Erthygl 9 o Reoliad (EC) Rhif 178/2002 (OJ Rhif 1.2.2002, tud.1).

(ch) O.S. 1999/2788.

(d) 1972 p.68. Estynwyd y pwerau galluogi a roddwyd gan adran 2(2) yn rhinwedd adran 1 o Ddeddf Ardal Economaidd Ewrop 1993 (1993 p.51).

(dd) O.S. 2001/343 (Cy.15), a ddiwygiwyd gan O.S. 2001/2253 (Cy.163) ac O.S. 2001/3461 (Cy.280).

STATUTORY INSTRUMENTS

2002 No. 1797 (W.172)

AGRICULTURE, WALES

The Feeding Stuffs (Amendment) (Wales) Regulations 2002

Made *9th July 2002*

Coming into force *5th August 2002*

The National Assembly for Wales, acting in exercise of the powers conferred by sections 66(1), 68(1) and (1A), 69(1), 74A, 75(1), 76(1), 77(4), 78(6), 79(1) and 84 of the Agriculture Act 1970(**a**) and now exercisable by it in relation to Wales(**b**), after consultation as required by section 84(1) of that Act with the persons or organisations appearing to represent the interests concerned(**c**), and having been designated(**d**) for the purposes of section 2(2) of the European Communities Act 1972(**e**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred by the said section 2(2) (in so far as these Regulations cannot be made under the powers in the Agriculture Act 1970 specified above), makes the following Regulations:

Title, commencement and extent

1. These Regulations may be cited as the Feeding Stuffs (Amendment) (Wales) Regulations 2002, shall come into force on 5th August 2002 and shall apply to Wales only.

Amendment of the Feeding Stuffs (Wales) Regulations 2001

2. The Feeding Stuffs (Wales) Regulations 2001 ("the principal Regulations")(**f**) shall be amended in accordance with regulations 3 to 10 below.

(a) 1970 c. 40.

(b) By virtue of the National Assembly for Wales (Transfer of Functions) 1999 (S.I. No. 1999/672).

(c) The requirement to consult must now be read in conjunction with Article 9 of Regulation (EC) No. 178/2002 (OJ No. L31, 1.2.2002, p.1).

(d) S.I. 1999/2788.

(e) 1972 c. 68. The enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act 1993 (1993 c. 51).

(f) S.I. 2001/343 (W.15), amended by S.I. 2001/2253 (W.163) and S.I. 2001/3461 (W.280).

3. Yn rheoliadau 7(1) a 24(1), ar ôl y geiriau", or the Feeding Stuffs (Wales) Regulations 2001, "yn lle "fel y'u diwygiwydgan Reoliadau Diwygio Porthiant a Rheoliadau Porthiant (Gorfodi) (Cymru) 2001", rhowch "as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001 and the Feeding Stuffs (Amendment) (Wales) Regulations 2002."

4. Ym mharagraff (2) o reoliad 17, yn lle'r ymadrodd "Atodlen 10", rhowch yr ymadrodd "Atodlen 9".

5. Ym mharagraff (2) o reoliad 24, o'r gair "rheoliadau" hyd at ddiwedd y cymal, rhowch y darpariaethau canlynol -

> "rheoliad 4 (ac eithrio i'r graddau y mae'n berthnasol i Ran II o Atodlen 5), 9(1) (i'r graddau y mae'n rheoleiddio rhoi mewn cylchrediad), (2) a (3), 10(1) i (4), (6), (6A) a (7), 11(2) (i'r graddau y mae angen ei ddarllen ar y cyd â pharagraff (3)(a), (c) neu (ch) y rheoliad hwnnw), (4), (6) a (7), 12(3), (4), (6), (7) a (9), 13(1), 15, 16(1) a 17(1).".

6. Diddymwch reoliad 25(a) a (b).

7. Yn Atolen 3 (permitted additives and provisions relating to their use), yn lle'r darpariaethau yn Rhan IX o'r Tabl (European Community Regulations by which additives are controlled) rhowch y darpariaethau a nodir yn Atodlen 1 i'r Rheoliadau hyn.

8. Yn Atodlen 7 (prescribed limits for undesirable substances) -

(a) yn lle'r cofnod am Dioxin (sum of PCDD and PCDF) yng Ngholofn 1 o Bennod A o Ran I o'r Tabl a'r cofnodion sy'n cyfateb yng Ngholofnau 2 a 3 yn ôl eu trefn yn y Bennod honno; a

(b) yn lle'r cofnod am Dioxin (sum of PCDD and PCDF) yn ngholofn 1 o Bennod A o Ran II o'r Tabl a'r cofnodion sy'n cyfateb yng Ngholofnau 2 a 3 yn ôl eu trefn yn y Bennod honno;

rhowch y cofnodion a nodir yn Atodlen 2 i'r Rheoliadau hyn.

9. Yn Atodlen 8 (control of certain protein sources) yn lle'r cofnod yng ngholofn 6 ("ruminants from the beginning of rumination") sy'n cyfateb â'r cofnod yng ngholofn 2 sy'n ymwneud â "3.11 DL-methionine, technically pure" rhowch y cofnod "All animal species".

10. Yn Atodlen 9 (permitted feeding stuffs intended for particular nutritional purposes and provisions relating to their use) yn lle'r cofnodion yng ngholofnau 2 i 6 o Bennod A sy'n ymwneud â chynnal gwaith yr afu mewn achosion o annigonedd cronig yr afu mewn cŵn neu gathod rhowch y cofnodion a nodir yn Atodlen 3 i'r Rheoliadau hyn.

3. In each of regulations 7(1) and 24(1), after the expression "the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001" there shall be added the expression "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002".

4. In paragraph (2) of regulation 17, for the expression "Schedule 10" there shall be substituted the expression "Schedule 9".

5. In paragraph (2) of regulation 24, for the word "regulations" to the end there shall be substituted the following provisions -

> "regulation 4 (except in so far as it relates to Part II of Schedule 5), 9(1) (in so far as it regulates putting into circulation), (2) and (3), 10(1) to (4), (6), (6A) and (7), 11(2) (in so far as it falls to be read with paragraph (3)(a), (c) or (d) of that regulation), (4), (6) and (7), 12(3), (4), (6), (7) and (9), 13(1), 15, 16(1) and 17(1).".

6. Regulation 25(a) and (b) shall be revoked.

7. In Schedule 3 (permitted additives and provisions relating to their use), for the provisions in Part IX of the Table (European Community Regulations by which additives are controlled) there shall be substituted the provisions set out in Schedule 1 to these Regulations.

8. In Schedule 7 (prescribed limits for undesirable substances) -

(a) for the entry for Dioxin (sum of PCDD and PCDF) in column 1 of Chapter A of Part I of the Table and the corresponding entries in columns 2 and 3 respectively of that Chapter; and

(b) for the entry for Dioxin (sum of PCDD and PCDF) in column 1 of Chapter A of Part II of the Table and the corresponding entries in columns 2 and 3 respectively of that Chapter;

there shall be substituted the entries set out in Schedule 2 to these Regulations.

9. In Schedule 8 (control of certain protein sources) for the entry in column 6 ("ruminants from the beginning of rumination") corresponding with the entry in column 2 relating to "3.1.1 DL-methionine, technically pure" there shall be substituted the entry "All animal species".

10. In Schedule 9 (permitted feeding stuffs intended for particular nutritional purposes and provisions relating to their use) for the entries in columns 2 to 6 of Chapter A relating to the support of liver function in case of chronic liver insufficiency in dogs or cats there shall be substituted the entries set out in Schedule 3 to these Regulations.

Diwygio Rheoliadau Porthiant (Samplu a Dadansoddi) 1999

11. Diwygir Rheoliadau Porthiant (Samplu a Dadansoddi 1999(**a**) i'r graddau y maent yn gymwys i Gymru, fel a ganlyn -

(a) yn Rhan II o Atodlen 1 (manner of taking, preparing, marking, sealing and fastening of samples), ym mharagraff 5(1), yn lle'r ymadrodd "section 76(1)(b) of the Act", rhowch yr ymadrodd "section 76(7) of the Act as that section is modified by regulation 10 of the Feeding Stuffs (Enforcement) Regulations 1999(**b**) as amended";

(b) yn Rhan I o Atodlen 2 (methods of analysis), ar ddiwedd paragraff 3(e)(ii), yn lle'r ymadrodd "Schedule 5 to the Feeding Stuffs Regulations 1995" rhowch yr ymadrodd "Schedule 7 to the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001(**c**) and the Feeding Stuffs (Amendment) (Wales) Regulations 2002"; ac

(c) yn Rhan II o Atodlen 3 (form of certificate of analysis), yn nodyn 11(a), yn lle'r ymadrodd "the Feeding Stuffs Regulations 1995" rhowch yr ymadrodd "the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001 and the Feeding Stuffs (Amendment) (Wales) Regulations 2002".

Diwygio Rheoliadau Porthiant (Sefydliadau a Chyfryngwyr) 1999

12.-(1) Diwygir Rheoliadau Porthiant (Sefydliadau a Chyfryngwyr) 1999(**ch**) i'r graddau y maent yn gymwys i Gymru fel a bennir ym mharagraff (2).

(2) Yn narpariaethau'r Rheoliadau hynny a bennir ym mharagraff (3), yn lle'r ymadrodd "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs (Wales) Regulations 2001 and amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001" rhowch yr ymadrodd "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and the Feeding Stuffs (Amendment) (Wales) Regulations 2002".

(a) O.S. 1999/1663 (a ddiwygiwyd ond nid yw'r diwygiadau hynny yn berthnasol i'r Rheoliadau hyn).

(b) O.S. 1999/2325. Yr offerynnau diwygio perthnasol yw O.S. 2001/2253 (Cy.163) ac O.S. 2001/3461 (Cy.280).

(c) O.S. 2001/3461 (Cy.280).

(ch) O.S. 1999/1872. Yr offeryn diwygio perthnasol yw O.S. 2001/2253 (Cy.163).

Amendment of the Feeding Stuffs (Sampling and Analysis) Regulations 1999

11. The Feeding Stuffs (Sampling and Analysis) Regulations 1999(**a**) shall be amended in so far as they apply to Wales as follows -

(a) in Part II of Schedule 1 (manner of taking, preparing, marking, sealing and fastening of samples), in paragraph 5(1), for the expression "section 76(1)(b) of the Act" there shall be inserted the expression "section 76(7) of the Act as that section is modified by regulation 10 of the Feeding Stuffs (Enforcement) Regulations 1999(**b**) as amended";

(b) in Part I of Schedule 2 (methods of analysis), at the end of paragraph 3(e)(ii), for the expression "Schedule 5 to the Feeding Stuffs Regulations 1995" there shall be substituted the expression "Schedule 7 to the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001(**c**) and the Feeding Stuffs (Amendment) (Wales) Regulations 2002; and

(c) in Part II of Schedule 3 (form of certificate of analysis), in note 11(a), for the expression "the Feeding Stuffs Regulations 1995" there shall be substituted the expression "the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001 and the Feeding Stuffs (Amendment) (Wales) Regulations 2002".

Amendment of the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999

12.-(1) The Feeding Stuffs (Establishments and Intermediaries) Regulations 1999(**d**) shall be amended in so far as they apply to Wales as specified in paragraph (2).

(2) In the provisions of those Regulations specified in paragraph (3), for the expression "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs (Wales) Regulations 2001 and amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001" there shall be substituted the expression "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and the Feeding Stuffs (Amendment) (Wales) Regulations 2002".

(a) S.I. 1999/1663 (to which there are amendments not relevant to these Regulations).

(b) S.I. 1999/2325. The relevant amending instruments are S.I. 2001/2253 (W.163) and S.I. 2001/3461 (W.280).

(c) S.I. 2001/3461 (W.280).

(d) S.I. 1999/1872. The relevant amending instrument is S.I. 2001/2253 (W.163).

(3) Y darpariaethau yw rheoliadau 98(8) a (9), 99 a 106(1).

Diwygio Rheoliadau Porthiant (Gorfodi) 1999

13. Diwygir Rheoliadau Porthiant (Gorfodi) 1999 i'r graddau y maent yn gymwys i Gymru fel a ganlyn -

(a) ym mharagraff (1) o reoliad 2, yn lle'r diffiniad o "third country" rhowch y diffiniad canlynol -

""third country" means a country other than a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992(**a**) as adjusted by the Protocol signed at Brussels on 17th March 1993(**b**);";

(b) ym mharagraffau (2) a (4) o reoliad 7, ar ôl yr ymadrodd "the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001" rhowch yr ymadrodd "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002";

(c) yn rheoliad 8, yn lle'r ymadrodd "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs (Wales) Regulations 2001 and amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001" rhowch yr ymadrodd "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and the Feeding Stuffs (Amendment) (Wales) Regulations 2002"; ac

(ch) yn rheoliad 9, yn nhestun is-adran (8) o adran 67 o Ddeddf Amaethyddiaeth 1970 fel y'i diwygiwyd gan y rheoliad hwnnw, ar ôl yr ymadrodd "the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001" rhowch yr ymadrodd "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002"; a

(d) yn rheoliad 10, yn nhestun is-adran (17) o adran 76 o Ddeddf Amaethyddiaeth 1970 fel y'i diwygiwyd gan y rheoliad hwnnw, ar ôl yr ymadrodd "the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001" rhowch yr ymadrodd "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002".

(a) OJ Rhif. L1, 3.1.94, tud.1.

(b) OJ Rhif L1, 3.1.94, tud.571.

(3) The provisions are regulations 98(8) and (9), 99 and 106(1).

Amendment of the Feeding Stuffs (Enforcement) Regulations 1999

13. The Feeding Stuffs (Enforcement) Regulations 1999 shall be amended in so far as they apply to Wales as follows -

(a) in paragraph (1) of regulation 2, for the definition of "third country" there shall be substituted the following definition -

""third country" means a country other than a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992(**a**) as adjusted by the Protocol signed at Brussels on 17th March 1993(**b**);";

(b) in each of paragraphs (2) and (4) of regulation 7, after the expression "the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001" there shall be inserted the expression "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002";

(c) in regulation 8, for the expression "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs (Wales) Regulations 2001 and amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001" there shall be substituted the expression "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and the Feeding Stuffs (Amendment) (Wales) Regulations 2002"; and

(d) in regulation 9, in the text of subsection (8) of section 67 of the Agriculture Act 1970 shown as modified by that regulation, after the expression "the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001" there shall be inserted the expression "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002"; and

(e) in regulation 10, in the text of subsection (17) of section 76 of the Agriculture Act 1970 shown as modified by that regulation, after the expression "the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001" there shall be inserted the expression "and the Feeding Stuffs (Amendment) (Wales) Regulations 2002".

(a) OJ No. L1, 3.1.94, p.1.

(b) OJ No. L1, 3.1.94, p.571.

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

9 Gorffennaf 2002

John Marek

Dirprwy Lywydd y Cynulliad Cenedlaethol

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**a**)

9th July 2002

The Deputy Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

ATODLEN 1

Rheoliad 7

DARPARIAETHAU SY'N CAEL EU RHOI YN LLE RHAN IX O'R TABL I ATODLEN 3 I'R PRIF REOLIADAU

"PART IX

EUROPEAN COMMUNITY REGULATIONS BY WHICH ADDITIVES ARE CONTROLLED[1]

Commission Regulation (EC) No. 2316/98 concerning authorisation of new additives and amending the conditions for authorisation of a number of additives already authorised in feedingstuffs[2].

Commission Regulation (EC) No. 1594/1999 amending the conditions for the authorisation of an additive in feedingstuffs[3].

Commission Regulation (EC) No. 2439/1999 on the conditions for authorisation of additives belonging to the group "binders, anti-caking agents and coagulants" in feedingstuffs[4].

Commission Regulation (EC) No. 1353/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives, new additive uses and new preparations in feedingstuffs[5].

Commission Regulation (EC) No. 2437/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives in feedingstuffs[6].

Commission Regulation (EC) No. 2013/2001 concerning the provisional authorisation of a new additive use and the permanent authorisation of an additive in feedingstuffs[7].

Commission Regulation (EC) No. 2200/2001 concerning provisional authorisation of additives in feedingstuffs[8].

Commission Regulation (EC) No. 256/2002 concerning the provisional authorisation of new additives, the prolongation of provisional authorisation of an additive and the permanent authorisation of an additive in feedingstuffs[9].

SCHEDULE 1

Regulation 7

PROVISIONS SUBSTITUTED FOR PART IX OF THE TABLE TO SCHEDULE 3 TO THE PRINCIPAL REGULATIONS

"PART IX

EUROPEAN COMMUNITY REGULATIONS BY WHICH ADDITIVES ARE CONTROLLED[1]

Commission Regulation (EC) No. 2316/98 concerning authorisation of new additives and amending the conditions for authorisation of a number of additives already authorised in feedingstuffs[2].

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Commission Regulation (EC) No. 256/2002 concerning the provisional authorisation of new additives, the prolongation of provisional authorisation of an additive and the permanent authorisation of an additive in feedingstuffs[9].

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[1] Mae rhai o'r Rheoliadau a restrir yn perthyn i gategoriau o ychwanegion sydd hefyd yn cynnwys ychwanegion sy'n cael eu rheoli gan y Gyfarwyddeb Ychwanegion, ac sydd felly yn cael eu rhestru yn y Rhan berthnasol o Rannau I i VIII o'r Tabl i'r Atodlen hon (e.e. mae'r cyffeithydd formic acid yn dod o dan Reoliad (EC) Rhif 1594/1999 (uchod), tra bod cyffeithyddion eraill yn dod o dan Ran VII o'r Tabl).

[1] Certain of the listed Regulations relate to categories of additive which also include additives controlled by the Additives Directive, and which are thus listed in the relevant Part of Parts I to VIII of the Table to this Schedule (e.g. the preservative formic acid is covered by Regulation (EC) No. 1594/1999 (above), whereas certain other preservatives are covered by Part VII of the Table).

[2] OJ Rhif L289, 28.10.98, tud.4.

[3] OJ Rhif L188, 21.7.1999, tud.35.

[4] OJ Rhif L297, 18.11.1999, tud.8. Disodlwyd yr Atodiad i'r Rheoliad hwn gan yr Atodiad i Reoliad (EC) Rhif 739/2000 (OJ Rhif L87, 8.4.2000, tud.14).

[5] OJ Rhif L155, 28.6.2000, tud.15.

[6] OJ Rhif L280, 4.11.2000, tud.28.

[7] OJ Rhif L272, 13.10.2001, tud.24.

[8] OJ Rhif L299, 15.11.2001, tud.1.

[9] OJ Rhif L41, 13.2.2002, tud.6.

[2] OJ No. L289, 28.10.98, p.4.

[3] OJ No. L188, 21.7.1999, p.35.

[4] OJ No. L297, 18.11.1999, p.8. The Annex to this Regulation is now replaced by the Annex to Regulation (EC) No. 739/2000 (OJ No. L87, 8.4.2000, p.14).

[5] OJ No. L155, 28.6.2000, p.15.

[6] OJ No. L280, 4.11.2000, p.28.

[7] OJ No. L272, 13.10.2001, p.24.

[8] OJ No. L299, 15.11.2001, p.1.

[6] OJ No. L41, 13.2.2002, p.6."

ATODLEN 2

Rheoliad 8

DARPARIAETHAU SY'N CAEL EU HAMNEWID YN RHANNAU I A II O ATODLEN 7 I'R PRIF REOLIADAU

(1)	(2)	(3)
Dioxin (sum of polychlorinated dibenzo-para-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO - TEFs (toxic equivalency factors, 1997))	All feed materials of plant origin including vegetable oils and by-products	0.75 ng WHO-PCDD/F-TEQ/kg[(1)]
	Minerals	1.0 ng WHO-PCDD/F-TEQ/kg[(1)]
	Animal fat, including milk fat and egg fat	2.0 ng WHO-PCDD/F-TEQ/kg[(1)]
	Other land animal products including milk and milk products and eggs and egg products	0.75 ng WHO-PCDD/F-TEQ/kg[(1)]
	Fish oil	6 ng WHO-PCDD/F-TEQ/kg[(1)]
	Fish, other aquatic animals, their products and by-products with the exception of fish oil(2)	1.25 ng WHO-PCDD/F-TEQ/kg[(1)]
	Compound feedingstuffs, with the exception of feedingstuffs for fur animals, pet foods and feedingstuffs for fish	0.75 ng WHO-PCDD/F-TEQ/kg[(1)]
	Feedingstuffs for fish Pet foods	2.25 ng WHO-PCDD/F-TEQ/kg[(1)]
		Notes: (1) Upper-bound concentrations; upper-bound concentrations are calculated assuming that all values of the different congeners less than the limit of determination are equal to the limit of determination. (2) Fresh fish directly delivered and used without intermediate processing for the production of feedingstuffs for fur animals is exempted from the maximum limit. The products, processed animal proteins produced from these fur animals cannot enter the food chain and the feeding thereof is prohibited to farmed animals which are kept, fattened or bred for the production of food.

SCHEDULE 2

Regulation 8

PROVISIONS SUBSTITUTED IN PARTS I AND II OF SCHEDULE 7 TO THE PRINCIPAL REGULATIONS

(1)	(2)	(3)
Dioxin (sum of polychlorinated dibenzo-para-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO - TEFs (toxic equivalency factors, 1997))	All feed materials of plant origin including vegetable oils and by-products	0.75 ng WHO-PCDD/F-TEQ/kg[1]
	Minerals	1.0 ng WHO-PCDD/F-TEQ/kg[1]
	Animal fat, including milk fat and egg fat	2.0 ng WHO-PCDD/F-TEQ/kg[1]
	Other land animal products including milk and milk products and eggs and egg products	0.75 ng WHO-PCDD/F-TEQ/kg[1]
	Fish oil	6 ng WHO-PCDD/F-TEQ/kg[1]
	Fish, other aquatic animals, their products and by-products with the exception of fish oil(2)	1.25 ng WHO-PCDD/F-TEQ/kg[1]
	Compound feedingstuffs, with the exception of feedingstuffs for fur animals, pet foods and feedingstuffs for fish	0.75 ng WHO-PCDD/F-TEQ/kg[1]
	Feedingstuffs for fish Pet foods	2.25 ng WHO-PCDD/F-TEQ/kg[1]
		Notes: (1) Upper-bound concentrations; upper-bound concentrations are calculated assuming that all values of the different congeners less than the limit of determination are equal to the limit of determination. (2) Fresh fish directly delivered and used without intermediate processing for the production of feedingstuffs for fur animals is exempted from the maximum limit. The products, processed animal proteins produced from these fur animals cannot enter the food chain and the feeding thereof is prohibited to farmed animals which are kept, fattened or bred for the production of food.

ATODLEN 3

Rheoliad 10

DARPARIAETHAU SY'N CAEL EU HAMNEWID YN ATODLEN 9 I'R PRIF REOLIADAU

2	3	4	5	6
High quality protein, moderate level of protein, high level of essential fatty acids and high level of highly digestive carbohyrates	Dogs	- Protein source(s) - Content of essential fatty acids - Highly digestible carbohydrates including their treatment if appropriate - Sodium - Total copper	Initially up to 6 months	Indicate on the package, container or label: "It is recommended that a veterinarian's opinion be sought before use or before extending the period of use" Indicate in the instructions for use: "Water should be available at all times"
High quality protein, moderate level of protein and high level of essential fatty acids	Cats	- Protein source(s) - Content of essential fatty acids - Sodium - Total copper	Initially up to 6 months	Indicate on the package, container or label: "It is recommended that a veterinarian's opinion be sought before use or before extending the period of use " Indicate in the instructions for use: "Water should be available at all times”

SCHEDULE 3

Regulation 10

PROVISIONS SUBSTITUTED IN SCHEDULE 9 TO THE PRINCIPAL REGULATIONS

2	3	4	5	6
High quality protein, moderate level of protein, high level of essential fatty acids and high level of highly digestive carbohydrates	Dogs	- Protein source(s) - Content of essential fatty acids - Highly digestible carbohydrates including their treatment if appropriate - Sodium - Total copper	Initially up to 6 months	Indicate on the package, container or label: "It is recommended that a veterinarian's opinion be sought before use or before extending the period of use" Indicate in the instructions for use: "Water should be available at all times"
High quality protein, moderate level of protein and high level of essential fatty acids	Cats	- Protein source(s) - Content of essential fatty acids - Sodium - Total copper	Initially up to 6 months	Indicate on the package, container or label: "It is recommended that a veterinarian's opinion be sought before use or before extending the period of use " Indicate in the instructions for use: "Water should be available at all times”

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