CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2006 Rhif 1293 (Cy.127)

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

Rheoliadau Sgil-gynhyrchion Anifeiliaid (Cymru) 2006

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn, sy'n gymwys o ran Cymru, yn dirymu ac yn ail-wneud Rheoliadau Sgil-gynhyrchion Anifeiliaid 2003, y gwnaed darpariaeth ganddynt yng Nghymru ar gyfer gweinyddu a gorfodi Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor sy'n gosod rheolau iechyd ynghylch sgil-gynhyrchion anifeiliaid na fwriedir i bobl eu bwyta (OJ Rhif L273, 10.10.2002, t.1) ("Rheoliad y Gymuned").

Maent yn gorfodi offerynnau Cymunedol ychwanegol. Mae'r offerynnau hyn yn atodol i Reoliad y Cyngor ac yn ei ddiwygio ymhellach ac yn gwneud mesurau trosiannol pellach.

Mae'r Rheoliadau hefyd yn dileu mesurau darpariaethol Cymunedol sydd bellach wedi dod i ben.

At hyn, i'r graddau y maent yn gymwys o ran Cymru, mae'r Rheoliadau'n diddymu'r darpariaethau hynny sy'n ymwneud â iardiau nacer yn Neddf Lladd-dai 1974 gan fod iardiau nacer yn cael eu rheoleiddio bellach o dan y Rheoliadau hyn.

I'r graddau y mae'r adran yn gymwys o ran Cymru, maent yn diddymu adran 6 o Ddeddf Cŵn 1906 a oedd yn ymwneud â gadael carcasau yn y fath fodd fel y gallai cŵn gael mynediad atynt, ac yn rhoi yn ei lle ddarpariaeth yn rheoliad 11 sy'n rheoleiddio mynediad pob anifail at sgil-gynhyrchion anifeiliaid.

Maent hefyd yn dirymu Gorchymyn Rendro (Trin Hylif) (Cymru) 2001 ac yn rhoi Atodlen 2 i'r Rheoliadau hyn yn ei le.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2006 No. 1293 (W.127)

ANIMALS, WALES

ANIMAL HEALTH

The Animal By-Products (Wales) Regulations 2006

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, revoke and re-make the Animal By-Products Regulations 2003, which made provision in Wales for the administration and enforcement of Regulation (EC) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption (OJ No. L273, 10.10.2002, p1.) ("the Community Regulation").

They enforce additional Community instruments These instruments supplement and further amend the Community Regulation and make further transitional measures.

The Regulations also remove Community transitional measures that are now spent.

In addition, the Regulations repeal those provisions of the Slaughterhouses Act 1974 relating to knackers' yards in so far as they apply in Wales, as knackers' yards are now regulated under these Regulations.

They repeal section 6 of the Dogs Act 1906 in so far as it applies in Wales, which related to leaving carcases in such a way that dogs could gain access to them, and replace it with a provision in regulation 11 regulating access of all animals to animal by-products.

They also revoke the Rendering (Fluid Treatment) (Wales) Order 2001 and replace it with Schedule 2 to these Regulations.

Dyma'r offerynnau trosiannol sy'n diwygio-

(a) Rheoliad y Comisiwn (EC) Rhif 808/2003 sy'n diwygio Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cygnor sy'n gosod rheolau iechyd ynghylch sgil-gynhyrchion anifeiliaid na fwriedir i bobl eu bwyta(**1**);

(b) Rheoliad y Comisiwn (EC) Rhif 811/2003 sy'n gweithredu Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cygnor o ran gwahardd ailgylchu mewnrywogaethol ar gyfer pysgod, claddu a llosgi sgil-gynhyrchion anifeiliaid ac o ran mesurau trosiannol penodol(**2**);

(c) Rheoliad y Comisiwn (EC) Rhif 813/2003 ar fesurau trosiannol o dan Reoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cygnor o ran casglu, cludo a gwaredu cyn-fwydydd(**3**);

(ch) Penderfyniad y Comisiwn 2003/326/EC ar fesurau trosiannol o dan Reoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cygnor o ran gwahanu gweithfeydd oleocemegol Categori 2 a rhai Categori 3(**4**);

(d) Penderfyniad y Comisiwn 2004/407/EC ar reolau iechydol ac ardystio trosiannol o dan Reoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cygnor o ran mewnforio gelatin ffotograffig o drydydd gwledydd penodol(**5**);

(dd) Rheoliad y Comisiwn (EC) Rhif 668/2004 sy'n diwygio Atodiadau penodol i Reoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cygnor, o ran mewnforio sgil-gynhyrchion anifeiliaid o drydydd gwledydd(**6**);

(e) Rheoliad y Comisiwn (EC) Rhif 878/2004 sy'n gosod mesurau trosiannol yn unol â Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cygnor ar gyfer sgil-gynhyrchion anifeiliaid penodol a ddosberthir yn ddeunyddiau Categori 1 a Chategori 2 ac a fwriedir at ddibenion technegol (**7**);

(**1**) OJ Rhif L117, 13.5.2003, t.1.

(**2**) OJ Rhif L117, 13.5.2003, t.14.

(**3**) OJ Rhif L117, 13.5.2003, t.22.

(**4**) OJ Rhif L117,13.5.2003, t.24.

(**5**) OJ Rhif L151, 30.4.2004, t.11 fel y'i cywirwyd gan Gorigendwm a gyhoeddwyd yn y Cylchgrawn Swyddogol yn OJ Rhif L208, 10.6.2004, t.9 ac fel y'i cywirwyd ymhellach gan Gorigendwm a gyhoeddwyd yn y Cylchgrawn Swyddogol yn OJ Rhif L396, 31.12.2004, t.63.

(**6**) OJ Rhif L112, 19.4.2004, t.1.

(**7**) OJ Rhif L162, 30.4.2004, t.62.

The amending and transitional instruments are-

(a) Commission Regulation (EC) No. 808/2003 amending Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption (**1**);

(b) Commission Regulation (EC) No. 811/2003 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures(**2**);

(c) Commission Regulation (EC) No. 813/2003 on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the collection, transport and disposal of former foodstuffs(**3**);

(d) Commission Decision 2003/326/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the separation of Category 2 and Category 3 oleochemical plants(**4**);

(e) Commission Decision 2004/407/EC on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards import from certain third countries of photographic gelatine(**5**);

(f) Commission Regulation (EC) No 668/2004 amending certain Annexes to Regulation (EC) No 1774/2002 of the European Parliament and of the Council, as regards the importation from third countries of animal by-products(**6**);

(g) Commission Regulation (EC) No. 878/2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes(**7**);

(**1**) OJ No. L117, 13.5.2003, p. 1.

(**2**) OJ No. L117, 13.5.2003, p. 14.

(**3**) OJ No. L117, 13.5.2003, p. 22.

(**4**) OJ No. L117, 13.5.2003, p. 42.

(**5**) OJ No. L 151,30.4.2004, p. 11 as corrected by a Corrigendum published in the Official Journal at OJ No. L208, 10.6.2004, p. 9 and as further corrected by a Corrigendum published in the Official Journal at OJ No. L 396, 31.12.2004, p. 63.

(**6**) OJ No. L112, 19.4.2004, p.1.

(**7**) OJ No. L162, 30.4.2004, p. 62.

(f) Rheoliad y Comisiwn (EC) Rhif 79/2005 sy'n gweithredu Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran defnyddio llaeth, cynhyrchion ar sail llaeth a chynhyrchion sy'n deillio o laeth, ac a ddiffinnir fel deunydd Categori 3 yn y Rheoliad hwnnw(**1**);

(ff) Rheoliad y Comisiwn (EC) Rhif 92/2005 sy'n gweithredu Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran y modd y gwaredir neu y defnyddir sgil-gynhyrchion anifeiliaid, ac sy'n diwygio Atodiad VI y Rheoliad o ran trawsffurfio bio-nwy a phrosesu brasderau a rendrwyd(**2**);

(g) Rheoliad y Comisiwn (EC) Rhif 93/2005 sy'n diwygio Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran prosesu sgil-gynhyrchion anifeiliaid sy'n dod o bysgod a dogfennau masnachol ar gyfer cludo sgil-gynhyrchion anifeiliaid(**3**).

Gwneir darpariaeth yng Nghymru ar gyfer gweinyddu a gorfodi mesurau yn Rheoliad y Gymuned o ran mewnforio, allforio a masnachu rhwng Aelod-wladwriaethau gan offerynnau ar wahân.

Mae'r Rheoliadau'n darparu fel a ganlyn.

Mae categoreiddio, casglu, cludo, gwaredu, storio, prosesu neu ddefnyddio deunydd Categori 1, Categori 2 neu Gategori 3 ac eithrio yn unol â Rheoliad y Gymuned (rheoliadau 4, 5 a 6) yn dramgwydd penodol. Mae cymysgedd o sgil-gynhyrchion mamalaidd ac anfamalaidd i'w trin fel pe baent yn sgil-gynhyrchion mamalaidd (rheoliad 7).

Mae casglu, cludo, adnabod neu storio sgil-gynhyrchion anifeiliaid ac eithrio yn unol â Rheoliad y Gymuned (rheoliad 8) yn dramgwydd penodol.

Mae rheoliadau 9 a 10 yn gorfodi'r cyfyngiadau a geir yn Erthygl 22 o Reoliad y Gymuned ar roi yn fwyd wastraff arlwyo a phrotein anifail wedi'i brosesu. At hyn, mae rheoliad 9 yn gwahardd rhoi yn fwyd i anifeiliaid a ffermir sgil-gynhyrchion anifeiliaid eraill heb eu prosesu.

Mae rheoliad 11 yn cyfyngu ar fynediad at wastraff arlwyo a sgil-gynhyrchion anifeiliaid eraill.

Mae rheoliad 12 yn gorfodi'r cyfyngiadau yn Erthygl 22 o Reoliad y Gymuned ar roi gwrtaith organig ar dir pori.

(**1**) OJ Rhif L16, 20.1.2005, t.46.

(**2**) OJ Rhif L19, 21.1.2005, t.27.

(**3**) OJ Rhif L19, 21.1.2005, t.34.

(h) Commission Regulation (EC) No. 79/2005 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation(**1**).

(i) Commission Regulation (EC) No. 92/2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats(**2**);

(j) Commission Regulation (EC) No. 93/2005 amending Regulation (EC) No 1774/2002 of the European Parliament and the Council as regards processing of animal by-products of fish origin and commercial documents for the transportation of animal by-products(**3**).

Provision in Wales for the administration and enforcement of measures in the Community Regulation in relation to import, export and trade between Member States is made by separate instruments.

The Regulations provide as follows.

It is a specific offence to categorise, collect, transport, dispose, store, process or use, category 1, category 2 or category 3 material other than in accordance with the Community Regulation (regulations 4, 5 and 6). A mixture of mammalian and non-mammalian by-products are to be treated as mammalian by-products (regulation 7).

It is a specific offence to collect, transport, identify or store animal by-products other than in accordance with the Community Regulation (regulation 8).

Regulations 9 and 10 enforce the restrictions on the feeding of catering waste and processed animal protein in Article 22 of the Community Regulation. Additionally regulation 9 prohibits the feeding to farmed animals of other unprocessed animal by-products.

Regulation 11 restricts access to catering waste and other animal by-products.

Regulation 12 enforces the restrictions in Article 22 of the Community Regulation on the application of organic fertiliser to pasture land.

(**1**) OJ No. L16, 20.1.2005, p.46.

(**2**) OJ No. L19, 21.1.2005, p.27.

(**3**) OJ No. L19, 21.1.2005, p.34.

Mae rheoliadau 13 i 15 yn darparu ar gyfer cymeradwyo mangreoedd ar gyfer y gwahanol ddulliau o drin sgil-gynhyrchion anifeiliaid. Mae Rheoliad 16 yn darparu nad oes angen cymeradwyaeth ar gyfer compostio mewn mangre y tarddodd y deunydd a gaiff ei gompostio ohoni os cydymffurfir ag amodau'r rheoliad hwnnw.

Mae rheoliadau 17 i 21 yn darparu ar gyfer gwiriadau mewn gweithfeydd, wrth samplu ac mewn labordai a gymeradwywyd.

Mae rheoliadau 22 i 24 yn rheoleiddio rhoi ar y farchnad gynhyrchion amrywiol sy'n deillio o sgil-gynhyrchion anifeiliaid.

Mae rheoliadau 25 i 27 yn darparu rhanddirymiadau sy'n ymwneud â defnyddio sgil-gynhyrchion anifeiliaid ar gyfer tacsidermi ac i'w rhoi'n fwyd i rai anifeiliaid penodedig. Mae Rheoliad 28 yn caniatáu claddu anifeiliaid anwes.

Mae rheoliad 29 yn caniatáu claddu a llosgi mewn ardaloedd pellennig, a ddiffinnir fel Ynys Enlli ac Ynys Bur. Mae rheoliadau 30 a 31 yn darparu ar gyfer claddu neu losgi yn achos brigiad clefyd neu ar gyfer llosgi a chladdu gwenyn a chynhyrchion gwenyna.

Mae rheoliadau 32 i 39 yn darparu ar gyfer cadw cofnodion.

Mae rheoliadau 40 i 42 yn darparu ar gyfer ceisiadau am gymeradwyaethau, awdurdodiadau a chofrestriadau, am eu hatal neu eu dirymu ac am sylwadau yn erbyn hysbysiad i'w diwygio, i'w hatal neu i'w dirymu.

O dan reoliadau 43 i 45 gall arolygydd gyflwyno hysbysiad yn ei gwneud yn ofynnol gwaredu sgil-gynnyrch anifeiliaid neu wastraff arlwyo ac yn ei gwneud yn ofynnol glanhau a diheintio unrhyw gerbyd, cynhwysydd neu fangre. Rhaid cydymffurfio ag unrhyw hysbysiad a gyflwynir o dan y Rheoliadau hyn a hynny ar draul y person y cyflwynir yr hysbysiad iddo.

Mae rheoliadau 46 a 47 yn darparu pwerau mynediad a thramgwydd o rwystro arolygydd.

Gorfodir y Rheoliadau gan yr awdurdod lleol ac eithrio mewn mangreoedd penodol (rheoliad 49).

Mae rheoliadau 50 i 52 yn darparu ar gyfer mesurau trosiannol i gynhyrchion technegol, cynhyrchion ffotograffig o gelatin a llaeth (nad oes iddynt ddyddiad dod i ben).

Mae Atodlen 1 yn gwneud darpariaeth ar gyfer gweithfeydd bio-nwy a chompostio.

Mae Atodlen 2 yn gwneud darpariaeth ar gyfer gwaredu hylif o rendro sgil-gynhyrchion anifeiliaid sy'n cnoi cil.

Mae Atodlen 3 yn darparu ar gyfer dulliau profi.

Regulations 13 to 15 provide for the approval of premises for the different types of treatment of animal by-products. Regulation 16 provides that composting on premises where the composted material originated does not need approval if the conditions of that regulation are complied with.

Regulations 17 to 21 provide for checks at plants, sampling and approved laboratories.

Regulations 22 to 24 regulate the placing on the market of various products derived from animal by-products.

Regulations 25 to 27 provide derogations relating to the use of animal by-products for taxidermy and feeding certain specified animals. Regulation 28 permits the burial of pet animals.

Regulation 29 permits burial and burning in remote areas, which are defined as Bardsey Island and Caldy Island. Regulations 30 and 31 provide for burial or burning in the event of a disease outbreak and for burning and burial of bees and apiculture products.

Regulations 32 to 39 provide for record keeping.

Regulations 40 to 42 provide for applications for approvals, authorisations and registrations, their suspension or revocation and for representations against a notice to amend, suspend or revoke them.

Under Regulations 43 to 45 an inspector can serve a notice requiring the disposal of animal by-product or catering waste and requiring cleansing and disinfection of any vehicle, container or premises. Any notice served under these Regulations must be complied with at the expense of the person on whom the notice is served.

Regulations 46 and 47 provide powers of entry and an offence of obstructing an inspector.

The Regulations are enforced by the local authority except in specified premises (regulation 49).

Regulations 50 to 52 provide for transitional measures for technical products, photographic products from gelatine and milk (which do not have an expiry date).

Schedule 1 makes provision for biogas and composting plants.

Schedule 2 makes provision for the disposal of fluid from rendering ruminant animal by-products.

Schedule 3 provides for testing methods.

Mae Atodlen 4 yn cynnwys darpariaethau trosiannol sy'n ymwneud â gwaredu cyn-fwydydd ac â gweithfeydd oleocemegol (y mae iddynt ddyddiad dod i ben).

Mae torri'r Rheoliadau yn dramgwydd sy'n dwyn cosb ar gollfarn ddiannod o ddirwy hyd at yr uchafswm statudol neu gyfnod o dri mis yn y carchar. O gollfarnu ar dditiad, dirwy heb derfyn neu dymor o ddwy flynedd yn y carchar yw'r gosb (rheoliad 48).

Mae Arfarniad Rheoliadol wedi'i baratoi. Gellir cael copïau o Swyddfa'r Prif Swyddog Milfeddygol, Llywodraeth Cynulliad Cymru, Parc Cathays, Caerdydd CF10 3NQ.

Schedule 4 contains transitional provisions relating to the disposal of former foodstuffs and to oloechemical plants (which do have an expiry date).

Breach of the Regulations is an offence punishable on summary conviction to a fine up to the statutory maximum or three months imprisonment. On indictment the penalty is an unlimited fine or two years imprisonment (regulation 48).

A Regulatory Appraisal has been prepared. Copies can be obtained from the Office of the Chief Veterinary Officer, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

OFFERYNNAU STATUDOL

2006 Rhif 1293 (Cy.127)

ANIFEILIAID, CYMRU

IECHYD ANIFEILIAID

Rheoliadau Sgil-gynhyrchion Anifeiliaid (Cymru) 2006

Wedi'u gwneud	*10 Mai 2006*
Yn dod i rym	*12 Mai 2006*

TREFN Y RHEOLIADAU

RHAN 1

Cyflwyniad

1. Enwi, cymhwyso a chychwyn
2. Dehongli
3. Cymeradwyaethau, etc.

RHAN 2

Casglu, cludo, storio, trafod, prosesu a gwaredu sgil-gynhyrchion anifeiliaid

4. Deunydd Categori 1
5. Deunydd Categori 2
6. Deunydd Categori 3
7. Cymysgu sgil-gynhyrchion mamalaidd ac anfamalaidd
8. Casglu, cludo a storio

RHAN 3

Cyfyngiadau ar fynediad at sgil-gynhyrchion anifeiliaid ac ar eu defnyddio

9. Cyfyngiadau ar roi gwastraff arlwyo a sgil-gynhyrchion eraill yn fwyd
10. Ailgylchu mewnrywogaethol

STATUTORY INSTRUMENTS

2006 No. 1293 (W.127)

ANIMALS, WALES

ANIMAL HEALTH

The Animal By-Products (Wales) Regulations 2006

Made	*10 May 2006*
Coming into force	*12 May 2006*

ARRANGEMENT OF REGULATIONS

PART 1

Introduction

1. Title, application and commencement
2. Interpretation
3. Approvals. etc.

PART 2

Collection, transportation, storage, handling, processing and disposal of animal by-products

4. Category 1 material
5. Category 2 material
6. Category 3 material
7. Mixing mammalian and non-mammalian by-products
8. Collection, transportation and storage

PART 3

Restrictions on access to animal by-products and their use

9. Restrictions on feeding catering waste and other animal by-products
10. Intra-species recycling

11. Mynediad at wastraff arlwyo a sgil-gynhyrchion anifeiliaid eraill

12. Tir pori

RHAN 4

Mangreoedd a gymeradwywyd ac awdurdodau cymwys

13. Yr awdurdod cymwys

14. Cymeradwyo mangreoedd

15. Gweithfeydd bio-nwy a gweithfeydd compostio

16. Compostio gwastraff arlwyo yn y fangre y mae'n tarddu ohoni

17. Hunanwiriadau gweithfeydd prosesu a gweithfeydd hanner-ffordd

18. Samplu mewn gweithfeydd prosesu

19. Samplu mewn gweithfeydd bio-nwy a gweithfeydd compostio

20. Samplau a anfonwyd i labordai

21. Labordai

RHAN 5

Rhoi ar y farchnad sgil-gynhyrchion anifeiliaid a chynhyrchion wedi'u prosesu

22. Rhoi ar y farchnad brotein anifeiliaid wedi'i brosesu a chynhyrchion eraill wedi'u prosesu y gellid eu defnyddio yn ddeunydd bwyd anifeiliaid

23. Rhoi ar y farchnad fwyd i anifeiliaid anwes, bwyd cnoi i gwn a chynhyrchion technegol

24. Rhoi ar y farchnad gompost neu weddillion traul i'w ddefnyddio neu i'w defnyddio ar dir amaethyddol

RHAN 6

Rhanddirymiadau

25. Yr awdurdod cymwys ar gyfer Pennod V o Reoliad y Cyngor

26. Rhanddirymiadau'n ymwneud â defnyddio sgil-gynhyrchion anifeiliaid

27. Canolfannau casglu

28. Claddu anifeiliaid anwes

29. Ardaloedd pellennig

30. Claddu yn achos brigiad clefyd

11. Access to catering waste and other animal by-products

12. Pasture land

PART 4

Approved premises and the competent authority

13. The competent authority

14. Approval of premises

15. Biogas and composting plants

16. Composting catering waste on the premises on which it originates

17. Processing and intermediate plants' own checks

18. Sampling at processing plants

19. Sampling at biogas and composting plants

20. Samples sent to laboratories

21. Laboratories

PART 5

Placing animal by-products and processed products on the market

22. Placing on the market of processed animal protein and other processed products that could be used as feed material

23. Placing on the market of petfood, dogchews and technical products

24. Placing on the market of compost or digestion residues for use on agricultural land

PART 6

Derogations

25. Competent authority for Chapter V of the Community Regulation

26. Derogations regarding the use of animal by-products

27. Collection centres

28. Burial of pet animals

29. Remote areas

30. Burial in the event of a disease outbreak

31. Llosgi a chladdu gwenyn a chynhyrchion gwenyna

RHAN 7

Cofnodion

32. Cofnodion

33. Cofnodion ar gyfer traddodi, cludo neu dderbyn sgil-gynhyrchion anifeiliaid

34. Cofnodion ar gyfer claddu neu losgi sgil-gynhyrchion anifeiliaid

35. Cofnodion ar gyfer gwaredu neu ddefnyddio yn y fangre

36. Cofnodion traddodi i'w cadw gan weithredwyr gweithfeydd bio-nwy a gweithfeydd compostio

37. Cofnodion triniaeth ar gyfer gweithfeydd bio-nwy a gweithfeydd compostio

38. Cofnodion ar gyfer labordai a gymeradwywyd

39. Cofnodion i'w cadw ar gyfer traddodi compost neu weddillion traul

RHAN 8

Gweinyddu a gorfodi

40. Rhoi cymeradwyaethau, etc.

41. Atal, diwygio a dirymu cymeradwyaethau, etc

42. Cyflwyno sylwadau i berson a benodwyd

43. Hysbysiad yn ei gwneud yn ofynnol gwaredu sgil-gynhyrchion anifeiliaid neu wastraff arlwyo

44. Glanhau a diheintio

45. Cydymffurfio â hysbysiadau

46. Pwerau mynediad

47. Rhwystro

48. Cosbau

49. Gorfodi

50. Mesurau trosiannol: cynhyrchion technegol

51. Mesurau trosiannol: cynhyrchion ffotograffig yn dod o gelatin

52. Mesurau trosiannol: llaeth

53. Mesurau trosiannol a dyddiadau dod i ben

54. Diddymu a dirymu

31. Burning and burial of bees and apiculture products

PART 7

Records

32. Records

33. Records for consigning, transporting or receiving animal by-products

34. Records for burying or burning of animal by-products

35. Records for disposal or use on premises

36. Delivery records to be kept by operators of biogas and composting plants

37. Treatment records for biogas and composting plants

38. Records for approved laboratories

39. Records to be kept for consignments of compost or digestion residue

PART 8

Administration and enforcement

40. Grant of approvals, etc.

41. Suspension, amendment and revocation of approvals, etc.

42. Representations to an appointed person

43. Notice requiring the disposal of animal by-products or catering waste

44. Cleansing and disinfection

45. Compliance with notices

46. Powers of entry

47. Obstruction

48. Penalties

49. Enforcement

50. Transitional measures: technical products

51. Transitional measures: photographic products from gelatine

52. Transitional measures: milk

53. Transitional measures with expiry dates

54. Repeals and revocation

ATODLEN 1

Gofynion ychwanegol ar gyfer gweithfeydd bio-nwy a gweithfeydd compostio

ATODLEN 2

Hylif yn deillio o anifeiliaid sy'n cnoi cil

ATODLEN 3

Dulliau profi

ATODLEN 4

Mesurau Trosiannol

Mae Cynulliad Cenedlaethol Cymru, ac yntau wedi'i ddynodi(**1**) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(**2**) mewn perthynas â mesurau yn y meysydd milfeddygol i ddiogelu iechyd y cyhoedd, drwy arfer y pwerau a roddwyd iddo gan yr adran honno, yn gwneud y Rheoliadau canlynol-

RHAN 1

Cyflwyniad

Teitl, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Sgil-gynhyrchion Anifeiliaid (Cymru) 2006; maent yn gymwys i Gymru ac yn dod i rym ar 12 Mai 2006.

Dehongli

2.-(1) Yn y Rheoliadau hyn-

ystyr "arolygydd" ("*inspector*") yw person a benodir gan y Cynulliad Cenedlaethol neu gan awdurdod lleol i fod yn arolygydd at ddibenion y Rheoliadau hyn;

ystyr "awdurdod lleol" ("*local authority*") mewn perthynas â sir neu fwrdeistref sirol yw cyngor y sir neu'r fwrdeistref sirol honno;

ystyr "Cynulliad Cenedlaethol" ("*National Assembly*") ym Cynulliad Cenedlaethol Cymru;

ystyr "Rheoliad y Gymuned" ("*the Community Regulation*") yw Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor sy'n gosod rheolau iechyd ynghylch sgil-gynhyrchion anifeiliaid na fwriedir i bobl eu bwyta(**3**) fel y'i diwygiwyd gan y canlynol ac fel y'i darllenir gyda hwy-

(**1**) O.S. 2003/1246.

(**2**) 1972 p.68.

(**3**) OJ Rhif L273, 10.10.2002, t.1.

SCHEDULE 1

Additional requirements for biogas and composting plants

SCHEDULE 2

Ruminant derived fluid

SCHEDULE 3

Testing Methods

SCHEDULE 4

Transitional Measures

The National Assembly for Wales, being designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to measures in the veterinary fields for the protection of public health, in exercise of the powers conferred on it by that section, makes the following Regulations-

PART 1

Introduction

Title, application and commencement

1. The name of these Regulations is the Animal By-Products (Wales) Regulations 2006; they apply in relation to Wales and come into force on 12 May 2006.

Interpretation

2.-(1) In these Regulations-

"the Community Regulation" ("*Rheoliad y Gymuned*") means Regulation (EC) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption(**3**) as amended by and as read with-

(a) Commission Regulation (EC) No. 808/2003 amending Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption(**4**);

(b) Commission Regulation (EC) No. 811/2003 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for

(**1**) S.I. 2003/1346.

(**2**) 1972 c. 68.

(**3**) OJ No. L273, 10.10.2002, p.1.

(**4**) OJ No. L117, 13.5.2003, p.1.

(a) Rheoliad y Comisiwn (EC) Rhif 808/2003 sy'n diwygio Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor sy'n gosod rheolau iechyd ynghylch sgil-gynhyrchion anifeiliaid na fwriedir i bobl eu bwyta(**1**);

(b) Rheoliad y Comisiwn (EC) Rhif 811/2003 sy'n gweithredu Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran gwahardd ailgylchu mewnrywogaethol ar gyfer pysgod, claddu a llosgi sgil-gynhyrchion anifeiliaid a mesurau trosiannol penodol(**2**);

(c) Rheoliad y Comisiwn (EC) Rhif 813/2003 ar fesurau trosiannol o dan Reoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran casglu, cludo a gwaredu cyn-fwydydd(**3**);

(ch) Penderfyniad y Comisiwn 2003/326/EC ar fesurau trosiannol o dan Reoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran gwahanu gweithfeydd oleocemegol Categori 2 a Chategori 3(**4**);

(d) Penderfyniad y Comisiwn 2004/407/EC ar reolau iechydol ac ardystio trosiannol o dan Reoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran mewnforio gelatin ffotograffig o drydydd gwledydd penodol(**5**);

(dd) Rheoliad y Comisiwn (EC) Rhif 668/2004 sy'n diwygio Atodiadau penodol i Reoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor, o ran mewnforio sgil-gynhyrchion anifeiliaid o drydydd gwledydd (**6**);

(e) Rheoliad y Comisiwn (EC) Rhif 878/2004 sy'n gosod mesurau trosiannol yn unol â Rheoliad (EC) Rhif 1774/2002 ar gyfer sgil-gynhyrchion anifeiliaid penodol a ddosberthir yn ddeunyddiau Categori 1 a 2 ac a fwriedir at ddibenion techchnegol(**7**);

(f) Rheoliad y Comisiwn (EC) Rhif 79/2005 sy'n gweithredu Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran defnyddio llaeth, cynhyrchion ar sail llaeth a chynhyrchion sy'n deillio o laeth a ddiffinnir fel deunydd Categori 3 yn y Rheoliad hwnnw(**8**).

(ff) Rheoliad y Comisiwn (EC) Rhif 92/2005 sy'n gweithredu Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran dulliau o waredu neu o ddefnyddio sgil-gynhyrchion

(**1**) OJ Rhif L117, 13.5.2003, t.1.

(**2**) OJ Rhif L117, 13.5.2003, t.14.

(**3**) OJ Rhif L117, 13.5.2003, t.22.

(**4**) OJ Rhif L117, 13.5.2003, t.24.

(**5**) OJ Rhif L117, 13.5.2003, t.42.

(**6**) OJ Rhif L151,30.4.2004, t.11 fel y'i cywirwyd gan Gorigendwm a gyhoeddwyd yn y Cylchgrawn Swyddogol yn OJ Rhif L208, 10.6.2004, t. 9 ac fel y'i cywirwyd ymhellach gan Gorigendwm a gyhoeddwyd yn y Cylchgrawn Swyddogol yn OJ Rhif L396, 31.12.2004, t.63.

(**7**) OJ Rhif L112, 19.4.2004, t.1.

(**8**) OJ Rhif L162, 30.4.2004, t 62.

fish, the burial and burning of animal by-products and certain transitional measures(**1**);

(c) Commission Regulation (EC) No. 813/2003 on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the collection, transport and disposal of former foodstuffs(**2**);

(d) Commission Decision 2003/326/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the separation of Category 2 and Category 3 oleochemical plants(**3**);

(e) Commission Decision 2004/407/EC on transitional sanitary and certification rules under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards import from certain third countries of photographic gelatine(**4**);

(f) Commission Regulation (EC) No. 668/2004 amending certain Annexes to Regulation (EC) No. 1774/2002 of the European Parliament and of the Council, as regards the importation from third countries of animal by-products(**5**);

(g) Commission Regulation (EC) No. 878/2004 laying down transitional measures in accordance with Regulation (EC) No. 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes(**6**);

(h) Commission Regulation (EC) No. 79/2005 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation(**7**).

(i) Commission Regulation (EC) No. 92/2005 implementing Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats(**8**);

(j) Commission Regulation (EC) No. 93/2005 amending Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards processing of animal by-products of

(**1**) OJ No. L117, 13.5.2003, p.14.

(**2**) OJ No. L117, 13.5.2003, p.22.

(**3**) OJ No. L117, 13.5.2003, p.42.

(**4**) OJ No. L 151,30.4.2004, p.11 as corrected by a Corrigendum published in the Official Journal at OJ No. L208, 10.6.2004, p. 9 and as further corrected by a Corrigendum published in the Official Journal at OJ No. L 396, 31.12.2004, p.63.

(**5**) OJ No. L112, 19.4.2004, p.1.

(**6**) OJ No. L162, 30.4.2004, p.62.

(**7**) OJ No. L16, 20.1.2005, p.46.

(**8**) OJ No. L19, 21.1.2005, p.27.

anifeiliaid ac sy'n diwygio Atodiad VI y Rheoliad o ran trawsnewid bio-nwy a phrosesu brasderau wedi'u rendro(**1**);

(g) Rheoliad y Comisiwn (EC) Rhif 93/2005 sy'n diwygio Rheoliad (EC) Rhif 1774/2002 Senedd Ewrop a'r Cyngor o ran prosesu sgil-gynhyrchion anifeiliaid sy'n dod o bysgod a dogfennau masnachol ar gyfer cludo sgil-gynhyrchion anifeiliaid(**2**);

(2) Y sgil-gynhyrchion anifeiliaid a geir yn Erthyglau 4, 5 a 6 o Reoliad y Gymuned yn y drefn honno yw'r deunydd Categori 1, y deunydd Categori 2 a'r deunydd Categori 3, ac mae i ymadroddion eraill a ddiffinnir yn Rheoliad y Gymuned yr un ystyr yn y Rheoliadau hyn.

Cymeradwyaethau, etc.

3. Rhaid i unrhyw gymeradwyaeth, awdurdodiad, cofrestriad, gyfarwyddyd hysbysiad neu gydnabyddiaeth a ddyroddir o dan y Rheoliadau hyn neu o dan Reoliad y Gymuned fod yn ysgrifenedig, a gallant fod yn ddarostyngedig i'r amodau sy'n angenrheidiol i

(a) sicrhau y cydymffurfir â darpariaethau Rheoliad y Gymuned a'r Rheoliadau hyn; a

(b) diogelu iechyd y cyhoedd ac iechyd anifeiliaid.

RHAN 2

Casglu, cludo, storio, trafod, prosesu a gwaredu sgil-gynhyrchion anifeiliaid

Deunydd Categori 1

4.-(1) Bydd unrhyw berson sy'n meddu ar unrhyw ddeunydd Categori 1 neu sydd â rheolaeth drosto ac sy'n methu cydymffurfio ag Erthygl 4(2) neu Erthygl 4(3) o Reoliad y Gymuned yn euog o dramgwydd.

(2) At ddibenion Erthygl 4(2)(b) o Reoliad y Gymuned caniateir prosesu'r deunydd drwy ddefnyddio unrhyw un neu rai o ddulliau prosesu 1 i 5.

(3) Ni fydd y rheoliad hwn yn gymwys o ran deunydd y cyfeirir ato yn Erthygl 4(1)(e) o Reoliad y Gymuned (gwastraff arlwyo o gyfrwng cludo sy'n gweithredu o'r tu allan i'r Gymuned).

(**1**) OJ Rhif L16, 20.1.2005, p.46.

(**2**) OJ Rhif L19, 21.1.2005, p.27.

(**3**) OJ Rhif L19, 21.1.2005, t.34.

fish origin and commercial documents for the transportation of animal by-products(**1**);

"inspector" ("*arolygydd*") means a person appointed by the National Assembly or a local authority to be an inspector for the purposes of these Regulations;

"local authority" ("*awdurdod lleol*") means in respect of a county or county borough the council of that county or county borough;

"the National Assembly ("*Cynulliad Cenedlaethol*") means the National Assembly for Wales.

(2) Category 1 material, Category 2 material and Category 3 material comprise the animal by-products set out in Articles 4, 5 and 6 respectively of the Community Regulation, and other expressions defined in the Community Regulation have the same meaning in these Regulations.

Approvals, etc.

3. Any approval, authorisation, registration, instruction, notice or recognition issued under these Regulations or the Community Regulation must be in writing, and may be made subject to such conditions as are necessary to-

(a) ensure that the provisions of the Community Regulation and these Regulations are complied with; or

(b) protect public and animal health.

PART 2

Collection, transportation, storage, handling, processing and disposal of animal by-products

Category 1 material

4.-(1) Any person who possesses or has control over any Category 1 material and who fails to comply with Article 4(2) or Article 4(3) of the Community Regulation is guilty of an offence.

(2) For the purposes of Article 4(2)(b) of the Community Regulation the material may be processed using any of the processing methods 1 to 5.

(3) This regulation does not apply in relation to material referred to in Article 4(1)(e) of the Community Regulation (catering waste from means of transport operating from outside the Community).

(**1**) OJ No. L19, 21.1.2005, p.34.

Deunydd Categori 2

5.-(1) Bydd unrhyw berson sy'n meddu ar unrhyw ddeunydd Categori 2 neu sydd â rheolaeth drosto ac sy'n methu cydymffurfio ag Erthygl 5(2), Erthygl 5(3) neu Erthygl 5(4) (ac eithrio'r ddarpariaeth yn Erthygl 5(4) sy'n ymwneud ag allforio) o Reoliad y Gymuned yn euog o dramgwydd.

(2) At ddibenion Erthygl 5(2)(b) o Reoliad y Gymuned caniateir prosesu'r deunydd drwy ddefnyddio unrhyw un neu rai o ddulliau prosesu 1 i 5.

(3) At ddibenion Erthygl 5(2)(e) o Reoliad y Gymuned caniateir rhoi ar dir y sgil-gynhyrchion anifeiliaid a bennir yn yr is-baragraff hwnnw ar yr amod nad yw'r Cynulliad Cenedlaethol wedi gosod unrhyw gyfyngiadau sy'n ymwneud ag iechyd anifeiliaid mewn perthynas â'r sgil-gynhyrchion hynny.

Deunydd Categori 3

6. Bydd unrhyw berson sy'n meddu ar unrhyw ddeunydd Categori 3 neu sydd â rheolaeth drosto ac sy'n methu cydymffurfio ag Erthygl 6(2) neu Erthygl 6(3) o Reoliad y Gymuned yn euog o dramgwydd.

Cymysgu sgil-gynhyrchion mamalaidd ac anfamalaidd

7. Pan gymysgir sgil-gynhyrchion mamalaidd a sgil-gynhyrchion anfamalaidd, rhaid ystyried y cymysgedd yn sgil-gynhyrchion mamalaidd.

Casglu, cludo a storio

8.-(1) Bydd unrhyw berson sy'n methu cydymffurfio ag Erthygl 7(1), 7(2) neu 7(5) o Reoliad y Gymuned yn euog o dramgwydd.

(2) At ddibenion paragraff (1), os bydd gwahanol gategorïau o sgil-gynhyrchion anifeiliaid yn cael eu cludo mewn un cerbyd ond mewn gwahanol gynwysyddion neu adrannau, ac os na ellir gwarantu y bydd y gwahanol fathau o sgil-gynhyrchion yn hollol ar wahân, rhaid trin y sgil-gynhyrchion sy'n cael eu cludo yn unol â'r gofynion ar gyfer y sgil-gynhyrchion uchaf eu risg sy'n cael eu cludo.

(3) Yn unol ag Erthygl 7(6) o'r Rheoliad hwnnw, ni fydd darpariaethau Erthygl 7 yn gymwys i wrtaith sy'n cael ei gludo o fewn y Deyrnas Unedig.

(4) Yn unol â pharagraff 1 o Bennod X o Atodiad II i Reoliad y Gymuned, caniateir i ddogfen fasnachol sy'n cynnwys yr wybodaeth ym Mhennod III o Atodiad II i Reoliad y Gymuned, ni waeth beth fyddo'i fformat, fynd gyda sgil-gynhyrchion anifeiliaid a gludir o fewn y Deyrnas Unedig.

Category 2 material

5.-(1) Any person who possesses or has control over any Category 2 material and who fails to comply with Article 5(2), Article 5(3) or Article 5(4) (other than the provision in Article 5(4) relating to export) of the Community Regulation is guilty of an offence.

(2) For the purposes of Article 5(2)(b) of the Community Regulation the material may be processed using any of the processing methods 1 to 5.

(3) For the purposes of Article 5(2)(e) of the Community Regulation the animal by-products specified in that paragraph may be applied to land provided that the National Assembly has not imposed any restrictions relating to animal health in relation to those by-products.

Category 3 material

6. Any person who possesses or has control over any Category 3 material and who fails to comply with Article 6(2) or Article 6(3) of the Community Regulation is guilty of an offence.

Mixing mammalian and non-mammalian by-products

7. Where mammalian by-products and non-mammalian by-products are mixed the mixture must be regarded as mammalian by-products.

Collection, transportation and storage

8.-(1) Any person who fails to comply with Article 7(1), 7(2) or 7(5) of the Community Regulation is guilty of an offence.

(2) For the purposes of paragraph (1), if different categories of animal by-products are transported on one vehicle but in different containers or compartments, and complete separation of the different kinds of by-products cannot be guaranteed, the by-products transported must be treated as the highest risk category of the by-products transported.

(3) In accordance with Article 7(6) of that Regulation, the provisions of Article 7 do not apply in relation to manure transported within the United Kingdom.

(4) In accordance with Annex II, Chapter X, paragraph 1 to the Community Regulation, animal by-products transported within the United Kingdom may be accompanied by any commercial document that contains the information in Annex II, Chapter III to the Community Regulation, irrespective of the format.

RHAN 3

Cyfyngiadau ar fynediad at sgil-gynhyrchion anifeiliaid ac ar eu defnyddio

Cyfyngiadau ar roi gwastraff arlwyo a sgil-gynhyrchion anifeiliaid eraill yn fwyd

9.-(1) Mae mynd yn groes i Erthygl 22(1)(b) o Reoliad y Gymuned (sy'n gwahardd rhoi gwastraff arlwyo neu ddeunyddiau bwyd anifeiliaid sy'n cynnwys gwastraff arlwyo neu sy'n deillio ohono yn fwyd i anifeiliaid a ffermir) yn dramgwydd ac mae rhoi'r cyfryw ddeunyddiau'n fwyd i unrhyw anifail arall sy'n cnoi cil, i fochyn neu i aderyn hefyd yn dramgwydd.

(2) Mae rhoi unrhyw sgil-gynnyrch anifeiliaid arall ac eithrio'r canlynol yn fwyd i unrhyw anifail sy'n cnoi cil, i fochyn neu i aderyn yn dramgwydd (onid yw wedi'i brosesu'n unol â Rheoliad y Gymuned)-

(a) llaeth hylif neu laeth tor a ddefnyddir ar y fferm y mae'n tarddu ohoni; neu

(b) yn unol ag Erthygl 23(2) o Reoliad y Gymuned fel y'i cymhwysir gan reoliad 26(3) o'r Rheoliadau hyn.

Ailgylchu mewnrywogaethol

10.-(1) Mae mynd yn groes i Erthygl 22(1)(a) o Reoliad y Gymuned (sy'n gwahardd ailgylchu mewnrywogaethol) yn dramgwydd.

(2) Er gwaethaf paragraff (1), nid yw rhoi protein anifeiliaid wedi'i brosesu sy'n deillio o gyrff neu o rannau o gyrff pysgod yn fwyd i bysgod yn dramgwydd os gwneir hyn yn unol ag Erthyglau 2 i 4 o Reoliad y Comisiwn (EC) Rhif 811/2003 ac Atodiad I iddo.

(3) Yr awdurdod cymwys at ddibenion Erthygl 5 o Reoliad y Comisiwn (EC) Rhif 811/2003 yw'r Cynulliad Cenedlaethol.

Mynediad at wastraff arlwyo a sgil-gynhyrchion anifeiliaid eraill

11.-(1) Mae'r rheoliad hwn yn gymwys o ran-

(a) gwastraff arlwyo o bob math (gan gynnwys gwastraff arlwyo nad yw Rheoliad y Gymuned yn gymwys iddo oherwydd Erthygl 1(2)(e) o'r Rheoliad hwnnw) onid yw naill ai-

(i) wedi'i brosesu drwy ddefnyddio dull 1 ym Mhennod III o Atodiad V i Reoliad y Gymuned, neu

(ii) wedi'i drin yn unol â Rheoliad y Gymuned ac â'r Rheoliadau hyn; a

(b) sgil-gynhyrchion anifeiliaid eraill nad ydynt wedi'u prosesu na'u trin yn unol â Rheoliad y Gymuned ac â'r Rheoliadau hyn.

PART 3

Restrictions on access to animal by-products and their use

Restrictions on feeding catering waste and other animal by-products

9.-(1) It is an offence to contravene Article 22(1)(b) of the Community Regulation (which prohibits the feeding of farmed animals with catering waste or feed materials containing or derived from catering waste) and it is also an offence to feed such materials to any other ruminant animal, pig or bird.

(2) It is an offence to feed to any ruminant animal, pig or bird any other animal by-product (unless it has been processed in accordance with the Community Regulation) other than-

(a) liquid milk or colostrum used on the farm of origin; or

(b) in accordance with Article 23(2) of the Community Regulation as applied by regulation 26(3) of these Regulations.

Intra-species recycling

10.-(1) It is an offence to contravene Article 22(1)(a) of the Community Regulation (which prohibits intra-species re-cycling).

(2) Notwithstanding paragraph (1), it is not an offence to feed fish with processed animal protein derived from the bodies or parts of bodies of fish if this is done in accordance with Articles 2 to 4 of, and Annex I to, Commission Regulation (EC) No. 811/2003.

(3) The National Assembly is the competent authority for the purposes of Article 5 of Commission Regulation (EC) No. 811/2003.

Access to catering waste and other animal by-products

11.-(1) This regulation applies in relation to-

(a) catering waste of all kinds (including catering waste to which the Community Regulation does not apply because of Article 1(2)(e) of that Regulation) unless it has been either-

(i) processed using method 1 in Annex V, Chapter III to the Community Regulation, or

(ii) treated in accordance with the Community Regulation and these Regulations; and

(b) other animal by-products that have not been processed or treated in accordance with the Community Regulation and these Regulations.

(2) Mae unrhyw berson sy'n dod ag unrhyw wastraff arlwyo neu sgil-gynnyrch anifeiliaid arall (ac eithrio llaeth, llaeth tor, gwrtaith neu gynnwys y llwybr treulio) i mewn i unrhyw fangre lle y cedwir da byw yn euog o dramgwydd.

(3) Nid yw paragraff (2) yn gymwys os yw meddiannydd y fangre a'r person sy'n rheoli'r sgil-gynhyrchion yn sicrhau nad oes gan y da byw fynediad at y sgil-gynhyrchion, ac-

(a) os caiff y sgil-gynhyrchion eu cludo i'r fangre ar gerbyd sy'n dod i mewn i'r fangre i gasglu sgil-gynhyrchion eraill ac os na symudir y sgil-gynhyrchion o'r cerbyd tra byddo'r cerbyd yn y fangre;

(b) os caiff y sgil-gynhyrchion eu dwyn, yn unol â'r gymeradwyaeth neu'r awdurdodiad ar gyfer y gweithfeydd perthnasol, i fangre lle y mae'r gweithfeydd canlynol wedi'u lleoli-

(i) canolfan gasglu, gweithfeydd bwyd anifeiliaid anwes, llosgydd neu fangre gymeradwy arall a oedd ar waith fel mangre gymeradwy ar 1 Tachwedd 2002; neu

(ii) gweithfeydd hanner-ffordd Categori 3, gweithfeydd technegol neu weithfeydd lle y defnyddir y sgil-gynhyrchion anifeiliaid at ddibenion addysgol, dibenion ymchwilio, neu ddibenion diagnostig; neu

(c) os bwriedir rhoi'r sgil-gynhyrchion yn fwyd i anifeiliaid yn y fangre yn unol ag Erthygl 23(2) o Reoliad y Gymuned fel y'i cymhwysir gan reoliad 26(3) o'r Rheoliadau hyn.

(4) Rhaid i unrhyw berson y mae ganddo yn ei feddiant garcas neu ran o garcas unrhyw dda byw nas cigyddwyd i'w bwyta gan bobl, tra byddo'n disgwyl anfon y carcas neu'r rhan o garcas neu ei waredu neu ei gwaredu'n unol â Rheoliad y Gymuned a'r Rheoliadau hyn, sicrhau y'i cedwir yn y fath fodd fel nad oes gan anifeiliaid ac adar (gan gynnwys anifeiliaid ac adar gwyllt) fynediad ato neu ati, ac mae methu gwneud hynny'n dramgwydd.

(5) Mae i unrhyw berson ganiatáu i dda byw gael mynediad at unrhyw wastraff arlwyo neu sgil-gynnyrch anifeiliaid arall yn dramgwydd ac eithrio at-

(a) gwrtaith;

(b) llaeth neu laeth tor;

(c) cynnwys llwybr treulio a roddwyd ar dir ar yr amod na chaniateir i dda byw fynd ar y tir am dair wythnos o leiaf ar ôl ei roi ar y tir; neu

(ch) gwrtaith a gynhyrchwyd ac a roddwyd ar dir yn unol â rheoliad 16 ar yr amod y cydymffurfir ag amodau'r rheoliad hwnnw.

(2) Any person who brings any catering waste or other animal by-product (other than milk, colostrum, manure or digestive tract content) on to any premises where any livestock is kept is guilty of an offence.

(3) Paragraph (2) does not apply if the occupier of the premises and the person in control of the by-products ensure that livestock do not have access to the by-products, and if the animal by-products are-

(a) brought on in a vehicle which enters to collect other by-products and the by-products are not removed from the vehicle while on the premises;

(b) brought on, in accordance with the approval or authorisation for the relevant plant, to premises where the following plants are situated-

(i) a collection centre, petfood plant, incinerator or other approved premises which was in operation as an approved premises on 1st November 2002; or

(ii) a Category 3 intermediate plant, a technical plant or a plant where the animal by-products are used for educational, research or diagnostic purposes; or

(c) intended for feeding to animals on the premises in accordance with Article 23(2) of the Community Regulation as applied by regulation 26(3) of these Regulations.

(4) Any person who is in possession of the carcase or part of a carcase of any livestock that has not been slaughtered for human consumption must, pending consignment or disposal in accordance with the Community Regulation and these Regulations, ensure that it is held in such a way that animals and birds (including wild animals and birds) do not have access to it, and failure to do so is an offence.

(5) It is an offence for any person to allow livestock to have access to any catering waste or other animal by-product except-

(a) manure;

(b) milk or colostrum;

(c) digestive tract content that has been applied to land provided that livestock are not allowed on to the land for at least three weeks after application; or

(d) compost produced and applied to land in accordance with regulation 16 provided the conditions of that regulation are complied with.

(6) Mae i unrhyw berson ganiatáu i unrhyw anifail gael mynediad at ddeunydd sy'n deillio o wastraff arlwyo neu sgil-gynnyrch anifeiliaid arall mewn gweithfeydd bio-nwy neu gompostio yn dramgwydd, ac eithrio nad yw'n dramgwydd i adar gwyllt gael mynediad at y deunydd yn ystod ail gyfnod compostio neu gyfnod compostio dilynol.

(7) Yn y rheoliad hwn ystyr "da byw" yw pob anifail a ffermir, ac unrhyw anifeiliaid eraill sy'n cnoi cil, moch ac adar (ac eithrio adar gwyllt).

Tir pori

12.-(1) Mae mynd yn groes i Erthygl 22(1)(c) o Reoliad y Gymuned (rhoi deunydd ar dir pori) yn dramgwydd.

(2) At ddibenion paragraff (1), tir y bwriedir ei ddefnyddio i bori neu gnydio bwydydd anifeiliaid ar ôl rhoi neu ddyroddi arno wrteithiau organig a deunyddiau i wella'r pridd (ac eithrio gwrtaith neu gynnwys llwybr treulio) o fewn y cyfnodau canlynol yw tir pori-

(a) deufis yn achos moch; a

(b) tair wythnos yn achos anifeiliaid eraill a ffermir.

(3) Bydd unrhyw berson sydd-

(a) yn defnyddio tir pori ar gyfer pori o fewn y cyfnod a bennir ym mharagraff (2); neu

(b) yn rhoi'n fwyd i foch neu i anifeiliaid eraill a ffermir o fewn y cyfnod hwnnw unrhyw beth sydd wedi'i gnydio o dir pori yn ystod y cyfnod hwnnw;

yn euog o dramgwydd.

RHAN 4

Mangreoedd a gymeradwywyd a'r awdurdod cymwys

Yr awdurdod cymwys

13.-(1) Y Cynulliad Cenedlaethol fydd yr awdurdod cymwys at ddibenion rhoi cymeradwyaethau o dan-

(a) Pennod III a Phennod IV o Reoliad y Gymuned;

(b) yr Atodiadau i'r Rheoliad hwnnw;

(c) Rheoliad y Comisiwn (EC) Rhif 92/2005; ac

(ch) y Rheoliadau hyn.

(2) Ef hefyd fydd yr awdurdod cymwys ar gyfer-

(a) gwirio gweithfeydd hanner-ffordd yn unol ag Erthyglau 10(2)(d) a 10(3)(d) o Reoliad y

(6) It is an offence for any person to allow any animal to have access to material derived from catering waste or other animal by-product in a biogas or composting plant, except that it is not an offence for wild birds to have access to the material during the secondary or subsequent phase of composting.

(7) In this regulation "livestock" means all farmed animals, and any other ruminant animals, pigs and birds (other than wild birds).

Pasture land

12.-(1) It is an offence to contravene Article 22(1)(c) of the Community Regulation (application of material to pasture land).

(2) For the purposes of paragraph (1), pasture land is land that is intended to be used for grazing or cropping for feedingstuffs following the application or deposit of organic fertilisers and soil improvers (other than manure or digestive tract content) within the following periods-

(a) two months in the case of pigs; and

(b) three weeks in the case of other farmed animals.

(3) Any person who-

(a) uses pasture land for grazing within the period specified in paragraph (2); or

(b) feeds to pigs or other farmed animals within that period anything cropped from pasture land during that period;

is guilty of an offence.

PART 4

Approved premises and the competent authority

The competent authority

13.-(1) The National Assembly is the competent authority for the purposes of granting approvals under-

(a) Chapter III and Chapter IV of the Community Regulation;

(b) the Annexes to that Regulation;

(c) Commission Regulation (EC) No. 92/2005; and

(d) these Regulations.

(2) It is also the competent authority for-

(a) checking intermediate plants in accordance with Articles 10(2)(d) and 10(3)(d) of the

Gymuned;

(b) gwirio gweithfeydd storio yn unol ag Erthygl 11(2)(b) o'r Rheoliad hwnnw;

(c) dilysu a gwirio gweithfeydd prosesu Categori a Chategori 2 yn unol ag Erthyglau 13(2)(c) a 13(2)(e) o'r Rheoliad hwnnw, goruchwylio gweithfeydd prosesu Categori 1, 2 a 3 yn unol â pharagraff o Bennod IV o Atodiad V i'r Rheoliad hwnnw, a dilysu'r gweithfeydd hynny yn unol â pharagraff 1 o Bennod V o Atodiad V i'r Rheoliad hwnnw;

(ch) awdurdodi defnyddio dros dro waith prosesu Categori 2 ar gyfer prosesu deunydd Categori 1 yn unol â pharagraff 2 o Bennod 1 o Atodiad VI i'r Rheoliad hwnnw;

(d) gwirio gweithfeydd oleocemegol yn unol ag Erthygl 14(2)(d) o'r Rheoliad hwnnw a derbyn y cofnodion a gyflwynir yn unol ag Erthygl 14(2)(c) o'r Rheoliad hwnnw;

(dd) gwirio gweithfeydd bio-nwy a gweithfeydd compostio yn unol ag Erthygl 15(2)(c) o'r Rheoliad hwnnw;

(e) dilysu a gwirio gweithfeydd prosesu Categori 3 yn unol ag Erthygl 17(2)(c) a 17(2)(e) o'r Rheoliad hwnnw;

(f) awdurdodi defnyddio dros dro waith prosesu Categori 3 ar gyfer prosesu deunydd Categori 1 neu Gategori 2 yn unol â pharagraff 2 o Bennod 1 o Atodiad VII i'r Rheoliad hwnnw, neu ddefnyddio gwaith prosesu Categori 2 fel canolfan gasglu yn unol â pharagraff 3 o Atodiad IX i'r Rheoliad hwnnw;

(ff) derbyn cofnodion yn ymwneud â gwaith bwyd anifeiliaid anwes neu waith technegol a gyflwynir yn unol ag Erthygl 18(2)(a)(iv) o'r Rheoliad hwnnw;

(g) cydnabod labordai at ddibenion dadansoddi samplau o weithfeydd bwyd anifeiliaid anwes a gweithfeydd technegol yn unol ag Erthygl 18(2)(a)(iii) o'r Rheoliad hwnnw, derbyn gwybodaeth o dan Erthygl 18(2)(a)(v) o'r Rheoliad hwnnw, a gwirio gweithfeydd bwyd anifeiliaid anwes a gweithfeydd technegol yn unol ag Erthygl 18(2)(b) o'r Rheoliad hwnnw;

(ng) goruchwylio ailbrosesu yn unol ag Erthygl 25(2)(c) a (d) o'r Rheoliad hwnnw;

(h) arolygu a goruchwylio'n unol ag Erthygl 26 o'r Rheoliad hwnnw;

(i) rhoi cyfarwyddiadau at ddibenion paragraff 4 o Bennod II o Atodiad II i'r Rheoliad hwnnw;

(j) derbyn dogfennau masnachol a gyflwynir yn unol â Phennod V o Atodiad II i'r Rheoliad hwnnw;

(l) awdurdodi pwynt cynrychioliadol yn siambr ymlosgi llosgydd yn unol â pharagraff 3 o

Community Regulation;

(b) checking storage plants in accordance with Article 11(2)(b) of that Regulation;

(c) validating and checking Category 1 and Category 2 processing plants in accordance with Articles 13(2)(c) and 13(2)(e) of that Regulation, supervising Category 1, 2 and 3 processing plants in accordance with Annex V, Chapter IV, paragraph 1 to that Regulation, and validating those plants in accordance with Annex V, Chapter V, paragraph 1 to that Regulation;

(d) authorising the temporary use of a Category 2 processing plant for the processing of Category 1 material in accordance with Annex VI, Chapter 1, paragraph 2 to that Regulation;

(e) checking oloechemical plants in accordance with Article 14(2)(d) of that Regulation and receiving records presented in accordance with Article 14(2)(c) of that Regulation;

(f) checking biogas plants and composting plants in accordance with Article 15(2)(c) of that Regulation;

(g) validating and checking Category 3 processing plants in accordance with Article 17(2)(c) and 17(2)(e) of that Regulation;

(h) authorising the temporary use of a Category 3 processing plant for the processing of Category 1 or Category 2 material in accordance with Annex VII, Chapter 1, paragraph 2 to that Regulation, or the use of a Category 2 processing plant as a collection centre in accordance with Annex IX, paragraph 3 to that Regulation;

(i) receiving records relating to a petfood or technical plant presented in accordance with Article 18(2)(a)(iv) of that Regulation;

(j) recognising laboratories for the purposes of analysing samples from petfood and technical plants in accordance with Article 18(2)(a)(iii) of that Regulation, receiving information under Article 18(2)(a)(v) of that Regulation, and checking petfood plants and technical plants in accordance with Article 18(2)(b) of that Regulation;

(k) supervising reprocessing in accordance with Article 25(2)(c) and (d) of that Regulation;

(l) carrying out inspection and supervision in accordance with Article 26 of that Regulation;

(m) giving instructions for the purposes of Annex II, Chapter II, paragraph 4 to that Regulation;

(n) receiving commercial documents presented in accordance with or under Annex II, Chapter V to that Regulation;

(o) authorising a representative point in the combustion chamber of an incinerator in

Bennod II o Atodiad IV i'r Rheoliad hwnnw, ac archwilio llosgyddion yn unol â pharagraff 8 o Bennod VII o Atodiad IV i'r Rheoliad hwnnw(**1**); ac

(ll) awdurdodi gofynion penodol yn unol â pharagraff 14 o Ran C o Bennod II o Atodiad VI i'r Rheoliad hwnnw(**2**).

(3) Awdurdodir defnyddio'r prosesau a ddisgrifir yn Atodiadau I i V i Reoliad y Comisiwn (EC) Rhif 92/2005 yn unol ag Erthyglau 1 a 2 o'r Rheoliad hwnnw a'r awdurdod cymwys at ddibenion sicrhau y cydymffurfir ag Erthygl 5(3) o'r Rheoliad hwnnw yw'r Cynulliad Cenedlaethol.

Cymeradwyo mangreoedd

14.-(1) Ni chaiff neb weithredu unrhyw un o'r canlynol, sef-

(a) gwaith hanner-ffordd Categori 1, 2 neu 3;

(b) gwaith storio;

(c) gwaith hylosgi neu gydhylosgi;

(ch) gwaith prosesu Categori 1 neu Gategori 2;

(d) gwaith oleocemegol Categori 2 neu Gategori 3;

(dd) gwaith bio-nwy neu waith compostio;

(e) gwaith prosesu categori 3;

(f) gwaith bwyd anifeiliaid anwes neu waith technegol;

(ff) gwaith sy'n defnyddio unrhyw un neu rai o'r prosesau a ddisgrifir yn Atodiadau I i V i Reoliad y Comisiwn (EC) Rhif 92/2005,

i storio, prosesu, trin, gwaredu neu ddefnyddio sgil-gynhyrchion anifeiliaid, oni bai bod-

(g) y fangre;

(h) gweithredydd y fangre; ac

(i) y cyfarpar (os o gwbl);

wedi'u cymeradwyo at y diben hwnnw yn unol â Rheoliad y Gymuned ac â'r Rheoliadau hyn.

(2) Rhaid i weithredydd mangre a gymeradwywyd sicrhau-

(a) bod y fangre yn cael ei chynnal a'i chadw a'i gweithredu yn unol â'r canlynol-

(i) amodau'r gymeradwyaeth, a

(ii) gofynion Rheoliad y Gymuned a'r Rheoliadau hyn; a

(b) bod unrhyw berson a gyflogir gan y gweithredydd, ac unrhyw berson y caniateir iddo fynd i mewn i'r fangre, yn cydymffurfio

(**1**) Ychwanegwyd Pennod VII at Atodiad IV gan Reoliad y Comisiwn (EC) Rhif 808/2003.

(**2**) Ychwanegwyd y paragraff hwn gan Reoliad y Comisiwn (EC) Rhif 808/2003.

accordance with Annex IV, Chapter II, paragraph 3 to that Regulation, and inspecting incinerators in accordance with Annex IV, Chapter VII, paragraph 8 to that Regulation(**1**); and

(p) authorising specific requirements in accordance with Annex VI, Chapter II, Part C, paragraph 14 to that Regulation(**2**).

(3) The use of the processes described in Annexes I to V to Commission Regulation (EC) No. 92/2005 is authorised in accordance with Articles 1 and 2 of that Regulation and the National Assembly is the competent authority for the purposes of ensuring that Article 5(3) of that Regulation is complied with.

Approval of premises

14.-(1) No person may operate any-

(a) category 1, 2 or 3 intermediate plant;

(b) storage plant;

(c) incineration or co-incineration plant;

(d) category 1 or category 2 processing plant;

(e) category 2 or category 3 oleochemical plant;

(f) biogas or composting plant;

(g) category 3 processing plant;

(h) petfood or technical plant; or

(i) plant that uses any of the processes described in Annexes I to V to Commission Regulation (EC) No. 92/2005,

for the storage, processing, treatment, disposal or use of animal by-products or processed products unless -

(j) the premises;

(k) the operator of the premises; and

(l) the equipment (if any);

are approved for that purpose in accordance with the Community Regulation and these Regulations.

(2) The operator of approved premises must ensure that-

(a) the premises are maintained and operated in accordance with-

(i) the conditions of approval, and

(ii) the requirements of the Community Regulation and these Regulations; and

(b) any person employed by the operator, and any person permitted to enter the premises, complies with those conditions and

(**1**) Chapter VII was added to Annex IV by Commission Regulation (EC) No. 808/2003.

(**2**) This paragraph was added by Commission Regulation (EC) No. 808/2003.

â'r amodau a'r gofynion hynny.

(3) Rhaid i weithredydd gwaith hylosgi neu waith gydhylosgi uchel ei gynhwysedd sy'n hylosgi neu'n cydhylosgi deunydd y cyfeirir ato yn Erthygl 4(1)(b) o Reoliad y Gymuned waredu'r lludw yn unol â pharagraff 4 o Bennod VII o Atodiad IV i Reoliad y Gymuned yn yr un modd â gweithredydd gwaith hylosgi isel ei gynhwysedd; ond er mwyn osgoi amheuaeth, nid yw'r ddarpariaeth hon yn gymwys o ran hylosgi neu gydhylosgi cynnyrch sy'n deillio o ddeunydd y cyfeirir ato yn Erthygl 4(1)(b) o Reoliad y Gymuned ac a gafodd ei brosesu neu ei drin eisoes yn unol â Rheoliad y Gymuned.

(4) Bydd unrhyw berson sy'n methu cydymffurfio ag unrhyw un o ddarpariaethau'r rheoliad hwn yn euog o dramgwydd.

Gweithfeydd bio-nwy a gweithfeydd compostio

15.-(1) Bydd darpariaethau Rhan I o Atodlen 1 i'r Rheoliadau hyn yn gymwys i waith bio-nwy a gwaith compostio sy'n cael eu defnyddio ar gyfer trin unrhyw sgil-gynhyrchion anifeiliaid (gan gynnwys gwastraff arlwyo) yn ychwanegol at ofynion paragraffau 1 i 11 o Bennod II o Atodiad VI i Reoliad y Gymuned.

(2) Yn unol ag Erthygl 6(2)(g) o Reoliad y Gymuned a pharagraff 14 o Bennod II o Atodiad VI iddo-

(a) Rhaid i wastraff alwyo sydd yn cael ei drin mewn gwaith bio-nwy a gwaith compostio gael eu trin unai yn unol â Atodiad VI, Pennod II, paragraffau 12 neu 13 o Reoliad y Gymuned neu yn unol â Rhan II o Atodlen 1 i'r Rheoliadau hyn; a

(b) rhaid trin unrhyw sgil-gynnyrch anifeiliaid arall sy'n cael ei drin mewn gwaith bio-nwy neu waith compostio yn unol â pharagraffau 12 neu 13 o Bennod II o Atodiad VI i Reoliad y Gymuned.

(3) Bydd unrhyw weithredydd sy'n methu cydymffurfio â'r rheoliad hwn yn euog o dramgwydd.

Compostio gwastraff arlwyo yn y fangre y mae'n tarddu ohoni

16. Yn unol ag Erthygl 6(2)(g) o Reoliad y Gymuned a pharagraff 14 o Bennod II o Atodiad VI iddo, nid yw darpariaethau'r Bennod honno a darpariaethau rheoliad 14(1)(dd) uchod yn gymwys i gompostio gwastraff arlwyo Categori 3 yn y fangre y mae'n tarddu ohoni ar yr amod-

(a) mai dim ond ar dir yn y fangre honno y rhoddir y deunydd pydredig;

(b) na chedwir unrhyw anifeiliaid sy'n cnoi cil na moch yn y fangre; ac

(c) os cedwir adar yn y fangre, fod y deunydd yn

requirements.

(3) The operator of a high capacity incineration or co-incineration plant that incinerates or co-incinerates material referred to in Article 4(1)(b) of the Community Regulation must dispose of the ash in accordance with Annex IV, Chapter VII, paragraph 4 of the Community Regulation in the same way as the operator of a low capacity incineration plant; but for the avoidance of doubt, this provision does not apply in relation to the incineration or co-incineration of a product derived from material referred to in Article 4(1)(b) of the Community Regulation that has already been processed or treated in accordance with the Community Regulation.

(4) Any person who fails to comply with any provision of this regulation is guilty of an offence.

Biogas and composting plants

15.-(1) The provisions of Part I of Schedule 1 to these Regulations apply in a biogas and composting plant used for treating any animal by-products (including catering waste) in addition to the requirements of paragraphs 1 to 11 of Annex VI, Chapter II to the Community Regulation.

(2) In accordance with Article 6(2)(g) of and Annex VI, Chapter II, paragraph 14 to the Community Regulation-

(a) catering waste treated in a biogas or composting plant must be treated either in accordance with Annex VI, Chapter II, paragraphs 12 or 13 of the Community Regulation or in accordance with Part II of Schedule 1 to these Regulations; and

(b) any other animal by-product treated in a biogas or composting plant must be treated in accordance with Annex VI, Chapter II, paragraphs 12 or 13 of the Community Regulation.

(3) Any operator who fails to comply with this regulation is guilty of an offence.

Composting catering waste on the premises on which it originates

16. In accordance with Article 6(2)(g) of, and Annex VI, Chapter II, paragraph 14 to the Community Regulation, the provisions of that Chapter and of regulation 14(1)(f) above do not apply to the composting of Category 3 catering waste on the premises on which it originates provided that-

(a) the decomposed material is only applied to land at those premises;

(b) no ruminant animals or pigs are kept at the premises; and

(c) if birds are kept at the premises the material is

cael ei gompostio mewn cynhwysydd diogel sy'n atal yr adar rhag mynd ato tra bydd y deunydd yn pydru.

Hunanwiriadau gweithfeydd prosesu a gweithfeydd hanner-ffordd

17.-(1) Bydd unrhyw berson sy'n methu cydymffurfio ag Erthygl 25(1) o Reoliad y Gymuned yn euog o dramgwydd.

(2) Bydd unrhyw berson sy'n methu cydymffurfio ag Erthygl 25(2) o Reoliad y Gymuned yn euog o dramgwydd.

(3) Rhaid i'r gweithredydd gofnodi'r camau sy'n cael eu cymryd yn unol ag Erthygl 25(2) o Reoliad y Gymuned gynted ag y bo'n rhesymol ymarferol, a bydd methu gwneud hynny yn dramgwydd.

(4) Mae Atodlen 2 (hylif sy'n deillio o anifail sy'n cnoi cil) yn effeithiol mewn perthynas â hylif sy'n dod o brosesu sgil-gynhyrchion anifeiliaid sy'n cnoi cil.

Samplu mewn gweithfeydd prosesu

18.-(1) Os yw gwaith prosesu yn prosesu deunydd Categori 1 neu ddeunydd Categori 2, a bod deunydd proteinaidd a broseswyd i'w anfon i fan tirlenwi (neu, yn achos deunydd Categori 2, i'w roi ar dir neu i'w anfon i waith bio-nwy neu waith compostio), rhaid i'r gweithredydd, unwaith bob wythnos-

(a) cymryd o allfa'r popty y mae'r deunydd yn cael ei brosesu ynddo sampl o 50 gram o leiaf o ddeunydd proteinaidd wedi'i brosesu; a

(b) anfon y sampl i labordy a gymeradwywyd i'w phrofi am *Clostridium perfringens*.

(2) Os yw gwaith prosesu'n prosesu deunydd Categori 3 ac y bwriedir defnyddio'r deunydd proteinaidd a broseswyd mewn bwydydd anifeiliaid, rhaid i'r gweithredydd, ar bob un o'r diwrnodau y traddodir y deunydd o'r fangre-

(a) cymryd sampl gynrychioliadol o'r deunydd proteinaidd a broseswyd; a

(b) anfon y sampl i labordy a gymeradwywyd i'w phrofi am Salmonela ac am *Enterobacteriaceae*.

(3) Os yw gwaith prosesu'n prosesu deunydd Categori 3 ac os na fwriedir defnyddio'r deunydd proteinaidd mewn bwydydd anifeiliaid, rhaid i'r gweithredydd, unwaith bob wythnos-

(a) cymryd sampl o'r deunydd proteinaidd a broseswyd ac sy'n cael ei draddodi o'r fangre; a

(b) anfon y sampl i labordy a gymeradwywyd i'w phrofi am Salmonela ac *Enterobacteriaceae*.

(4) Bydd unrhyw berson sy'n methu cydymffurfio ag

composted in a secure container which prevents the birds having access to it during decomposition.

Processing and intermediate plants' own checks

17.-(1) Any person who fails to comply with Article 25(1) of the Community Regulation is guilty of an offence.

(2) Any person who fails to comply with Article 25(2) of the Community Regulation is guilty of an offence.

(3) The operator must record the action taken in accordance with Article 25(2) of the Community Regulation as soon as is reasonably practicable, and failure to do so is an offence.

(4) Schedule 2 (ruminant derived fluid) has effect in relation to fluid arising from the processing of ruminant animal by-products.

Sampling at processing plants

18.-(1) If a processing plant is processing Category 1 or Category 2 material and processed proteinaceous material is to be sent to landfill (or, in the case of Category 2 material, is applied to land or sent to a biogas or composting plant) the operator must, once every week-

(a) take from the outlet of the cooker in which the material is processed a sample of at least 50 grams of processed proteinaceous material; and

(b) send the sample to a laboratory approved to test it for *Clostridium perfingens*.

(2) If a processing plant is processing Category 3 material and the processed proteinaceous material is intended for use in feedingstuffs the operator must, on each day that the material is consigned from the premises-

(a) take a representative sample of the processed proteinaceous material , and

(b) send it to a laboratory approved to test it for Salmonella and *Enterobacteriaceae*.

(3) If a processing plant is processing Category 3 material and the processed proteinaceous material is not intended for use in feedingstuffs the operator must, once every week-

(a) take a sample of the processed proteinaceous material that is consigned from the premises; and

(b) send the sample to a laboratory approved to test it for Salmonella and *Enterobacteriaceae*.

(4) Any person who fails to comply with any

unrhyw un o ddarpariaethau'r rheoliad hwn yn euog o dramgwydd.

provision of this regulation is guilty of an offence.

Samplu mewn gweithfeydd bio-nwy a gweithfeydd compostio

19.-(1) Yn achos gweithfeydd bio-nwy a gweithfeydd compostio, rhaid i'r gweithredydd, o dro i dro yn ôl yr hyn a bennir yn y gymeradwyaeth, gymryd sampl gynrychioliadol o ddeunydd sydd wedi'i drin yn ôl y paramedrau amser a thymheredd a bennir yn Rhan II o Atodlen 1 i'r Rheoliadau hyn neu i Reoliad y Gymuned a'i hanfon i'w phrofi am Salmonela ac *Enterobacteriaceae* (neu, yn achos deunydd sy'n deillio o wastraff arlwyo, Salmonela yn unig) mewn labordy a gymeradwywyd i gynnal y profion hynny.

(2) Yn achos profion sy'n cadarnhau nad yw'r deunydd sydd wedi'i drin yn cydymffurfio â'r terfynau ym mharagraff 15 o Bennod II o Atodiad VI i Reoliad y Gymuned, rhaid i'r gweithredydd-

(a) hysbysu'r Cynulliad Cenedlaethol ar unwaith, gan roi manylion llawn am y methiant, am natur y sampl ac am y swp yr oedd yn deillio ohono;

(b) sicrhau na fydd unrhyw weddill traul na chompost, yr amheuir ei fod wedi'i halogi neu y mae'n hysbys ei fod wedi'i halogi, yn cael ei symud o'r fangre oni bai-

(i) ei fod wedi'i ail-drin o dan oruchwyliaeth y Cynulliad Cenedlaethol a'i ailsamplu a'i ailbrofi gan y Cynulliad Cenedlaethol, a bod yr ailbrofi wedi dangos bod y gweddill traul neu'r compost a gafodd ei ail-drin yn cydymffurfio â'r safonau yn Rheoliad y Gymuned; neu

(ii) ei fod wedi'i draddodi i'w brosesu neu i'w hylosgi mewn gwaith prosesu neu losgydd a gymeradwywyd neu (yn achos gwastraff arlwyo) wedi'i draddodi i fan tirlenwi; ac

(c) cofnodi'r camau a gymerwyd yn unol â'r rheoliad hwn.

(3) Bydd unrhyw berson sy'n methu cydymffurfio ag unrhyw un o ddarpariaethau'r rheoliad hwn yn euog o dramgwydd.

Sampling at biogas and composting plants

19.-(1) In the case of biogas and composting plants the operator must, at intervals specified in the approval, take a representative sample of material that has been treated to the time temperature parameters specified in Part II of Schedule 1 to these Regulations or the Community Regulation and send it for testing for Salmonella and *Enterobacteriaceae* (or, in the case of material derived from catering waste, Salmonella only) in a laboratory approved to carry out those tests.

(2) In the event of tests establishing that treated material does not comply with the limits in Annex VI, Chapter II, paragraph 15 to the Community Regulation, the operator must-

(a) immediately notify the National Assembly , giving full details of the failure, the nature of the sample and the batch from which it was derived;

(b) ensure that no digestion residue or compost suspected or known to be contaminated is moved from the premises unless-

(i) it has been re-treated under the supervision of the National Assembly and re-sampled and re-tested by the National Assembly and the re-testing has shown that the re-treated digestion residue or compost complies with the standards in the Community Regulation; or

(ii) it is consigned for processing or incineration at an approved processing plant or incinerator or (in the case of catering waste) it is consigned to landfill; and

(c) record the action taken in accordance with this regulation.

(3) Any person who fails to comply with any provision of this regulation is guilty of an offence.

Samplau a anfonir i labordai

20.-(1) Pa bryd bynnag y bydd gweithredydd yn anfon sampl i labordy yn unol â'r Rhan hon, rhaid i'r gweithredydd anfon yn ysgrifenedig gyda'r sampl yr wybodaeth ganlynol-

(a) enw a chyfeiriad y fangre lle y cymerwyd y sampl;

(b) y dyddiad y cymerwyd y sampl; ac

(c) disgrifiad o'r sampl a manylion sy'n dynodi pa sampl ydyw.

Samples sent to laboratories

20.-(1) Whenever an operator sends a sample to a laboratory in accordance with this Part, the operator must send with the sample the following information in writing-

(a) the name and address of the premises at which the sample was taken;

(b) the date on which the sample was taken; and

(c) the description and identity of the sample.

(2) Ni chaiff neb ymyrryd â sampl a gymerwyd o dan y Rheoliadau hyn gyda'r bwriad o effeithio ar ganlyniad y prawf.

(3) Rhaid i'r gweithredydd gadw cofnod o holl ganlyniadau profion labordy.

(4) Bydd unrhyw berson sy'n methu cydymffurfio â pharagraffau (1) neu (3) neu sy'n mynd yn groes i baragraff (2) yn euog o dramgwydd.

Labordai

21.-(1) Caiff y Cynulliad Cenedlaethol gymeradwyo labordai o dan y rheoliad hwn i gynnal un neu ragor o'r profion yn y rheoliad hwn os caiff ei fodloni bod gan y labordai hynny y cyfleusterau, y personél a'r gweithdrefnau gweithredu angenrheidiol i wneud hynny.

(2) Wrth benderfynu a ddylid rhoi cymeradwyaeth neu barhau i wneud hynny, caiff y Cynulliad Cenedlaethol ei gwneud yn ofynnol i'r labordy gynnal yn llwyddiannus unrhyw brofion rheoli ansawdd y mae'n rhesymol i'r Cynulliad Cenedlaethol weld yn dda eu cynnal.

(3) Rhaid i weithredydd labordy a gymeradwywyd o dan y rheoliad hwn ac sy'n cynnal profion at ddibenion y Rheoliadau hyn neu Reoliad y Gymuned wneud hynny yn unol â'r darpariaethau canlynol, a bydd methu â gwneud hynny yn dramgwydd.

(4) Rhaid cynnal prawf ar gyfer *Clostridium perfringens* yn unol â'r dull yn Rhan 1 o Atodlen 3 neu (os yw hynny wedi'i bennu yn y gymeradwyaeth) â dull sy'n cydymffurfio ag ISO 7937/1997 (BS-EN 13401:1999) (Enumeration of *Clostridium perfringens*) neu ddull cyfwerth(**1**).

(5) Rhaid cynnal prawf Salmonela yn unol ag un o'r dulliau yn Rhan II o Atodlen 3, neu (os yw hynny wedi'i bennu yn y gymeradwyaeth) â dull sy'n cydymffurfio ag-

(a) ISO 6579/2002/BS-EN 12824:1998 (Detection of Salmonella) neu ddull cyfwerth(**2**); neu

(b) NMKL 71: 1993 neu ddull cyfwerth(**3**).

(**1**) Cyhoeddwyd gan y Sefydliad Safonau Prydeinig, British Standards House, 389 Chiswick High Road, Llundain W4 4AL.

(**2**) Cyhoeddwyd gan y Sefydliad Safonau Prydeinig; *gweler* uchod.

(**3**) Cyhoeddwyd gan y Sefydliad Safonau Prydeinig; *gweler* uchod.

(2) No person is to tamper with a sample taken under these Regulations with intent to affect the result of the test.

(3) The operator must keep a record of all results of laboratory tests.

(4) Any person who fails to comply with paragraphs (1) or (3) or who contravenes paragraph (2) is guilty of an offence.

Laboratories

21.-(1) The National Assembly may approve laboratories under this regulation to carry out one or more of the tests in this regulation if it is satisfied that they have the necessary facilities, personnel and operating procedures to do so.

(2) In deciding whether to grant or continue an approval, the National Assembly may require the laboratory to successfully undertake any quality control tests as the National Assembly reasonably thinks fit.

(3) The operator of a laboratory approved under this regulation carrying out tests for the purposes of these Regulations or the Community Regulation must do so in accordance with the following provisions, and failure to do so is an offence.

(4) A test for *Clostridium perfingens* must be carried out in accordance with the method in Part I of Schedule 3 or (if specified in the approval) with a method which conforms with ISO 7937/1997 (BS-EN 13401:1999) (Enumeration of *Clostridium perfingens*) or equivalent(**1**).

(5) A test for Salmonella must be carried out in accordance with one of the methods in Part II of Schedule 3 or (if specified in the approval) with a method that conforms with-

(a) ISO 6579/2002/BS-EN 12824:1998 (Detection of Salmonella) or equivalent(**2**); or

(b) NMKL 71: 1993 or equivalent (**3**).

(**1**) Published by the British Standards Institute, British Standards House, 389 Chiswick High Road, London W4 4AL.

(**2**) Published by the British Standards Institute; *see* above.

(**3**) Published by the British Standards Institute; *see* above.

(6) Rhaid cynnal prawf *Enterobacteriaceae* yn unol â'r dull yn Rhan III o Atodlen 3, neu (os yw hynny wedi'i bennu yn y gymeradwyaeth) â dull sy'n cydymffurfio ag ISO 7402/1993 (BS 5763: Rhan 10: 1993) (Enumeration of *Enterobacteriaceae*) neu ddull cyfwerth(**1**).

(7) Pan fydd profion yn cael eu cynnal er mwyn canfod un o'r canlynol, rhaid i weithredydd labordy a gymeradwywyd o dan y rheoliad hwn hysbysu ar unwaith y Cynulliad Cenedlaethol a gweithredydd y fangre-

(a) os yw'r profion yn methu cadarnhau bod y deunydd yn rhydd rhag *Clostridium perfringens*;

(b) os yw'r profion yn methu â chadarnhau bod y deunydd yn rhydd rhag Salmonela; neu

(c) os yw'r deunydd yn methu'r prawf ar gyfer *Enterobacteriaceae* ym mharagraff 5, Rhan III o Atodlen 3;

a bydd methu gwneud hynny yn dramgwydd.

(8) Rhaid i weithredydd labordy a gymeradwywyd o dan y rheoliad hwn hysbysu'r Cynulliad Cenedlaethol, o ran deunydd wedi'i brosesu, ar ddiwrnod olaf pob mis o nifer y profion a gynhaliwyd yn ystod y mis hwnnw, eu math a'u canlyniadau, a bydd methu gwneud hynny yn dramgwydd.

(9) Os yw'r sampl wedi'i hanfon i labordy a gymeradwywyd o fangre y tu allan i Gymru, rhaid dehongli'r gofyniad yn y rheoliad hwn i hysbysu'r Cynulliad Cenedlaethol fel gofyniad i hysbysu'r awdurdod cymwys ar gyfer y fangre y mae'r sampl wedi'i hanfon ohoni.

RHAN 5

Rhoi ar y farchnad sgil-gynhyrchion anifeiliaid a chynhyrchion wedi'u prosesu

Rhoi ar y farchnad brotein anifeiliaid wedi'i brosesu a chynhyrchion eraill wedi'u prosesu y gellid eu defnyddio yn ddeunydd bwyd anifeiliaid

22. Bydd unrhyw berson sy'n rhoi ar y farchnad brotein anifeiliaid wedi'i brosesu neu gynhyrchion eraill wedi'u prosesu y gellid eu defnyddio'n ddeunydd bwyd anifeiliaid ac nad ydynt yn bodloni gofynion Erthygl 19 o Reoliad y Gymuned yn euog o dramgwydd.

Rhoi ar y farchnad fwyd i anifeiliaid anwes, bwyd cnoi i gwn a chynhyrchion technegol

23.-(1) Bydd unrhyw berson sy'n rhoi ar y farchnad fwyd i anifeiliaid anwes, bwyd cnoi i gŵn, cynhyrchion technegol (ac eithrio deilliadau braster a gynhyrchwyd

(**1**) Cyhoeddwyd gan y Sefydliad Safonau Prydeinig; *gweler* uchod.

(6) A test for *Enterobacteriaceae* must be carried out in accordance with the method in Part III of Schedule 3 or (if specified in the approval) with a method which conforms with ISO 7402/1993 (BS 5763: Part 10: 1993) (Enumeration of *Enterobacteriaceae*) or equivalent(**1**).

(7) Where tests are carried out for the detection of any of the following, the operator of a laboratory approved under this regulation must immediately notify the National Assembly and the operator of the premises if-

(a) the tests fail to establish that the material is free from *Clostridium perfringens*;

(b) the tests fail to establish that the material is free from Salmonella; or

(c) the material fails the test for *Enterobacteriaceae* in paragraph 5, Part III of Schedule 3;

and failure to do so is an offence.

(8) The operator of a laboratory approved under this regulation must in relation to processed material notify the National Assembly on the last day of each month of the number, type and results of tests carried out in that month, and failure to do so is an offence.

(9) If the sample has been sent to the approved laboratory from premises outside Wales, the requirements in this regulation to notify the National Assembly must be construed as a requirement to notify the competent authority for the premises from which the sample was sent.

PART 5

Placing animal by-products and processed products on the market

Placing on the market of processed animal protein and other processed products that could be used as feed material

22. Any person who places on the market processed animal protein or other processed products that could be used as feed material which do not meet the requirements of Article 19 of the Community Regulation is guilty of an offence.

Placing on the market of petfood, dogchews and technical products

23.-(1) Any person who places on the market petfood, dogchews, technical products (other than fat derivatives produced from category 2 material) or

(**1**) Published by the British Standards Institute; *see* above.

o ddeunydd Categori 2) neu'r sgil-gynhyrchion anifeiliaid hynny y cyfeirir atynt yn Atodiad VIII i Reoliad y Gymuned ac nad ydynt yn bodloni gofynion Erthygl 20(1) o Reoliad y Gymuned yn euog o dramgwydd.

(2) Bydd unrhyw berson sy'n rhoi ar y farchnad ddeilliadau braster a gynhyrchwyd o ddeunydd Categori 2 ac nad ydynt yn bodloni gofynion Erthygl 20(3) o Reoliad y Gymuned yn euog o dramgwydd.

(3) Nid yw'r rheoliad hwn yn gymwys o ran-

(a) cynhyrchion technegol a gynhyrchir yn unol â Rheoliad y Comisiwn (EC) Rhif 878/2004; neu

(b) gelatin ffotograffig a gynhyrchir yn unol â Phenderfyniad y Comisiwn 2004/407/EC.

Rhoi ar y farchnad gompost neu weddillion traul i'w ddefnyddio neu i'w defnyddio ar dir amaethyddol

24. Rhaid i unrhyw berson sy'n rhoi ar y farchnad gompost neu weddillion traul i'w ddefnyddio neu i'w defnyddio ar dir amaethyddol sicrhau bod arno neu arnynt label neu fod dogfennau yn mynd gydag ef neu gyda hwy yn y fath fodd fel ag i dynnu sylw'r derbynnydd at ofynion rheoliad 12 (darpariaethau'n ymwneud â thir pori) a bydd unrhyw berson sy'n methu gwneud hynny yn euog o dramgwydd.

RHAN 6

Rhanddirymiadau

Yr awdurdod cymwys ar gyfer Pennod V o Reoliad y Gymuned

25. Yr awdurdod cymwys at ddibenion Pennod V o Reoliad y Gymuned (rhanddirymiadau) fydd y Cynulliad Cenedlaethol.

Rhanddirymiadau'n ymwneud â defnyddio sgil-gynhyrchion anifeiliaid

26.-(1) Caniateir defnyddio sgil-gynhyrchion anifeiliaid at ddibenion diagnostig, dibenion addysgol neu ddibenion ymchwil os yw hynny'n unol ag awdurdodiad.

(2) Caniateir defnyddio sgil-gynhyrchion anifeiliaid ar gyfer tacsidermi-

(a) os yw'n unol ag awdurdodiad; a

(b) os yw mewn gwaith technegol a gymeradwywyd.

(3) Caniateir rhoi sgil-gynhyrchion anifeiliaid a bennir yn Erthygl 23(2)(b) o Reoliad y Gymuned yn fwyd i-

those animal by-products referred to in Annex VIII to the Community Regulation, which do not meet the requirements of Article 20(1) of the Community Regulation is guilty of an offence.

(2) Any person who places on the market fat derivatives produced from category 2 material which do not meet the requirements of Article 20(3) of the Community Regulation is guilty of an offence.

(3) This regulation does not apply in relation to-

(a) technical products produced in accordance with Commission Regulation (EC) No. 878/2004; or

(b) photographic gelatine produced in accordance with Commission Decision 2004/407/EC.

Placing on the market of compost or digestion residues for use on agricultural land

24. Any person who places on the market compost or digestion residues for use on agricultural land must ensure that it is labelled or accompanied by documentation in such a way that the recipient has his or her attention drawn to the requirements of regulation 12 (provisions relating to pasture land) and any person who fails to do so is guilty of an offence.

PART 6

Derogations

Competent authority for Chapter V of the Community Regulation

25. The National Assembly is the competent authority for the purposes of Chapter V of the Community Regulation (derogations).

Derogations regarding the use of animal by-products

26.-(1) The use of animal by-products for diagnostic, educational or research purposes is permitted if it is in accordance with an authorisation.

(2) The use of animal by-products for taxidermy is permitted if-

(a) it is in accordance with an authorisation; and

(b) it is in an approved technical plant.

(3) The feeding of animal by-products specified in Article 23(2)(b) of the Community Regulation to-

(a) anifeiliaid sw;

(b) anifeiliaid syrcas;

(c) ymlusgiaid ac adar ysglyfaethus ac eithrio anifeiliaid sw neu syrcas;

(ch) cŵn o gynelau cydnabyddedig neu i heidiau cydnabyddedig o gŵn hela; neu

(d) cynrhon ar gyfer abwyd pysgota,

os yw'n unol ag awdurdodiad.

(4) Mae'r Cynulliad Cenedlaethol i gynnal cofrestr o fangreoedd a awdurdodir ar gyfer rhoi sgil-gynhyrchion anifeiliaid o'r fath yn fwyd i anifeiliaid sw neu syrcas, cwn o gynelau cydnabyddedig neu i heidiau cydnabyddedig o gwn hela a chynrhon ar gyfer abwyd pysgota.

(5) Mae'r gofrestr yn y paragraff blaenorol i gynnwys yr wybodaeth ganlynol-

(a) enw'r gweithredydd;

(b) cyfeiriad y fangre; ac

(c) y busnes sy'n cael ei redeg yn y fangre.

(6) Yn y rheoliad hwn ac yn y rheoliad canlynol ystyr "sw" yw mangre sydd naill ai wedi'i chofrestru o dan Ddeddf Trwyddedu Sŵau 1981(**1**) neu fangre y mae'r Cynulliad Cenedlaethol wedi rhoi gollyngiad iddi o dan adran 14 o'r Ddeddf honno.

(7) Bydd unrhyw berson sy'n defnyddio sgil-gynhyrchion anifeiliaid at unrhyw un o'r dibenion yn y rheoliad hwn ac eithrio yn unol ag awdurdodiad yn euog o dramgwydd.

Canolfannau casglu

27.-(1) At ddibenion Erthygl 23(2) o Reoliad y Gymuned, ni chaiff unrhyw berson weithredu canolfan gasglu at ddibenion bwydo sgil-gynhyrchion anifeiliaid-

(a) i gwn o gynelau cydnabyddedig neu i heidiau cydnabyddedig o gŵn hela; neu

(b) i gynrhon ar gyfer abwyd pysgota;

onid yw'r fangre a gweithredydd y fangre wedi'u hawdurdodi.

(2) Ni chaiff unrhyw berson weithredu unrhyw fangre lle y cesglir sgil-gynhyrchion anifeiliaid a lle y cânt eu trin ar gyfer eu rhoi yn fwyd i anifeiliaid sw neu syrcas mewn mangreoedd eraill onid yw'r fangre lle y cesglir y sgil-gynhyrchion hynny a lle y cânt eu trin a gweithredydd y fangre honno wedi'u hawdurdodi.

(3) Rhaid i weithredydd mangreoedd a awdurdodwyd o dan y rheoliad hwn gynnal a gweithredu'r fangre'n unol ag-

(a) yr amodau sy'n gymwys i ganolfan gasglu yn Atodiad IX i Reoliad y Gymuned;

(**1**) 1981 p.37.

(a) zoo animals;

(b) circus animals;

(c) reptiles and birds of prey other than zoo or circus animals;

(d) dogs from recognised kennels or recognised packs of hounds; or

(e) maggots for fishing bait,

is permitted if it is in accordance with an authorisation.

(4) The National Assembly is to maintain a register of premises authorised for the feeding of such animal by-products to zoo or circus animals, dogs from recognised kennels or recognised packs of hounds and maggots for fishing bait.

(5) The register in the previous paragraph is to contain the following information-

(a) the name of the operator;

(b) the address of the premises; and

(c) the business carried on at the premises.

(6) In this regulation and in the following regulation "zoo" means premises either licensed under the Zoo Licensing Act 1981 (**1**) or premises in relation to which the National Assembly has granted a dispensation under section 14 of that Act.

(7) Any person who uses animal by-products for any of the purposes in this regulation other than in accordance with an authorisation is guilty of an offence.

Collection centres

27.-(1) For the purposes of Article 23(2) of the Community Regulation no person may operate a collection centre for the purposes of feeding animal by-products to-

(a) dogs from recognised kennels or recognised packs of hounds; or

(b) maggots for fishing bait,

unless the premises and the operator of the premises are authorised.

(2) No person may operate any premises on which animal by-products are collected and treated for feeding to zoo or circus animals on other premises unless the premises on which the by-products are collected and treated and the operator of those premises are authorised.

(3) Operators of premises authorised under this regulation must maintain and operate the premises in accordance with-

(a) the conditions applicable to a collection centre in Annex IX to the Community Regulation;

(**1**) 1981 c.37.

(b) amodau'r awdurdodiad; ac

(c) holl ofynion perthnasol eraill Rheoliad y Gymuned a'r Rheoliadau hyn.

(4) Rhaid iddynt hefyd sicrhau bod unrhyw berson a gyflogir yn y fangre, neu a wahoddir i'r fangre, yn cydymffurfio â'r amodau a'r gofynion hynny.

(5) Bydd unrhyw berson sy'n methu cydymffurfio ag unrhyw un o ddarpariaethau'r rheoliad hwn yn euog o dramgwydd.

Claddu anifeiliaid anwes

28. Yn unol ag Erthygl 24(1)(a) o Reoliad y Gymuned, caniateir i anifeiliaid anwes sydd wedi trigo gael eu claddu.

Ardaloedd pellennig

29.-(1) Dim ond Ynys Enlli ac Ynys Bur sy'n ardaloedd pellennig at ddibenion Erthygl 24(1)(b) o Reoliad y Gymuned ac yn unol â hynny caniateir gwaredu'r sgil-gynhyrchion anifeiliaid y cyfeirir atynt yn yr is-baragraff hwnnw ac sy'n tarddu o'r ardaloedd hynny drwy eu llosgi neu eu claddu yn y fangre ar yr amod y gwneir hyn yn unol â Rhan C o Atodiad II i Reoliad y Comisiwn (EC) Rhif 811/2003(**1**).

(2) Yr awdurdod cymwys at ddibenion Erthygl 7 o Reoliad y Comisiwn (EC) Rhif 811/2003 a rhan C o Atodiad II iddo yw'r Cynulliad Cenedlaethol.

Claddu yn achos brigiad clefyd

30.-(1) Yn unol ag Erthygl 24(1)(c) o Reoliad y Gymuned, os oes brigiad clefyd sydd wedi'i grybwyll yn Rhestr A o Swyddfa Ryngwladol Clefydau Episootig, ni fydd yn dramgwydd o dan y Rheoliadau hyn i sgil-gynhyrchion anifeiliaid gael eu gwaredu fel gwastraff drwy eu llosgi neu eu claddu yn y fangre (fel y diffinnir "burning or burial on site" yn Rhan A o Atodiad II i Reoliad y Comisiwn (EC) Rhif 811/2003) os yw'r sgil-gynnyrch anifeiliaid yn cael ei gludo, a'i gladdu neu ei losgi, yn unol-

(a) â hysbysiad a roddir gan y Cynulliad Cenedlaethol o dan Erthygl 24(1)(c) sy'n awdurdodi gwaredu yn unol â'r ddarpariaeth honno; a

(b) â darpariaethau Erthygl 6 o Reoliad y Comisiwn EC Rhif 811/2003 a Rhan B o Atodiad II iddo.

(2) Yr awdurdod cymwys at ddibenion Erthygl 6 o Reoliad y Comisiwn (EC) Rhif 811/2003 a Rhan B o Atodiad II iddo yw'r Cynulliad Cenedlaethol.

(**1**) OJ Rhif L117, 13.5.2003, t.14.

(b) the conditions of the authorisation; and

(c) all other relevant requirements of the Community Regulation and these Regulations.

(4) They must also ensure that any person employed on, or invited on to, the premises complies with those conditions and requirements.

(5) Any person who fails to comply with any provision of this regulation is guilty of an offence.

Burial of pet animals

28. In accordance with Article 24(1)(a) of the Community Regulation, dead pet animals may be buried.

Remote areas

29.-(1) Only Bardsey Island and Caldy Island are remote areas for the purposes of Article 24(1)(b) of the Community Regulation and accordingly the animal by-products referred to in that sub-paragraph and originating in those areas may be disposed of by burning or burial on site provided that this is done in accordance with Part C of Annex II to Commission Regulation (EC) No. 811/2003(**1**).

(2) The National Assembly is the competent authority for the purposes of Article 7 of, and Part C of Annex II to, Commission Regulation (EC) No. 811/2003.

Burial in the event of a disease outbreak

30.-(1) In accordance with Article 24(1)(c) of the Community Regulation, if there is an outbreak of disease mentioned in List A of the International Office of Epizootic Diseases, on site burning or burial (as defined in Part A of Annex II to Commission Regulation (EC) No. 811/2003) of animal by-products is not an offence if the animal by-product is transported, and buried or burnt, in accordance with-

(a) a notice given by the National Assembly under Article 24(1)(c) authorising disposal in accordance with that provision; and

(b) the provisions of Article 6 of and Part B of Annex II to Commission Regulation (EC) No. 811/2003.

(2) The National Assembly is the competent authority for the purposes of Article 6 of and Part B of Annex II to Commission Regulation (EC) No. 811/2003.

(**1**) OJ No. L117, 13.5.2003, p.14.

Llosgi a chladdu gwenyn a chynhyrchion gwenyna

31. Yn unol ag Erthygl 8 o Reoliad y Comisiwn (EC) Rhif 811/2003, caniateir gwaredu gwenyn a chynhyrchion gwenyna Categori 2 drwy eu claddu neu eu llosgi yn y fangre os yw hynny'n cael ei wneud yn unol â'r Erthygl honno.

Burning and burial of bees and apiculture products

31. In accordance with Article 8 of Commission Regulation (EC) 811/2003, bees and Category 2 apiculture products may be disposed of by burial or burning on site if this is done in accordance with that Article.

RHAN 7

Cofnodion

PART 7

Records

Cofnodion

32.-(1) Rhaid i unrhyw berson y mae'n ofynnol iddo gadw cofnod o dan y Rheoliadau hyn ei gadw am ddwy flynedd o leiaf, ac mae methu gwneud hynny'n dramgwydd.

(2) Caiff cofnod fod ar ffurf ysgrifenedig neu electronig.

Records

32.-(1) Any person required to keep a record under these Regulations must keep it for at least two years, and failure to do so is an offence.

(2) A record may be in written or electronic form.

Cofnodion ar gyfer traddodi, cludo neu dderbyn sgil-gynhyrchion anifeiliaid

33. Bydd unrhyw berson sy'n methu cydymffurfio ag Erthygl 9(1) o Reoliad y Gymuned yn euog o dramgwydd.

Records for consigning, transporting or receiving animal by-products

33. Any person who fails to comply with Article 9(1) of the Community Regulation is guilty of an offence.

Cofnodion ar gyfer claddu neu losgi sgil-gynhyrchion anifeiliaid

34. Bydd unrhyw berson sy'n methu cydymffurfio ag Erthygl 9 o Reoliad y Comisiwn (EC) Rhif 811/2003 yn euog o dramgwydd.

Records for burying or burning of animal by-products

34. Any person who fails to comply with Article 9 of Commission Regulation (EC) No. 811/2003 is guilty of an offence.

Cofnodion ar gyfer gwaredu neu ddefnyddio yn y fangre

35.-(1) Yn ddarostyngedig i baragraff (2), rhaid i weithredydd unrhyw fangre sy'n gwaredu neu'n defnyddio unrhyw sgil-gynnyrch anifeiliaid (ac eithrio gwrtaith neu ddeunydd nad yw wedi'i gynnwys yn Rheoliad y Gymuned o dan Erthygl 1(2) o'r Rheoliad hwnnw), neu gynnyrch wedi'i brosesu yn y fangre wneud cofnod wrth waredu neu ddefnyddio sgil-gynnyrch o bob gwarediad neu ddefnydd yn dangos y dyddiad y gwaredwyd neu y defnyddiwyd y sgil-gynnyrch anifeiliaid a faint o'r deunydd a waredwyd neu a ddefnyddiwyd a disgrifiad ohono, a bydd methu gwneud hynny yn dramgwydd.

(2) Ni fydd y gofyniad ym mharagraff (1) yn gymwys i waredu yn y fangre drwy roi sgil-gynhyrchion anifeiliaid neu gynhyrchion wedi'u prosesu yn fwyd i ymlusgiaid ac i adar ysglyfaethus ac eithrio anifeiliaid sw neu syrcas.

Records for disposal or use on premises

35.-(1) Subject to paragraph (2), an operator of any premises who disposes or uses any animal by-product (other than manure or material excluded from the Community Regulation by Article 1(2) of that Regulation), or processed product on the premises must make on disposal or use a record of each disposal or use, showing the date on which the animal by-product was disposed of or used and the quantity and description of the material disposed of or used, and failure to do so is an offence.

(2) The requirement in paragraph (1) does not apply to disposal on the premises by feeding of animal by-products or processed products to reptiles and birds of prey other than zoo or circus animals.

Cofnodion traddodi i'w cadw gan weithredwyr gweithfeydd bio-nwy a gweithfeydd compostio

36.-(1) Rhaid i weithredydd unrhyw waith bio-nwy neu waith compostio sydd yn derbyn gwastraff arlwyo gofnodi-

(a) y dyddiad y danfonwyd y gwastraff arlwyo i'r fangre;

(b) faint o wastraff arlwyo a ddanfonwyd a disgrifiad ohono, gan gynnwys datganiad ynghylch a gymerwyd camau yn y tarddle i sicrhau nad oedd cig wedi'i gynnwys yn y gwastraff; ac

(c) enw'r cludydd;

a bydd methu gwneud hynny'n dramgwydd.

Cofnodion triniaeth ar gyfer gweithfeydd bio-nwy a gweithfeydd compostio

37. Rhaid i weithredydd gwaith bio-nwy neu waith compostio sy'n trin gwastraff arlwyo neu sgil-gynhyrchion anifeiliaid eraill gofnodi-

(a) y dyddiadau y caiff y deunydd ei drin;

(b) disgrifiad o'r deunydd a gaiff ei drin;

(c) faint o ddeunydd a gaiff ei drin;

(ch) canlyniad pob gwiriad a gyflawnwyd ar y pwyntiau critigol a nodir o dan baragraff 4 o Ran I o Atodlen 1; a

(d) digon o wybodaeth i ddangos bod y deunydd wedi'i drin yn ôl y paramedrau gofynnol;

a bydd methu gwneud hynny yn dramgwydd.

Cofnodion ar gyfer labordai a gymeradwywyd

38. Rhaid i weithredydd labordy a gymeradwywyd o dan reoliad 21 gofnodi, gynted ag y bo'n rhesymol ymarferol-

(a) enw a chyfeiriad y fangre lle y cymerwyd y sampl;

(b) y dyddiad y cymerwyd y sampl;

(c) disgrifiad o'r sampl a sut i'w hadnabod;

(ch) y dyddiad y daeth y sampl i law yn y labordy;

(d) y dyddiad y profwyd y sampl yn y labordy; ac

(dd) canlyniad y prawf;

a bydd methu gwneud hynny'n dramgwydd.

Cofnodion i'w cadw ar gyfer traddodi compost neu weddill traul

39.-(1) Yn ddarostyngedig i baragraff (2), rhaid i feddiannydd mangre y mae anifeiliaid cnoi cil, moch neu adar yn cael eu cadw arni gofnodi-

Delivery records to be kept by operators of biogas and composting plants

36.-(1) The operator of any biogas or composting plant receiving catering waste must record-

(a) the date on which the catering waste was delivered to the premises;

(b) the quantity and description of the catering waste, including a statement of whether measures were taken at source to ensure that meat was not included in the waste; and

(c) the name of the haulier;

and failure to do so is an offence.

Treatment records for biogas and composting plants

37. The operator of a biogas or composting plant treating catering waste or other animal by-products must record-

(a) the dates on which the material is treated;

(b) a description of the material treated;

(c) the quantity of material treated;

(d) the result of all checks carried out at the critical points identified under paragraph 4 of Part I of Schedule 1; and

(e) sufficient information to show that the material has been treated to the required parameters;

and failure to do is an offence.

Records for approved laboratories

38. The operator of a laboratory approved under regulation 21 must, as soon as is reasonably practicable, record-

(a) the name and address of the premises at which the sample was taken;

(b) the date on which the sample was taken;

(c) the description and identity of the sample;

(d) the date on which the sample was received at the laboratory;

(e) the date on which the sample was tested at the laboratory; and

(f) the result of the test;

and failure to do so is an offence.

Records to be kept for consignments of compost or digestion residue

39.-(1) Subject to paragraph (2), the occupier of premises on which ruminant animals, pigs or birds are kept must, as soon as is reasonably practicable, record-

(a) y dyddiad y deuir â'r compost neu'r gweddill traul i'r fangre honno;

(b) faint o gompost neu weddill traul a disgrifiad ohono;

(c) y tir y rhoddir y compost neu'r gweddill traul arno;

(ch) dyddiad ei roi ar y tir; a

(d) y dyddiad y rhoddwyd y tir gyntaf dan gnwd neu'r dyddiad y caniatawyd i anifeiliaid sy'n cnoi cil, moch neu adar (ac eithrio adar gwyllt) fynd ar y tir, p'un bynnag yw'r cynharaf;

a bydd methu gwneud hynny yn dramgwydd.

(2) Ni fydd y gofyniad ym mharagraff (1) i gadw cofnodion yn gymwys yn achos unrhyw gyflenwad o gompost neu weddill traul sydd i'w ddefnyddio mewn unrhyw fangre a ddefnyddir fel annedd yn unig.

RHAN 8

Gweinyddu a gorfodi

Rhoi cymeradwyaethau, etc

40.-(1) Caiff y Cynulliad Cenedlaethol roi cymeradwyaeth, awdurdodiad neu gofrestriad o dan y Rheoliadau hyn os yw wedi'i fodloni bod cydymffurfio â gofynion Rheoliad y Gymuned a'r Rheoliadau hyn wedi digwydd.

(2) Lle y bo'n briodol, rhaid i gymeradwyaeth, awdurdodiad neu gofrestriad bennu,-

(a) cyfeiriad y fangre a gweithredydd y fangre;

(b) y rhannau o'r fangre lle y gellir derbyn a phrosesu neu drin y sgil-gynhyrchion anifeiliaid; ac

(c) y cyfarpar, y dulliau y mae'n rhaid prosesu neu drin y sgil-gynhyrchion anifeiliaid yn unol â hwy a'r paramedrau y mae'n rhaid prosesu neu drin y sgil-gynhyrchion anifeiliaid o'u mewn.

(3) Os yw'r Cynulliad Cenedlaethol yn gwrthod rhoi cymeradwyaeth, awdurdodiad neu gofrestriad, neu'n ei rhoi neu'n ei roi yn ddarostyngedig i amod, rhaid iddo wneud y canlynol drwy gyflwyno hysbysiad ysgrifenedig i'r ceisydd-

(a) rhoi'r rhesymau; a

(b) egluro hawl y ceisydd i gyflwyno sylwadau ysgrifenedig i berson a benodir gan y Cynulliad Cenedlaethol at y diben.

(4) Tra byddo'r fangre'n cael ei dilysu at ddibenion rhoi cymeradwyaeth, awdurdodiad neu gofrestriad, caiff y Cynulliad Cenedlaethol roi cyfarwyddyd ysgrifenedig ynghylch sut y mae'n rhaid gwaredu'r deunydd a broseswyd neu a gafodd ei drin, ac mae methu cydymffurfio â'r cyfarwyddyd hwn yn dramgwydd.

(a) the date on which compost or digestion residue is brought on to those premises;

(b) the quantity and description of the compost or digestion residue;

(c) the land to which the compost or digestion residue is applied;

(d) the date of such application;

(e) the date on which the land is first cropped or the date on which ruminant animals, pigs or birds (other than wild birds) were allowed access to the land, whichever is the sooner;

and failure to do so is an offence.

(2) The requirement in paragraph (1) to make records does not apply in the case of any supply of compost or digestion residue for use at any premises used only as a dwelling.

PART 8

Administration and enforcement

Grant of approvals, etc.

40.-(1) The National Assembly may grant an approval, authorisation or registration under these Regulations if it is satisfied that the requirements of the Community Regulation and these Regulations are complied with.

(2) An approval, authorisation or registration must where appropriate specify-

(a) the address of the premises and the operator of the premises;

(b) the parts of the premises in which the animal by-products may be received and processed or treated; and

(c) the equipment, the methods in accordance with which, and the parameters within which, the animal by products must be processed or treated.

(3) If the National Assembly refuses to grant an approval, authorisation or registration, or grants it subject to a condition it must by notice in writing served on the applicant-

(a) give the reasons; and

(b) explain the right of the applicant to make written representations to a person appointed by it for the purpose.

(4) During validation of premises for the purposes of granting an approval, authorisation or registration, the National Assembly may direct in writing how the processed or treated material must be disposed of, and failure to comply with this direction is an offence.

Atal, diwygio a dirymu cymeradwyaethau, etc.

41.-(1) Drwy gyflwyno hysbysiad i'r gweithredydd-

(a) rhaid i'r Cynulliad Cenedlaethol atal ar unwaith gymeradwyaeth, awdurdodiad neu gofrestriad os na chydymffurfir ag unrhyw un o'r amodau y rhoddwyd y gymeradwyaeth, yr awdurdodiad neu'r cofrestriad oddi tanynt, a

(b) caiff y Cynulliad Cenedlaethol atal neu ddiwygio cymeradwyaeth, awdurdodiad neu gofrestriad os y'i bodlonir na chydymffurfir â darpariaethau Rheoliad y Gymuned neu'r Rheoliadau hyn.

(2) O ran ataliad neu ddiwygiad o dan baragraff (1)(b)-

(a) rhaid iddo gael effaith ar unwaith os yw'r Cynulliad Cenedlaethol o'r farn ei fod yn angenrheidiol er mwyn diogelu iechyd y cyhoedd neu iechyd anifeiliaid;

(b) fel arall ni fydd yn cael effaith am o leiaf 21 o ddiwrnodau ar ôl cyflwyno'r hysbysiad.

(3) Rhaid i'r hysbysiad-

(a) ddatgan pryd y mae'n dod yn effeithiol;

(b) rhoi'r rhesymau drosto; ac

(c) esbonio hawl gweithredydd y fangre i gyflwyno sylwadau ysgrifenedig i berson a benodwyd gan y Cynulliad Cenedlaethol.

(4) Os na fydd yr hysbysiad yn cael effaith ar unwaith, a bod sylwadau'n cael eu cyflwyno o dan reoliad 42, ni fydd diwygiad neu ataliad yn effeithiol hyd oni wneir y penderfyniad terfynol gan y Cynulliad Cenedlaethol yn unol â'r rheoliad canlynol, onid yw'r Cynulliad Cenedlaethol yn penderfynu ei bod yn angenrheidiol, er mwyn diogelu iechyd y cyhoedd neu iechyd anifeiliaid, i'r diwygiad neu'r ataliad gael effaith ar unwaith a'i fod yn cyflwyno hysbysiad i'r gweithredydd.

(5) Caiff y Cynulliad Cenedlaethol, drwy hysbysiad, ddirymu cymeradwyaeth, awdurdodiad neu gofrestriad os yw wedi'i fodloni, yn dilyn sylwadau a gyflwynir o dan reoliad 42, os o gwbl, yn unol â'r rheoliad canlynol sy'n cefnogi ataliad, ac o gymryd holl amgylchiadau'r achos i ystyriaeth, na fydd y fangre'n cael ei rhedeg yn unol â'r Rheoliadau hyn ac â Rheoliad y Gymuned.

Cyflwyno sylwadau i berson a benodwyd

42.-(1) Caiff person gyflwyno sylwadau ysgrifenedig ynghylch gwrthodiad, ataliad neu ddiwygiad o dan reoliad 40 neu 41 o fewn 21 o ddiwrnodau ar ôl i hysbysiad o'r penderfyniad gael ei roi i berson a benodwyd at y diben gan y Cynulliad Cenedlaethol.

Suspension, amendment and revocation of approvals, etc.

41.-(1) The National Assembly, by notice served on the operator-

(a) must suspend immediately an approval, authorisation or registration if any of the conditions under which it was granted are not complied with, and

(b) may suspend or amend an approval, authorisation or registration if it is satisfied that the provisions of the Community Regulation or these Regulations are not complied with.

(2) A suspension or amendment under paragraph 1(b)-

(a) must have immediate effect if the National Assembly considers that it is necessary for the protection of public or animal health;

(b) otherwise must not have effect for at least 21 days following service of the notice.

(3) The notice must-

(a) state when it comes into effect;

(b) give the reasons; and

(c) explain the right of the operator of the premises to make written representations to a person appointed by the National Assembly.

(4) If the notice does not have immediate effect, and representations are made under regulation 42, an amendment or suspension must not have effect until the final determination by the National Assembly in accordance with the following regulation unless the National Assembly decides that it is necessary for the protection of public or animal health for the amendment or suspension to have immediate effect and gives notice to the operator.

(5) The National Assembly may by notice revoke an approval, authorisation or registration if, following representations made under regulation 42, if any, in accordance with the following regulation, which upholds a suspension, it is satisfied, taking into account all the circumstances of the case, that the premises will not be operated in accordance with these Regulations and the Community Regulation.

Representations to an appointed person

42.-(1) A person may make written representations concerning a refusal, suspension or amendment under regulations 40 or 41 within 21 days of notification of the decision to a person appointed for the purpose by the National Assembly.

(2) Rhaid i'r person a benodwyd roi adroddiad ysgrifenedig i'r Cynulliad Cenedlaethol.

(3) Rhaid i'r Cynulliad Cenedlaethol roi i'r apelydd hysbysiad ysgrifenedig o'i ddyfarniad terfynol a'r rhesymau drosto.

Hysbysiad yn ei gwneud yn ofynnol gwaredu sgil-gynhyrchion anifeiliaid neu wastraff arlwyo

43. Os bydd arolygydd yn barnu ei bod yn angenrheidiol at ddibenion iechyd anifeiliaid neu iechyd y cyhoedd neu os na chydymffurfir ag unrhyw un o ddarpariaethau'r Rheoliadau hyn neu Reoliad y Gymuned, caiff yr arolygydd-

(a) cyflwyno i unrhyw berson y mae ganddo yn ei feddiant neu o dan ei reolaeth unrhyw sgil-gynnyrch anifeiliaid, hysbysiad yn ei gwneud yn ofynnol i'r person hwnnw waredu'r sgil-gynnyrch yn y modd a gaffo ei bennu yn yr hysbysiad (ac, os oes angen, yn pennu sut i'w storio hyd nes y'i gwaredir); neu

(b) cyflwyno hysbysiad i feddiannydd unrhyw fangre yn gwahardd dod â sgil-gynhyrchion anifeiliaid i mewn i'r fangre, neu'n caniatáu hyn mewn ffordd a bennir yn yr hysbysiad yn unig.

Glanhau a diheintio

44.-(1) Os bydd yn rhesymol i arolygydd amau bod unrhyw gerbyd, cynhwysydd neu fangre y mae'r Rheoliadau hyn neu Reoliad y Gymuned yn gymwys iddo neu iddi yn risg i iechyd anifail neu'r cyhoedd, caiff yr arolygydd gyflwyno hysbysiad i'r person sydd â gofal am y cerbyd neu'r cynhwysydd, neu i feddiannydd y fangre, yn ei gwneud yn ofynnol i'r cerbyd neu i'r cynhwysydd gael ei lanhau a'i ddiheintio neu i'r fangre gael ei glanhau neu ei diheintio.

(2) Caiff yr hysbysiad-

(a) pennu'r dull glanhau a diheintio;

(b) pennu dull gwaredu unrhyw ddeunydd sydd ar ôl yn y cerbyd, y cynhwysydd neu yn y fangre; ac

(c) gwahardd symud unrhyw sgil-gynnyrch anifeiliaid i mewn i'r cerbyd neu i'r cynhwysydd neu i'r fangre hyd nes bydd y gwaith glanhau a diheintio gofynnol wedi'i gwblhau'n foddhaol.

Cydymffurfio â hysbysiadau

45.-(1) Rhaid cydymffurfio ag unrhyw hysbysiad a gyflwynir o dan y Rheoliadau hyn ar draul y person y cyflwynir yr hysbysiad iddo, ac os na chydymffurfir ag ef, caiff arolygydd drefnu y cydymffurfir ag ef ar draul y person hwnnw.

(2) The appointed person must report in writing to the National Assembly.

(3) The National Assembly must give to the appellant written notification of its final determination and the reasons for it.

Notice requiring the disposal of animal by-products or catering waste

43. If an inspector considers it necessary for animal or public health purposes or if any provision of these Regulations or the Community Regulation is not being complied with, the inspector may-

(a) serve a notice on any person in possession or control of any animal by product requiring that person to dispose of it as may be specified in the notice (and if necessary specify how to store it pending disposal); or

(b) serve a notice on the occupier of any premises prohibiting animal by-products being brought on to the premises, or only permitting this in a way specified in the notice.

Cleansing and disinfection

44.-(1) If an inspector reasonably suspects that any vehicle, container or premises to which these Regulations or the Community Regulation apply constitutes an animal or public health risk, the inspector may serve a notice on the person in charge of the vehicle or container, or on the occupier of the premises, requiring the vehicle, container or premises to be cleansed and disinfected.

(2) The notice may-

(a) specify the method of cleansing and disinfection;

(b) specify the method of disposal of any material remaining in the vehicle, container or premises; and

(c) prohibit the movement of any animal by-product into the vehicle or container or on to the premises until such time as the required cleansing and disinfection has been satisfactorily completed.

Compliance with notices

45.-(1) Any notice served under these Regulations must be complied with at the expense of the person on whom the notice is served, and if it is not complied with, an inspector may arrange for it to be complied with at the expense of that person.

(2) Bydd unrhyw berson y cyflwynir hysbysiad iddo ac sy'n mynd yn groes i ddarpariaethau'r hysbysiad hwnnw neu sy'n methu cydymffurfio â hwy yn euog o dramgwydd.

Pwerau mynediad

46.-(1) O ddangos, os bydd angen hynny, unrhyw ddogfen a ddilyswyd yn briodol ac sy'n dangos awdurdod yr arolygydd, bydd hawl gan arolygydd i fynd i mewn, ar bob adeg resymol, i unrhyw fangre (gan gynnwys unrhyw fangre ddomestig os y'i defnyddir at unrhyw ddiben mewn cysylltiad â Rheoliad y Gymuned neu â'r Rheoliadau hyn) a hynny at ddibenion sicrhau y cydymffurfir â Rheoliad y Gymuned a'r Rheoliadau hyn; ac yn y rheoliad hwn mae "fangre" yn cynnwys unrhyw gerbyd neu gynhwysydd.

(2) Caiff arolygydd-

(a) atafaelu unrhyw sgil-gynhyrchion anifeiliaid a'u gwaredu yn ôl yr angen;

(b) cyflawni unrhyw ymholiadau, archwiliadau a phrofion;

(c) cymryd unrhyw samplau;

(ch) gweld, ac archwilio a chopïo unrhyw gofnodion (ar ba ffurf bynnag y'u cedwir) sy'n cael eu cadw o dan y Rheoliadau hyn neu o dan Reoliad y Gymuned, neu fynd â'r cofnodion hynny oddi yno i'w gwneud yn bosibl eu copïo;

(d) mynd at unrhyw gyfrifiadur ac unrhyw gyfarpar neu ddeunydd cysylltiedig sy'n cael ei ddefnyddio neu sydd wedi'i ddefnyddio mewn cysylltiad â'r cofnodion, a'i archwilio a gwirio ei weithrediad; ac at y diben hwn caiff ofyn i unrhyw berson sydd â gofal am y cyfrifiadur, y cyfarpar neu'r deunydd, neu sydd fel arall yn ymwneud â'u gweithredu, i roi i'r arolygydd unrhyw gymorth y bydd yn rhesymol i'r arolygydd ofyn amdano (gan gynnwys darparu ar gyfer yr arolygydd unrhyw gyfrineiriau angenrheidiol) ac, os cedwir cofnod drwy gyfrwng cyfrifiadur, caiff ofyn i'r cofnodion gael eu cyflwyno ar ffurf sy'n caniatáu mynd â hwy oddi yno;

(dd) marcio unrhyw anifail, sgil-gynnyrch anifeiliaid neu beth arall at ddibenion eu hadnabod; ac

(e) mynd â'r canlynol gydag ef-

(i) y cyfryw bersonau eraill y mae'r arolygydd yn barnu eu bod yn angenrheidiol; a

(ii) unrhyw un o gynrychiolwyr y Comisiwn Ewropeaidd sy'n gweithredu at ddibenion Rheoliad y Gymuned.

(3) Bydd unrhyw berson sy'n difwyno, difodi neu'n tynnu unrhyw farc a roddwyd o dan baragraff (2) yn euog o dramgwydd.

(2) Any person on whom a notice is served who contravenes or fails to comply with the provisions of that notice is guilty of an offence.

Powers of entry

46.-(1) An inspector must, on producing, if so required, some duly authenticated document showing the inspector's authority, have a right at all reasonable hours, to enter any land or premises (including any domestic premises if they are being used for any purpose in connection with the Community Regulation or these Regulations) for the purpose of ensuring that the Community Regulation and these Regulations are being complied with; and in this regulation "premises" includes any vehicle or container.

(2) An inspector may-

(a) seize any animal by-products and dispose of them as necessary;

(b) carry out any inquiries, examinations and tests;

(c) take any samples;

(d) have access to, and inspect and copy any records (in whatever form they are held) kept under these Regulations or the Community Regulation, or remove such records to enable them to be copied;

(e) have access to, inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the records; and for this purpose may require any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material to afford the inspector such assistance as the inspector may reasonably require (including providing the inspector with any necessary passwords) and, where a record is kept by means of a computer, may require the records to be produced in a form in which they may be taken away;

(f) mark any animal, animal by-product or other thing for identification purposes; and

(g) take with him or her-

(i) such other persons as the inspector considers necessary; and

(ii) any representative of the European Commission acting for the purpose of the Community Regulation.

(3) Any person who defaces, obliterates or removes any mark applied under paragraph (2) is guilty of an offence.

(4) Os bydd arolygydd yn mynd i mewn i unrhyw fangre nad yw'n fangre wedi'i meddiannu rhaid i'r arolygydd ei gadael fel y'i cafodd, sef yn effeithiol o ddiogel fel na allo neb nad yw wedi'i awdurdodi fynd i mewn iddi.

Rhwystro

47. Bydd unrhyw berson yn euog o dramgwydd os yw'r person hwnnw-

(a) yn fwriadol yn rhwystro unrhyw berson sy'n gweithredu i roi'r Rheoliadau hyn ar waith;

(b) heb achos rhesymol, yn methu rhoi i unrhyw berson sy'n gweithredu i roi'r Rheoliadau hyn ar waith, unrhyw gymorth neu wybodaeth y mae'n rhesymol i'r person hwnnw ofyn i'r arolygydd amdano neu amdani er mwyn i'r person hwnnw gyflawni ei swyddogaethau o dan y Rheoliadau hyn;

(c) yn rhoi i unrhyw berson sy'n gweithredu i roi'r Rheoliadau hyn ar waith unrhyw wybodaeth y mae'r person sy'n rhoi'r wybodaeth yn gwybod ei bod yn dwyllodrus neu'n gamarweiniol; neu

(ch) yn methu dangos cofnod, pan ofynnir iddo wneud hynny, i unrhyw berson sy'n gweithredu i roi'r Rheoliadau hyn ar waith.

Cosbau

48.-(1) Bydd person sy'n euog o dramgwydd o dan y Rheoliad hwn yn agored-

(a) ar gollfarn ddiannod, i ddirwy nad yw'n fwy na'r uchafswm statudol neu i'w gadw yn y carchar am gyfnod nad yw'n fwy na thri mis, neu i'r ddau; neu

(b) ar gollfarn ar dditiad, i ddirwy neu i'w gadw yn y carchar am gyfnod nad yw'n fwy na dwy flynedd, neu i'r ddau.

(2) Os yw corff corfforaethol yn euog o dramgwydd o dan y Rheoliadau hyn, ac os profir bod y tramgwydd wedi'i wneud drwy gydsyniad neu ymoddefiad, neu wedi'i briodoli i unrhyw esgeulustod ar ran-

(a) unrhyw gyfarwyddwr, rheolwr, ysgrifennydd neu berson arall tebyg yn y corff corfforaethol, neu

(b) unrhyw berson a oedd yn honni ei fod yn gweithredu yn y swyddogaeth honno,

bydd y person hwnnw, yn ogystal â'r corff corfforaethol, yn euog o dramgwydd ac yn agored i gael ei erlyn a'i gosbi yn unol â hynny.

(3) At ddibenion paragraff (2) uchod, ystyr "cyfarwyddwr", mewn perthynas â chorff corfforaethol y mae ei faterion yn cael eu rheoli gan ei aelodau, yw aelod o'r corff corfforaethol.

(4) If an inspector enters any unoccupied premises the inspector must leave them as effectively secured against unauthorised entry as the inspector found them.

Obstruction

47. Any person is guilty of an offence if that person-

(a) intentionally obstructs any person acting in the execution of these Regulations;

(b) without reasonable cause, fails to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of the inspector for the performance of that person's functions under these Regulations;

(c) furnishes to any person acting in the execution of these Regulations any information which that person knows to be false or misleading, or

(d) fails to produce a record when required to do so to any person acting in the execution of these Regulations.

Penalties

48.-(1) A person guilty of an offence under these Regulation is liable-

(a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or both, or

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or both.

(2) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of-

(a) any director, manager, secretary or other similar person of the body corporate, or

(b) any person who was purporting to act in any such capacity,

he or she, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

(3) For the purposes of paragraph (2) above, "director", in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

Gorfodi

49.-(1) Gorfodir y Rheoliadau gan y Cynulliad Cenedlaethol mewn unrhyw ladd-dai, sefydliadau trin anifeiliaid hela, a gweithfeydd torri sy'n gosod cig ffres ar y farchnad a lle y'u gorfodir gan yr Asiantaeth Safonau Bwyd.

(2) Ac eithrio fel a bennir ym mharagraffau (1) uchod (2) mae'r Rheoliadau hyn i'w gorfodi gan yr awdurdod lleol.

(3) Caiff y Cynulliad Cenedlaethol gyfarwyddo, mewn perthynas ag achosion o ddisgrifiad penodol neu unrhyw achos penodol, fod dyletswydd i orfodi a osodir ar awdurdod lleol o dan y rheoliad hwn i'w chyflawni gan y Cynulliad Cenedlaethol ac nid gan yr awdurdod lleol.

Mesurau trosiannol: cynhyrchion technegol

50.-(1) Er gwaethaf rheoliadau 4 a 5, caiff gosod ar y farchnad fathau o ddeunydd Categori 1 a Chategori 2 y cyfeirir atynt yn Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 878/2004 i'w traddodi i waith technegol pwrpasol a gymeradwywyd yn unol ag Erthygl 18 o Reoliad y Gymuned ei awdurdodi yn unol ag Erthygl 2 o'r Rheoliad hwnnw.

(2) Mae methu cydymffurfio ag Erthygl 4(1) o Reoliad y Comisiwn (EC) Rhif 878/2004 (gosod ar y farchnad) neu Erthygl 5 o'r Rheoliad hwnnw (casglu a chludo) yn dramgwydd.

Mesurau trosiannol: cynhyrchion ffotograffig yn dod o gelatin

51.-(1) Er gwaethaf rheoliad 4, yn unol ag Erthygl 1 o Benderfyniad y Comisiwn 2004/407/EC, awdurdodir defnyddio gelatin i weithgynhyrchu cynhyrchion ffotograffig os-

(a) y'i cynhyrchwyd o ddeunydd Categori 1 yn unol â'r Penderfyniad hwnnw; a

(b) y'i mewnforiwyd yn unol â'r Penderfyniad hwnnw.

(2) Rhaid i'r gwaith o weithgynhyrchu cynhyrchion ffotograffig fynd rhagddo yn y ffatri ffotograffig a restrir yn Atodiad I i'r Penderfyniad hwnnw, ac yn unol â chymeradwyaeth a roddwyd at y diben gan y Cynulliad Cenedlaethol.

(3) Rhaid i'r Cynulliad Cenedlaethol atal y gymeradwyaeth ar unwaith os na chydymffurfir ag amodau'r rheoliad hwn.

(4) Ni chaiff unrhyw berson-

(a) cludo'r gelatin ffotograffig mewn cerbyd sy'n cludo ar yr un pryd unrhyw gynnyrch a fwriedir ar gyfer bwyd neu fwyd anifeiliaid, gan gynnwys gelatin a fwriedir at ddibenion ac eithrio'r diben o'i ddefnyddio yn y diwydiant ffotograffig;

Enforcement

49.-(1) The Regulations above must be enforced by the National Assembly in any slaughterhouses, game handling establishments, and cutting plants placing fresh meat on the market where the Food Standards Agency enforces those Regulations.

(2) Other than as specified in paragraphs (1) above these Regulations must be enforced by the local authority.

(3) The National Assembly may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority under this regulation must be discharged by the National Assembly and not by the local authority.

Transitional measures: technical products

50.-(1) Notwithstanding regulations 4 and 5, the placing on the market of the types of Category 1 and 2 material referred to in Article 1 of Commission Regulation (EC) No. 878/2004 for consignment to a dedicated technical plant approved in accordance with Article 18 of the Community Regulation is authorised in accordance with Article 2 of that Regulation.

(2) It is an offence to fail to comply with Article 4(1) of Commission Regulation (EC) No. 878/2004 (placing on the market) or Article 5 of that Regulation (collection and transportation).

Transitional measures: photographic products from gelatine

51.-(1) Notwithstanding regulation 4, in accordance with Article 1 of Commission Decision 2004/407/EC, the use of gelatine is authorised for the manufacture of photographic products if it has been-

(a) produced from Category 1 material in accordance with that Decision; and

(b) imported in accordance with that Decision.

(2) The manufacture of photographic products must be carried out in the photographic factory listed in Annex I to that Decision, and in accordance with an approval granted for the purpose by the National Assembly.

(3) The National Assembly must immediately suspend the approval if the conditions of this regulation are not complied with.

(4) No person must-

(a) transport the photographic gelatine in a vehicle that at the same time transports any product intended for food or feed, including gelatine intended for other purposes than use in the photographic industry;

(b) defnyddio'r gelatin a fewnforiwyd ac eithrio yn y ffatri ffotograffig a gymeradwywyd;

(c) defnyddio'r gelatin at unrhyw ddiben ac eithrio cynhyrchu ffotograffig; neu

(ch) anfon y gelatin i Aelod-wladwriaeth arall.

(5) Rhaid i weithredydd y ffatri ffotograffig a gymeradwywyd sicrhau bod unrhyw gelatin ffotograffig sydd dros ben neu weddillion y gelatin ffotograffig a gwastraff arall sy'n deillio ohono-

(a) yn cael eu cludo mewn cynhwysion dan sêl nad ydynt yn gollwng ac sydd wedi'u labelu 'for disposal only' mewn cerbydau o dan amodau hylendid boddhaol;

(b) yn cael eu gwaredu fel gwastraff drwy eu llosgi'n unol â Chyfarwyddeb Senedd Ewrop a'r Cyngor 2000/76/EC(**1**) neu mewn safle tirlenwi yn unol â Chyfarwyddeb y Cyngor 1999/31/EC(**2**); neu

(c) yn cael eu hallforio i'r wlad y daeth y gelatin ohoni yn unol â Rheoliad y Cyngor (EEC) Rhif 259/93 ar oruchwylio a rheoli llwythi o wastraff o fewn y Gymuned Ewropeaidd, i'r Gymuned ac o'r Gymuned(**3**).

(6) Rhaid i weithredydd y ffatri ffotograffig a gymeradwywyd gadw cofnodion am ddwy flynedd o leiaf yn rhoi manylion ynghylch prynu a defnyddio gelatin ffotograffig, yn ogystal ag ynghylch gwaredu gweddillion a deunydd dros ben.

(7) Caiff arolygydd gyflwyno hysbysiad i unrhyw berson y mae ganddo yn ei feddiant neu o dan ei reolaeth unrhyw ddeunydd y mae'r rheoliad hwn yn gymwys iddo ac nad yw wedi'i gludo, ei ddefnyddio neu ei waredu'n unol â'r rheoliad hwn, yn ei gwneud yn ofynnol i'r ardygydd waredu'r deunydd fel a bennir yn yr hysbysiad.

(8) Mae methu cydymffurfio ag unrhyw un o ddarpariaethau'r rheoliad hwn neu ag hysbysiad a gyflwynir oddi tano'n dramgwydd.

Mesurau trosiannol: llaeth

52. Awdurdodir casglu, cludo, prosesu, defnyddio a storio llaeth, cynhyrchion ar sail llaeth a chynhyrchion sy'n deillio o laeth yn unol ag Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 79/2005, a'r Cynulliad Cenedlaethol yw'r awdurdod cymwys at ddibenion dyroddi cofrestriadau ac awdurdodiadau'n unol â'r Rheoliad hwnnw.

(**1**) OJ Rhif L332, 28.12.2000, t.91.

(**2**) OJ Rhif L182, 16.7.1999, t.1; Cyfarwyddeb fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) Rhif 1882/2003 Senedd Ewrop a'r Cyngor (OJ Rhif L284, 31.10.2003, t.1).

(**3**) OJ Rhif L30, 6.2.1993, t.1; Rheoliad fel y'i diwygiwyd ddiwethaf gan Reoliad y Comisiwn (EC) Rhif 2557/2001 (L349, 31.12.2001, t.1).

(b) use the imported gelatine other than in the approved photographic factory;

(c) use it for any purpose other than photographic production; or

(d) send it to another member State.

(5) The operator of the approved photographic factory must ensure that any surpluses or residues of and other waste derived from the photographic gelatine are-

(a) transported in sealed leak-proof containers labelled 'for disposal only' in vehicles under satisfactory hygiene conditions;

(b) disposed of as waste by incineration in accordance with Directive 2000/76/EC of the European Parliament and of the Council (**1**) or in a landfill site in accordance with Council Directive 1999/31/EC (**2**); or

(c) exported to the country of origin in accordance with Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community (**3**).

(6) The operator of the approved photographic factory must keep records for at least two years detailing the purchases and uses of photographic gelatine, as well as the disposal of residues and surplus material.

(7) An inspector may serve a notice on any person in possession or control of any material to which this regulation applies and which has not been transported, used or disposed of in accordance with this regulation, requiring the inspector to dispose of the material as specified in the notice.

(8) Failure to comply with any provision of this regulation or a notice served under it is an offence.

Transitional measures: milk

52. The collection, transportation, processing, use and storage of milk, milk-based products and milk-derived products is authorised in accordance with Article 1 of Commission Regulation (EC) No. 79/2005, and the National Assembly is the competent authority for the purposes of issuing registrations and authorisations in accordance with that Regulation.

(**1**) OJ No. L 332, 28.12.2000, p.91.

(**2**) OJ No. L 182, 16.7.1999, p.1; Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p.1).

(**3**) OJ No. L 30, 6.2.1993, p. 1; Regulation as last amended by Commission Regulation (EC) No 2557/2001 (L 349, 31.12.2001, p.1).

Diddymu a dirymu

53.-(1) Diddymir y canlynol i'r graddau y maent yn effeithiol o ran Cymru-

(a) adrannau 1, 4, 5, 6, 7, 8, 9, 10, 12, 19 i 26, 29, 33 o Ddeddf Lladd-dai 1974(**1**)ac, yn adran 34, y diffiniad o "horse", "construction regulations", "licence", "knacker's yard"; a

(b) adran 6 o Ddeddf Cwn 1906(**2**).

(2) Dirymir Gorchymyn Rendro (Trin Hylif) (Cymru) 2001(**3**) a Rheoliadau Sgil-gynhyrchion Anifeiliaid 2003(**4**).

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**5**)

10 Mai 2006

Llywydd y Cynulliad Cenedlaethol

(**1**) 1974 p.3.

(**2**) 6 Edw 7 p.32.

(**3**) O.S. 2001/1515.

(**4**) O.S. 2003/1482.

(**5**) 1998 p.38.

Repeals and revocation

53.-(1) The following are repealed in so far as they have effect in Wales-

(a) sections 1, 4, 5, 6, 7, 8, 9, 10, 12, 19 to 26, 29, 33 and, in section 34, the definition of "horse", "construction regulations", "licence", "knacker's yard" of the Slaughterhouses Act 1974(**1**); and

(b) section 6 of the Dogs Act 1906(**2**).

(2) The Rendering (Fluid Treatment) (Wales) Order 2001(**3**) and the Animal By-Products Regulations 2003(**4**) are revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**5**).

10 May 2006

D. Elis-Thomas

The Presiding Officer of the National Assembly

(**1**) 1974 c. 3.

(**2**) 6 Edw 7 c. 32.

(**3**) S. I. 2001/1515.

(**4**) S. I. 2003/2756.

(**5**) 1998c.38.

ATODLEN 1

Rheoliad 158 19(1)

Gofynion ychwanegol ar gyfer gweithfeydd bio-nwy a gweithfeydd compostio

RHAN 1

Mangreoedd

1.-(1) Rhaid bod-

(a) man derbyn lle y mae sgil-gynhyrchion anifeiliaid heb eu trin (gan gynnwys gwastraff arlwyo) yn cael eu derbyn;

(b) man lle y mae cerbydau a chynwysyddion yn cael eu glanhau a'u diheintio gyda chyfleusterau digonol ar gyfer gwneud hynny; ac

(c) man glân lle y mae compost neu weddill traul yn cael ei storio.

(2) Rhaid i'r man glân fod wedi'i wahanu'n ddigonol oddi wrth y man derbyn a'r fan lle y mae cerbydau a chynwysyddion yn cael eu glanhau a'u diheintio er mwyn atal y deunydd sydd wedi'i drin rhag cael ei halogi. Rhaid gosod lloriau fel na all hylifau ollwng i'r man glân o'r mannau eraill.

(3) Rhaid i'r man derbyn fod yn un hawdd i'w lanhau a'i ddiheintio a rhaid bod yno le neu gynhwysydd sydd wedi'i amgáu ac y gellir ei gloi i dderbyn a storio'r sgil-gynhyrchion anifeiliaid heb eu trin.

2. Rhaid dadlwytho'r sgil-gynhyrchion anifeiliaid yn y man derbyn a naill ai-

(a) eu trin ar unwaith; neu

(b) eu storio yn y man derbyn a'u trin heb oedi amhriodol.

3. Rhaid i'r gwaith gael ei weithredu yn y fath fodd-

(a) fel na chaiff deunydd sydd wedi'i drin ei halogi â deunydd sydd heb ei drin neu sydd wedi'i drin yn rhannol neu hylifau sy'n dod ohono; a

(b) fel na chaiff deunydd sydd wedi'i drin yn rhannol ei halogi â deunydd nad yw wedi'i drin i'r un graddau neu â hylifau sy'n dod ohono.

4. Rhaid i'r gweithredydd nodi, rheoli a monitro pwyntiau critigol addas yng ngweithrediad y gwaith i ddangos-

(a) y cydymffurfir â'r Rheoliadau hyn ac â Rheoliad y Gymuned;

(b) fel na chaiff deunydd sydd wedi'i drin ei halogi a deunydd sydd heb ei drin neu sydd wedi'i drin yn rhannol neu a hylifau sy'n dod ohono, a

SCHEDULE 1

Regulation 158 19(1)

Additional requirements for biogas and composting plants

PART I

Premises

1.-(1) There must be-

(a) a reception area in which untreated animal by-products (including catering waste) are received;

(b) an area in which vehicles and containers are cleansed and disinfected with adequate facilities for doing this; and

(c) a clean area in which treated compost or digestion residues are stored.

(2) The clean area must be adequately separated from the reception area and the area in which vehicles and containers are cleansed and disinfected so as to prevent contamination of the treated material. Floors must be laid so that liquid cannot seep into the clean area from the other areas.

(3) The reception area must be easy to clean and disinfect and must have an enclosed and lockable place or container to receive and store the untreated animal by-products.

2. The animal by-products must be unloaded in the reception area and either-

(a) treated immediately; or

(b) stored in the reception area and treated without undue delay.

3. The plant must be operated in such a way that-

(a) treated material is not contaminated by untreated or partially treated material or liquids arising from it; and

(b) partially treated material is not contaminated with material which has not been treated to the same extent or liquids arising from it.

4. The operator must identify, control and monitor suitable critical points in the operation of the plant to demonstrate that-

(a) these Regulations and the Community Regulation are complied with;

(b) treated material is not contaminated by untreated or partially treated material or liquids arising from it; and

(c) fel na chaiff deunydd sydd wedi'i drin yn rhannol ei halogi a deunydd nad yw wedi'i drin i'r un graddau neu a hylifau sy'n dod ohnono.

5. Rhaid glanhau cynwysyddion, llestri a cherbydau sy'n cael eu defnyddio ar gyfer cludo sgil-gynhyrchion anifeiliaid heb eu trin yn y man pwrpasol cyn iddynt adael y fangre a chyn bod unrhyw ddeunydd sydd wedi'i drin yn cael ei lwytho. Yn achos cerbydau sy'n cludo dim ond gwastraff arlwyo heb ei drin ac nad ydynt yn cludo deunydd sydd wedi'i drin ar ôl hynny, dim ond olwynion y cerbyd y mae angen eu glanhau.

(c) partially treated material is not contaminated with material which has not been treated to the same extent or liquids arising from it.

5. Containers, receptacles and vehicles used for transporting untreated animal by-products must be cleaned in the dedicated area before they leave the premises and before any treated material is loaded. In the case of vehicles transporting only untreated catering waste and not subsequently transporting treated material, only the wheels of the vehicle need be cleaned.

RHAN II

Systemau a pharamedrau ar gyfer trin gwastraff arlwyo

1. Oni fydd cymeradwyaeth yn benodol yn caniatáu system wahanol, rhaid trin gwastraff arlwyo drwy un o'r systemau a bennir yn y tabl isod. Rhaid i'r system sicrhau y bydd y deunydd yn cael ei drin yn ôl y paramedrau canlynol:

Compostio

System	***Compostio mewn adweithydd caeedig***	***Compostio mewn adweithydd caeedig***	***Compostio mewn rhenciau wedi'u hamgáu***
Mwyafswm maint y gronyn	40cm	6cm	40cm
Isafbwynt y tymheredd	60°C	70°C	60°C
Lleiafswm yr amser a dreuliwyd ar isafbwynt y tymheredd	2 ddiwrnod	1 awr	8 niwrnod (yn ystod y cyfnod hwn, rhaid troi'r rhenc o leiaf deirgwaith a hynny heb fod yn llai aml na phob deuddydd)

Rhaid bodlonir gofynion ynglŷn ag amser a thymheredd fel rhan o’r broses gompostio.

Bio-nwy

System	***Bio-nwy mewn adweithydd caeedig***	***Bio-nwy mewn adweithydd caeedig***
Mwyafswm maint y gronyn	5cm	6cm
Isafbwynt y tymheredd	57°C	70°C
Lleiafswm yr amser a dreuliwyd ar isafbwynt y tymheredd	5 awr	1 awr

PART II

Treatment systems and parameters for catering waste

1. Unless an approval specifically permits a different system, catering waste must be treated by one of the systems specified in the table below. The system must ensure that the material is treated to the following parameters:

Composting

System	***Composting in a closed reactor***	***Composting in a closed reactor***	***Composting in housed windrows***
Maximum particle size	40cm	6cm	40cm
Minimum temperature	60°C	70°C	60°C
Minimum time spent at the minimum temperature	2 days	1 hour	8 days (during which the windrow must be turned at least 3 times at no less than 2 days intervals)

The time temperature requirements must be achieved as part of the composting process.

Biogas

System	**Biogas in a closed reactor**	**Biogas in a closed reactor**
Maximum particle size	5cm	6cm
Minimum temperature	57°C	70°C
Minimum time spent at the minimum temperature	5 hours	1 hour

2. Fel rheol rhaid i'r gymeradwyaeth bennu un o'r dulliau yn y tabl, ond caiff y Cynulliad Cenedlaethol gymeradwyo system wahanol os yw wedi'i fodloni ei fod yn sicrhau'r un gostyngiad mewn pathogenau â'r dulliau hynny (gan gynnwys unrhyw amodau ychwanegol sy'n cael eu gosod ar gyfer y dulliau hynny) ac os felly rhaid i'r system gyfan gael ei disgrifio'n llawn yn y gymeradwyaeth.

Gweithfeydd compostio

3. Os yw'r gymeradwyaeth ar gyfer gwaith compostio yn pennu un o'r dulliau yn y tabl, rhaid iddi bennu pa un ac, yn ychwanegol at hynny, rhaid bod ynddi'r naill neu'r llall o'r amodau canlynol-

(a) y bydd mesurau yn cael eu cymryd yn y tarddle i sicrhau na chafodd cig ei gynnwys yn y gwastraff arlwyo a bod y deunydd yn cael ei storio am 18 o ddiwrnodau o leiaf ar ôl ei drin (nid yw'n angenrheidiol ei storio mewn system wedi'i hamgáu), neu

(b) y bydd y deunydd yn cael ei drin eto, ar ôl y driniaeth gyntaf, gan ddefnyddio un o'r dulliau sydd yn y tabl ac sydd wedi'i bennu yn y gymeradwyaeth (nid o reidrwydd yr un dull ag a ddefnyddiwyd ar gyfer y driniaeth gyntaf) ac eithrio, os yw'r driniaeth mewn rhenc, nad oes angen i'r ail driniaeth fod mewn rhenc wedi'i hamgáu.

Gweithfeydd bio-nwy

4. Rhaid i gymeradwyaeth gwaith bio-nwy bennu un o'r dulliau yn y tabl ac, yn ychwanegol at hynny, ei gwneud yn ofynnol naill ai-

(a) bod camau wedi'u cymryd yn y tarddle i sicrhau na chafodd cig ei gynnwys yn y gwastraff arlwyo; neu

(b) bod y deunydd, ar ôl iddo gael ei drin, yn cael ei storio am 18 o ddiwrnodau ar gyfartaledd.

2. The approval must normally specify one of the methods in the table, but the National Assembly may approve a different system if it is satisfied that it achieves the same reduction in pathogens as those methods (including any additional conditions imposed on those methods) in which case the approval must fully describe the whole system.

Composting plants

3. If the approval for a composting plant specifies one of the methods in the table, it must specify which one and, in addition, must have as a condition either that-

(a) measures must be taken at source to ensure that meat was not included in the catering waste and that following treatment the material is stored for at least 18 days (storage need not be in an enclosed system), or

(b) following the first treatment, the material must be treated again using one of the methods in the table and specified in the approval (not necessarily the same method as was used for the first treatment) except that, if the treatment is in a windrow, the second treatment need not be in a housed windrow.

Biogas plants

4. The approval for a biogas plant must specify one of the methods in the table and in addition require that either-

(a) measures were taken at source to ensure that meat was not included in the catering waste; or

(b) following treatment the material is stored for an average of 18 days.

ATODLEN 2

Rheoliad 17(4)

Hylif yn deillio o anifeiliaid sy'n cnoi cil

Trin neu ollwng hylif wrth brosesu sgil-gynhyrchion anifeiliaid sy'n cnoi cil

1.-(1) Rhaid i unrhyw berson sy'n prosesu unrhyw sgil-gynnyrch anifeiliaid yn deillio o anifail sy'n cnoi cil-

(a) gollwng yr hylif sy'n dod o'r broses neu ei anfon i'w ollwng-

(i) i garthffos gyhoeddus yn unol â chydsyniad neu gytundeb elifiant masnachol gan yr ymgymerwr carthffosiaeth perthnasol o dan Ddeddf y Diwydiant Dŵr 1991(**1**); neu

(ii) i ddyfroedd a reolir (o fewn ystyr Deddf Adnoddau Dŵr 1991(**2**)) i gydymffurfio â chydsyniad gollwng gan Asiantaeth yr Amgylchedd o dan y Ddeddf honno; neu

(b) trin yr hylif sy'n dod o'r gwaith prosesu yn y fangre brosesu yn y fath fodd fel bod gan yr hylif a gafodd ei drin-

(i) lefel o solidau crog o ddim mwy nag 80 mg y litr, a

(ii) galw am ocsigen biocemegol o ddim mwy na 60 mg y litr,

ac mae methu gwneud hynny'n dramgwydd.

(2) Os yw'r person sy'n prosesu'r sgil-gynhyrchion anifeiliaid yn traddodi hylif nad yw wedi'i drin yn unol ag is-baragraff (1)(b) i'w ollwng gan berson arall, a bod y person hwnnw'n methu ei ollwng yn unol ag is-baragraff (1)(a)-

(a) mae'r person hwnnw ynghyd â'r proseswr yn euog o dramgwydd; ond

(b) mae i'r proseswr ddangos i'r proseswr gredu ar sail resymol y byddai'r person yn gollwng yr hylif yn unol ag is-baragraff 1(a) yn amddiffyniad.

(3) Nid yw'r paragraff hwn yn gymwys o ran gwaed nad yw wedi'i gymysgu gydag unrhyw ddeunydd arall sy'n dod o anifail sy'n cnoi cil.

Mesur hylif a gafodd ei drin

2.-(1) Er mwyn sicrhau bod yr hylif a gafodd ei drin yn cydymffurfio â'r lefelau ym mharagraff 1(1)(b) y lleiaf y mae'n rhaid i weithredydd sy'n trin hylif yn unol â'r paragraff hwnnw ei wneud yw'r mesuriadau canlynol.

(**1**) 1991 p.56.

(**2**) 1991 p.57.

SCHEDULE 2

Regulation 17(4)

Ruminant derived fluid

Treatment or discharge of fluid from processing ruminant by-products

1.-(1) Any person who processes any ruminant animal by-product must-

(a) discharge or consign for discharge the fluid arising from the processing into-

(i) a public sewer in accordance with a trade effluent consent or agreement from the relevant sewerage undertaker under the Water Industry Act 1991(**1**); or

(ii) controlled waters (within the meaning of the Water Resources Act 1991(**2**)) in compliance with a discharge consent from the Environment Agency under that Act; or

(b) treat the fluid arising from the processing on the processing premises in such a way that the treated fluid has-

(i) a level of suspended solids of no more than 80 mg/litre, and

(ii) a biochemical oxygen demand of no more than 60 mg/litre,

and failure to do so is an offence.

(2) If the person who processes the animal by-products consigns fluid that has not been treated in accordance with sub-paragraph (1)(b) for discharge by another person, and that person fails to discharge it in accordance with sub-paragraph (1)(a)-

(a) both that person and the processor are guilty of an offence; but

(b) it is a defence for the processor to show that the processor believed on reasonable grounds that that person would discharge the fluid in accordance with sub-paragraph 1(a).

(3) This paragraph does not apply in relation to blood that has not been mixed with any other ruminant material.

Measurement of treated fluid

2.-(1) In order to ensure that the treated fluid complies with the levels in paragraph 1(1)(b) an operator who treats fluid in accordance with that paragraph must as a minimum carry out the following measurements.

(**1**) 1991 c.56.

(**2**) 1991 c.57.

(2) Rhaid i'r gweithredydd fonitro'n barhaus lefel y solidau crog yn yr hylif a gafodd ei drin neu fel arall ei mesur deirgwaith y dydd.

(3) Unwaith yr wythnos, rhaid i'r gweithredydd fesur lefel y solidau crog yn yr hylif a gafodd ei drin drwy ddull sy'n cydymffurfio â "Suspended Settleable and Total Dissolved Solids in Waters and Effluents(**1**)".

(4) Unwaith yr wythnos rhaid i'r gweithredydd fesur galw'r hylif a gafodd ei drin am ocsigen biocemegol drwy ddull sy'n cydymffurfio â'r "5 day Biochemical Oxygen Demand (BOD5)(**2**)".

(5) Os yw unrhyw un o'r mesuriadau hyn yn dangos nad yw'r hylif a gafodd ei drin yn cydymffurfio â'r lefelau ym mharagraff 1(1)(b) rhaid i'r gweithredydd sicrhau mai'r hylif a gafodd ei drin yn unol â pharagraff 1(1)(a) yn unig sydd yn cael ei ryddhau hyd onid yw profion pellach yn dangos bod y system drin yn cyrraedd y lefelau gofynnol.

(6) Mae methu cydymffurfio ag unrhyw un o ddarpariaethau'r paragraff hwn yn dramgwydd.

Cofnodion

3.-(1) Rhaid i unrhyw berson sy'n prosesu unrhyw sgil-gynhyrchion anifeiliaid sy'n deillio o anifail sy'n cnoi cil, gynted ag y bo'n rhesymol ymarferol, gofnodi dyddiadau a chanlyniadau mesuriadau a wnaed yn unol â pharagraff 2.

(2) Ar gyfer yr holl hylif a gaiff ei ollwng neu ei draddodi o'r fangre brosesu, rhaid iddo, gynted ag y bo'n rhesymol ymarferol, gofnodi-

(a) ai hylif wedi'i drin neu heb ei drin oedd yr hylif;

(b) dyddiad a dull ei ollwng neu ei draddodi;

(c) faint ohono a ollyngwyd neu a draddodwyd;

(ch) ym mha le y'i gollyngwyd, neu'r fangre y traddodwyd ef iddi; a

(d) enw'r cludydd, os oedd cludydd.

(3) Mae methu cydymffurfio ag unrhyw un o ddarpariaethau'r paragraff hwn yn dramgwydd.

(**1**) Ceir hwn yn y gyfres "Methods for the Examination of Waters and Associated Materials" sydd ar gael ar dudalen we Asiantaeth yr Amgylchedd ar y rhyngrwyd (http://www.environment-agency.gov.uk/nls) ond a gyhoeddwyd cyn hynny gan y Llyfrfa fel ISBN 011751957X.

(**2**) Ceir hwn yn y gyfres "Methods for the Examination of Waters and Associated Materials" sydd ar gael ar dudalen we Asiantaeth yr Amgylchedd (http://www.environment-agency.gov.uk/nls) ond a gyhoeddwyd cyn hynny gan y Llyfrfa fel ISBN 0117522120.

(2) The operator must continuously monitor the level of suspended solids in the treated fluid or alternatively measure it three times a day.

(3) Once a week the operator must measure the level of suspended solids in the treated fluid by a method that conforms with "Suspended Settleable and Total Dissolved Solids in Waters and Effluents(**1**)".

(4) Once a week the operator must measure the biochemical oxygen demand of the treated fluid by a method which conforms with the "5 day Biochemical Oxygen Demand (BOD5)(**2**)".

(5) If any of these measurements demonstrates that the treated fluid does not comply with the levels in paragraph 1(1)(b) the operator must ensure that the operator only discharges the treated fluid in accordance with paragraph 1(1)(a) until further tests show that the treatment system is achieving the required levels.

(6) It is an offence to fail to comply with any provision of this paragraph.

Records

3.-(1) Any person who processes any ruminant animal by-products must, as soon as is reasonably practicable, record the dates and results of the measurements taken in accordance with paragraph 2.

(2) For all fluid discharged or consigned from the processing premises that person must, as soon as is reasonably practicable, record-

(a) whether the fluid was treated or untreated;

(b) the date and method of the discharge or consignment;

(c) the quantity discharged or consigned;

(d) where it was discharged, or the premises to which it was consigned; and

(e) the name of the haulier, if any.

(3) It is an offence to fail to comply with any provision of this paragraph.

(**1**) This is set out in the series "Methods for the Examination of Waters and Associated Materials" available on the Environment Agency internet web-page (http://www.environment-agency.gov.uk/nls) but previously published by HMSO as ISBN 011751957X.

(**2**) This is set out in the series "Methods for the Examination of Waters and Associated Materials" available on the Environment Agency internet web-page (http://www.environment-agency.gov.uk/nls) but previously published by HMSO as ISBN 0117522120.

Cofnodion traddodi

4.-(1) Rhaid i unrhyw berson sy'n traddodi unrhyw hylif sy'n deillio o brosesu sgil-gynhyrchion anifeiliaid sy'n deillio o anifail sy'n cnoi cil (p'un ai ef ei hun a'u prosesodd ai peidio) o unrhyw fangre, gynted ag y bo'n rhesymol ymarferol, gofnodi-

(a) cyfeiriad y fangre y cesglir yr hylif ohoni;

(b) y dyddiad y cesglir yr hylif;

(c) faint o hylif a disgrifiad ohono, ac ai hylif wedi'i drin neu heb ei drin ydyw;

(ch) y fan lle y mae i'w ollwng neu i'w waredu.

(2) Rhaid iddo roi copi i'r person sy'n cludo'r hylif.

(3) Rhaid i'r cludydd gadw ei gopi o'r cofnod gyda'r llwyth hyd oni ollyngir neu oni waredir yr hylif.

(4) Rhaid i'r sawl sy'n traddodi gadw copi o'r cofnod am ddwy flynedd o leiaf, a rhaid i'r cludydd ei gadw am ddwy flynedd o leiaf.

(5) Mae methu cydymffurfio ag unrhyw un o ddarpariaethau'r paragraff hwn yn dramgwydd.

Records of consignment

4.-(1) Any person who consigns any fluid arising from the processing of ruminant animal by-products (whether or not that person processed the by-products personally) from any premises must, as soon as is reasonably practicable, record-

(a) the address of the premises from which the fluid is collected;

(b) the date on which the fluid is collected;

(c) the quantity and description of the fluid, and whether treated or untreated;

(d) the place at which it is to be discharged or disposed of.

(2) He or she must give a copy to the person who transports the fluid.

(3) The transporter must keep his or her copy of the record with the consignment until the fluid is discharged or disposed of.

(4) The consignor mustl keep a copy of the record for at least two years, and the transporter must keep it for at least two years.

(5) It is an offence to fail to comply with any provision of this paragraph.

ATODLEN 3

Rheoliad 21

Dulliau Profi

RHAN I

Y DULL AR GYFER YNYSU
CLOSTRIDIUM PERFRINGENS

Amser profi

1. Rhaid dechrau'r profion pan ddaw'r sampl i law neu ar y diwrnod gwaith cyntaf sy'n caniatáu i'r dull hwn gael ei gwblhau. Os na ddechreuir y prawf ar y diwrnod y daw'r sampl i law rhaid ei storio mewn oergell rhwng 2°C ac 8°C nes bydd ei hangen. Os cafodd y sampl ei rhoi mewn oergell, rhaid ei thynnu o'r oergell a'i storio ar wres ystafell am o leiaf un awr cyn i'r prawf ddechrau.

Samplau

2. Rhaid cyflawni'r profion drwy ddefnyddio dwy gyfran 10 gram o bob sampl a gyflwynir i'w phrofi. Rhaid i bob sampl 10 gram gael ei rhoi'n aseptigol mewn cynhwysydd sterilaidd sy'n cynnwys 90 ml *Clostridium perfringens* o wanedydd a wnaed o 0.1% pepton a 0.8% sodiwm clorid wrth pH o 7 a'i chymysgu'n drwyadl nes bod y sampl mewn daliant gwastad.

Planiadau

3. Am bob cyfran o'r sampl rhaid trosglwyddo 1 ml o'r hydoddiant i ddysgl petri 90 mm sterilaidd (yn ddyblyg) y mae'n rhaid ychwanegu ynddi 15 ml o agar Shahidi-Ferguson (agar SF)(**1**) ar dymheredd o 47°C±1°C a'i gymysgu ar unwaith a chan bwyll drwy droelli'r ddysgl 5 gwaith yn glocwedd a 5 gwaith yn wrthglocwedd.

4. Pan fydd yr agar wedi ceulo, rhaid troshaenu pob plât agar â 10 ml pellach o agar SF ar dymheredd o 47°C±1°C. Pan fydd y droshaen wedi ceulo a chyda'r platiau at i fyny, rhaid deor y platiau'n anerobig ar 37°C±1°C am 20 awr±2 awr.

(**1**) Shahidi-Ferguson Agar - *Gweler* Shahidi, S.A. a Ferguson, A.R. (1971) Applied Microbiology 21:500-506. American Society for Microbiology, 1913 1 St N.W., Washington DC 20006, UDA.

SCHEDULE 3

Regulation 21

Testing Methods

PART I

METHOD FOR THE ISOLATION OF
CLOSTRIDIUM PERFRINGENS

Time of testing

1. Tests must be begun on receipt of the sample or on the first working day which allows this method to be completed. If the test is not begun on the day of receipt the sample must be stored in a refrigerator at between 2°C and 8°C until required. If the sample has been refrigerated it must be removed from the refrigerator and stored at room temperature for at least one hour before the test is started.

Samples

2. Tests must be carried out using two 10 gram portions of each sample submitted for testing. Each 10 gram sample must be placed aseptically in a sterile container containing 90 ml *Clostridium perfringens* diluent consisting of 0.1% peptone and 0.8% sodium chloride at a pH of 7 and mixed thoroughly until the sample is evenly suspended.

Inoculations

3. For each portion of the sample 1 ml of solution must be transferred to a sterile 90 mm petri dish (in duplicate), to which 15 ml of Shahidi - Ferguson agar (SF agar)(**1**) at a temperature of 47°C±1°C must be added and immediately gently mixed by swirling the dish with 5 clockwise and 5 anticlockwise circular movements.

4. Once the agar has set, each agar plate must be overlaid with a further 10 ml SF agar at a temperature of 47°C±1°C. Once the overlay has set and with the plate lids uppermost the plates must be incubated anaerobically at 37°C±1°C for 20 hours±2 hours.

(**1**) Shahidi-Ferguson agar - *See* Shahidi, S. A. and Ferguson, A. R. (1971) Applied Microbiology 21:500-506.American Society for Microbiology, 1913 1 St N.W., Washington DC 20006, USA.

Samplau â chytrefi *Clostridium perfringens*

5. Ar ôl y deoriad rhaid archwilio pob set o blatiau dyblyg am gytrefi nodweddiadol o *Clostridium perfringens* (du). Bydd y sampl yn methu dros dro os bydd unrhyw gytrefi sy'n nodweddiadol o *Clostridium perfringens* yn bresennol, ac yn yr achos hwnnw rhaid dilyn y weithdrefn ganlynol er mwyn cadarnhau ai cytrefi o *Clostridium perfringens* ydynt ai peidio.

6. Yn achos pob plât, rhaid is-feithrin 10 cytref nodweddiadol o *Clostridium perfringens* ar blât agar SF pellach. Os bydd llai na 10 cytref ar y plât, rhaid is-feithrin pob cytref nodweddiadol ar blât pellach. Rhaid deor y platiau'n anerobig ar 37°C±1°C am 20 awr±2 awr.

7. Os oes gordyfiant ar arwynebedd y platiau ac nad yw'n bosibl dethol cytrefi nodweddiadol a ynyswyd yn dda, rhaid is-feithrin 10 cytref a amheuir ar ddyblygiadau o blatiau agar SF a'u deor yn anerobig ar 37°C±1°C am 20 awr±2 awr.

8. Rhaid is-feithrin un gytref nodweddiadol o bob plât ar yr agar SF a'i deor yn anerobig ar 37°C±1°C am 20 awr±2 awr.

Cytrefi a gafodd eu his-feithrin

9. Ar ôl y deoriad rhaid archwilio pob plât am gytrefi sy'n nodweddiadol o *Clostridium perfringens.* Rhaid i bob cytref sy'n nodweddiadol o *Clostridium perfringens*-

(a) gael trywanblaniad i gyfrwng symudoldeb nitrad(**1**); a

(b) ei phlannu naill ai mewn cyfrwng gelatin lactos(**2**) neu mewn disgiau gelatin golosg(**3**);

a'u deor yn anerobig ar 37°C±1°C am 20 awr±2 awr.

Symudoldeb

10. Rhaid archwilio'r cyfrwng symudoldeb nitrad am y math o dyfiant ar hyd y llinell drywanu. Os oes tystiolaeth o dyfiant yn tryledu i mewn i'r cyfrwng oddi wrth y llinell drywanu, rhaid ystyried bod y bacteria yn symudol.

(**1**) Motility nitrate medium - *Gweler* Hauschild AHW, Gilbert RJ, Harmon SM, O'Keefe MF, Vahlefeld R, (1997) ICMSF Methods Study VIII, Canadian Journal of Microbiology 23, 884-892. National Research Council of Canada, Ottawa ON K1A OR6, Canada.

(**2**) Lactos gelatin medium - *Gweler* Hauschild AHW, Gilbert RJ, Harmon SM, O'Keefe MF, Vahlefield R, (1997) ICMSF Methods Study VIII, Canadian Journal of Microbiology 23, 884-892.

(**3**) Charcoal gelatin discs -*Gweler* Mackie a McCartney, (1996) Practical Medical Microbiology 14, 509. Churchill Livingstone, Robert Stevenson House, 1-3 Baxter's Place, Leith Walk, Caeredin EH1 3AF.

Samples with colonies of *Clostridium perfringens*

5. After incubation each set of duplicate plates must be examined for colonies characteristic of *Clostridium perfringens* (black). The sample provisionally fails if any colonies characteristic of *Clostridium perfringens* are present, in which case the following procedure must be followed to establish whether or not the colonies are *Clostridium perfringens*.

6. In the case of each plate, 10 characteristic colonies of *Clostridium perfringens* must be subcultured on to a further SF agar plate. If there are less than 10 colonies on the plate, all characteristic colonies must be subcultured on to the further plate. The plates must be incubated anaerobically at 37°C±1°C for 20 hours±2 hours.

7. If the surface area of the plates is overgrown and it is not possible to select well isolated characteristic colonies, 10 suspect colonies must be subcultured on to duplicate SF agar plates and incubated anaerobically at 37°C±1°C for 20 hours±2 hours.

8. One characteristic colony from each plate must be subcultured on to SF agar and incubated anaerobically at 37°C±1°C for 20 hours±2 hours.

Subcultured colonies

9. After incubation each plate must be examined for colonies characteristic of Clostridium perfringens. All colonies characteristic of *Clostridium perfringens* must be-

(a) stab inoculated into motility nitrate medium(**1**); and

(b) inoculated into either lactose gelatin medium(**2**) or charcoal gelatin discs(**3**);

and incubated anaerobically at 37°C±1°C for 20 hours±2 hours.

Motility

10. The motility nitrate medium must be examined for the type of growth along the stab line. If there is evidence of diffuse growth out into the medium away from the stab line, the bacteria must be considered to be motile.

(**1**) Motility nitrate medium - *See* Hauschild AHW, Gilbert RJ, Harmon SM, O'Keefe MF, Vahlefield R, (1997) ICMSF Methods Study VIII, Canadian Journal of Microbiology 23, 884-892. National Research Council of Canada, Ottawa ON K1A oR6, Canada

(**2**) Lactose gelatin medium - *See* Hauschild AHW, Gilbert RJ, Harmon SM, O'Keefe MF, Vahlefield R, (1997) ICMSF Methods Study VIII, Canadian Journal of Microbiology 23, 884-892.

(**3**) Charcoal gelatin discs - *See* Mackie and McCartney, (1996) Practical Medical Microbiology 14, 509. Churchill Livingstone, Robert Stevenson House, 1-3 Baxter's Place, Leith Walk, Edinburgh EH1 3AF.

Rhydwytho nitrad yn nitrid

11. Ar ôl archwilio'r cyfrwng symudoldeb nitrad, rhaid ychwanegu ato 0.2 ml i 0.5 ml o adweithydd canfod nitrid. Bydd lliw coch yn ymffurfio yn cadarnhau bod y bacteria wedi rhydwytho nitrad i nitrid. Rhaid diystyru meithriniadau sy'n dangos adwaith wan (h.y. lliw pinc). Os na fydd lliw coch yn ymffurfio cyn pen 15 munud, rhaid ychwanegu swm bach o lwch zinc a gadael i'r plât sefyll am 15 munud. Os bydd lliw coch yn ymffurfio ar ôl ychwanegu llwch zinc, bydd hyn yn cadarnhau nad yw nitrad wedi'i rydwytho'n nitrid.

Cynhyrchu nwy ac asid o lactos a gelatin yn troi'n hylif

12. Rhaid archwilio'r cyfrwng gelatin lactos am bresenoldeb swigod bach nwy yn y cyfrwng.

13. Rhaid archwilio'r cyfrwng gelatin lactos am liw. Mae lliw melyn yn dangos bod y lactos wedi eplesu.

14. Rhaid oeri'r cyfrwng gelatin lactos am un awr ar 2- 8°C ac yna'i wirio i weld a yw'r gelatin wedi hylifo. Os yw'r cyfrwng wedi ymsolido, rhaid ei ailddeor yn anerobig am 18- 24 awr eto, oeri'r cyfrwng am un awr eto ar 2- 8°C a'i wirio eto i weld a yw'r gelatin wedi hylifo.

15. Rhaid penderfynu ar bresenoldeb *Clostridium perfringens* ar sail y canlyniadau o baragraffau 10 i 14. Rhaid ystyried bod bacteria sy'n cynhyrchu cytrefi duon ar agar SF, yn ansymudol, yn rhydwytho nitrad yn nitrid, yn cynhyrchu nwy ac asid o lactos ac yn hylifo gelatin o fewn 48 awr yn *Clostridium perfringens*.

Profion Rheoli

16. Rhaid cynnal profion rheoli bob dydd wrth ddechrau profi gan ddefnyddio-

(a) *Clostridium perfringens* heb fod yn fwy na saith niwrnod oed ar adeg ei ddefnyddio;

(b) *Escherichia* coli NCTC 10418((**1**) neu sylwedd cyfwerth iddo nad yw'n fwy na saith niwrnod oed ar adeg ei ddefnyddio; ac

(c) protein anifeiliaid neu gompost neu weddill traul wedi'i brosesu sy'n rhydd rhag *Clostridium perfringens*.

(**1**) The National Collection of Type Cultures, Central Public Health Laboratory, 61 Colindale Ave, Llundain NW9 5HT.

Reduction of nitrate to nitrite

11. After examination of the motility nitrate medium, 0.2 ml to 0.5 ml of nitrite detection reagent must be added to it. The formation of a red colour confirms that the bacteria have reduced nitrate to nitrite. Cultures that show a faint reaction (i.e. a pink colour) should be discounted. If no red colour is formed within 15 minutes, a small amount of zinc dust must be added and the plate allowed to stand for 15 minutes. If a red colour is formed after the addition of zinc dust no reduction of nitrate to nitrite has taken place.

Production of gas and acid from lactose and liquefaction of gelatin

12. The lactose gelatin medium must be examined for the presence of small gas bubbles in the medium.

13. The lactose gelatin medium must be examined for colour. A yellow colour indicates fermentation of lactose.

14. The lactose gelatin medium must be chilled for one hour at 2 - 8°C and then checked to see if the gelatin has liquefied. If the medium has solidified it must be re-incubated anaerobically for a further 18 - 24 hours, the medium chilled for a further one hour at 2 - 8°C and again checked to see if the gelatin has liquefied.

15. The presence of *Clostridium perfringens* must be determined on the basis of the results from paragraphs 10 to 14. Bacteria which produce black colonies on SF agar, are non-motile, reduce nitrate to nitrite, produce gas and acid from lactose and liquefy gelatin within 48 hours must be considered to be *Clostridium perfringens*.

Control Tests

16. Control tests must be carried out each day that a test is initiated using-

(a) *Clostridium perfringens* no more than seven days old at the time of use;

(b) *Escherichia* coli NCTC 10418(**1**) or equivalent not more than seven days old at the time of use; and

(c) processed animal protein or compost or digestion residue which is free of *Clostridium perfringens*.

(**1**) The National Collection of Type Cultures, Central Public Health Laboratory, 61 Colindale Ave, London NW9 5HT.

17. Rhaid rhoi darnau 10 gram o brotein anifail wedi'i rendro yn aseptigol yn y naill a'r llall o ddau gynhwysydd sterilaidd sy'n cynnwys 90 ml o Ddŵr Pepton Byfferog (BPW)(**1**) a'i gymysgu'n drwyadl nes bod y samplau mewn daliant gwastad.

18. Rhaid rhoi un gytref o *Clostridium perfringens* mewn 10 ml BPW a'i chymysgu i ffurfio daliant gwastad. Rhaid ychwanegu 0.1 ml o'r daliad at y daliad yn y paragraff blaenorol. Rhaid ailadrodd hyn ar gyfer *Escherichia coli*.

19. Yna caiff y rhain eu trin a'u harchwilio yn yr un modd â'r samplau prawf. Os na ffurfir cytrefi nodweddiadol yna rhaid bod profion y diwrnod hwnnw'n annilys a rhaid eu hailadrodd.

17. 10 gram portions of the rendered animal protein must be placed aseptically in each of two sterile containers containing 90 ml Buffered Peptone Water (BPW)(**1**) and mixed thoroughly until the samples are evenly suspended.

18. One colony of *Clostridium perfringens* must be placed in 10 ml BPW and mixed to form an even suspension. 0.1 ml of the suspension must be added to the suspension in the preceding paragraph. This must be repeated for *Escherichia coli*.

19. These are then treated and examined in the same way as test samples. If no typical colonies are formed then that day's testing must be invalid and must be repeated.

RHAN II

Y DULLIAU AR GYFER YNYSU SALMONELA

A. Y DULL BACTERIOLEGOL

1.-(1) Rhaid dechrau'r profion pan ddaw'r sampl i law neu ar y diwrnod gwaith cyntaf sy'n caniatáu i'r dull hwn gael ei gwblhau. Os na ddechreuir y prawf ar y diwrnod y daw'r sampl i law rhaid ei storio mewn oergell hyd nes y bydd ei hangen. Os cafodd y sampl ei rhoi mewn oergell rhaid ei thynnu o'r oergell a'i storio ar wres ystafell am o leiaf bedair awr cyn i'r prawf ddechrau.

(2) Rhaid gweithredu'r profion yn ddyblyg gan ddefnyddio dwy gyfran 25 gram yr un o bob sampl a anfonwyd i'w phrofi.

Diwrnod un

2. Ar y diwrnod cyntaf, rhaid rhoi'r ddwy sampl 25 gram yn aseptigol mewn cynhwysydd sterilaidd sy'n cynnwys 225 ml o Ddwr Pepton Byfferog (BPW) a'u deor ar 37°C±1°C am 18 awr±2 awr.

Diwrnod dau

3. Ar yr ail ddiwrnod, rhaid plannu 0.1 ml o'r cynhwysydd BPW wedi'i ddeor mewn 10 ml o gawl Rappaports Vassiliadis (cawl RV)(**2**) a'i ddeor ar 41.5°C±0.5°C am 24 awr ±3awr.

(**1**) Buffered Pepton Water - *Gweler* Edel, W. and Kampelmacher, E.H. (1973) Bulletin of World Health Organisation, 48: 167-174, World Health Organisation Distribution and Sales, CH-1211, Genefa 27, Y Swistir (ISSN 0042-9686).

(**2**) Rappaports Vassiliadis Broth - *Gweler* Vassiliadis P, Pateraki E, Papaiconomou N, Papadkis J A, a Trichopoulos D (1976) Annales de Microbiologie (Institute Pasteur) 127B: 195-200. Elsevier, 23 rue Linois, 75724 Paris, Cedex 15, Ffrainc.

PART II

METHODS FOR THE ISOLATION OF SALMONELLA

A. BACTERIOLOGICAL METHOD

1.-(1) Tests must be begun on receipt of the sample or on the first working day which allows this method to be completed. If the test is not begun on the day of receipt the sample must be stored in a refrigerator until required. If the sample has been refrigerated it must be removed from the refrigerator and stored at room temperature for at least four hours before the test is started.

(2) Tests must be carried out in duplicate using two 25 gram portions of each sample submitted for testing.

Day one

2. On day one, each 25 gram sample must be placed aseptically in a container containing 225 ml Buffered Peptone Water (BPW) and incubated at 37°C±1oC for 18 hours±2 hours.

Day two

3. On day two, 0.1 ml from the container of incubated BPW must be inoculated into 10 ml Rappaports Vassiliadis broth (RV broth)(**2**) and incubated at 41.5°C±0.5°C for 24 hours ± 3 hours.

(**1**) Buffered Peptone Water - *See* Edel, W. and Kampelmacher, E.H. (1973) Bulletin of World Health Organisation, 48: 167-174, World Health Organisation Distribution and Sales, CH-1211, Geneva 27, Switzerland (ISSN 0042-9686).

(**2**) Rappaports Vassiliadis Broth - *See* Vassiliadis P, Pateraki E, Papaiconomou N, Papadkis J A, and Trichopoulos D (1976) Annales de Microbiologie (Institut Pasteur) 127B: 195-200. Elsevier, 23 rue Linois, 75724 Paris, Cedex 15, France.

Diwrnod tri

4. Ar y trydydd diwrnod, rhaid gosod y cawl RV ar ddau blât 90 milimetr o Agar Gwyrdd Gloyw (BGA)(**1**) neu ar un plât 90 milimetr o BGA ac un plât 90 milimetr o Agar Sylos Lysin Deocsicolad (XLD)(**2**) gan ddefnyddio dolen 2.5 mm mewn diamedr. Rhaid plannu defnyn yn y platiau sydd wedi'i gymryd o ymyl wyneb yr hylif drwy dynnu'r ddolen dros y cyfan o un plât mewn patrwm igam-ogam gan fynd ymlaen i'r ail blât heb aildrydanu'r ddolen. Rhaid i'r bwlch rhwng llinellau'r ddolen fod yn 0.5 cm- 1.0 cm. Rhaid deor y platiau ar 37°C ±2°C dros nos am 24 ± 3 awr. Rhaid ailddeor y cawl RV gweddilliol ar 41.5°C±0.5°C am 24 awr ychwanegol.

5. The residual RV broth must be reincubated at 41.5°C±0.5°C for a further 24 hours.

Diwrnod pedwar

6. Ar y pedwerydd diwrnod, rhaid archwilio'r platiau a rhaid is-feithrin lleiafswm o dair cytref o bob plât sy'n dangos amheuaeth o dyfiant Salmonela-

(a) ar blât agar gwaed;

(b) ar blât agar MacConkey(**3**); ac

(c) i gyfrwng biocemegol sy'n addas i adnabod Salmonela.

Rhaid deor y cyfryngau hyn ar 37°C dros nos.

7. Rhaid i'r cawl RV a ailddeorwyd gael ei osod ar blatiau fel a ddisgrifir ym mharagraff 4.

Diwrnod pump

8. Ar y pumed diwrnod, rhaid i'r cyfrwng cyfansawdd wedi'i ddeor neu'r hyn sy'n gyfwerth iddo gael ei archwilio a rhaid cofnodi'r canlyniadau, gan ddiystyru'r meithriniadau y mae'n amlwg nad ydynt yn rhai Salmonela. Rhaid cyflawni profion sleidiau serolegol sy'n defnyddio Salmonela amryfalent "O" ac amryfalent "H" (cyfnod 1 a 2) sera cyflynedig ar gytrefi detholedig a amheuir ac a gasglwyd o blatiau agar gwaed neu blatiau MacConkey. Os bydd adweithiau gyda un o'r sera neu yn y ddau rhaid dosbarthu'r cytrefi drwy seroleg sleidiau. Os gofynnir iddo'n ysgrifenedig gan y Cynulliad Cenedlaethol, rhaid i weithredydd y labordy anfon is-feithriniad at un o Labordai Milfeddygol Rhanbarthol Asiantaeth Labordai Milfeddygol yr Adran dros yr Amgylchedd, Bwyd a Materion Gwledig ar gyfer dosbarthu

(**1**) Brilliant Green Agar - *Gweler* Edel W and Kampelmacher E H (1969) Bulletin of World Health Organisation 41:297-306, World Health Organisation Distribution and Sales, CH-1211, Genefa 27, Y Swistir (ISSN 0042-9686).

(**2**) Xylose Lisene Deoxycholate Agar - *Gweler* Taylor W I, (1965) American Journal of Clinical Pathology, 44:471-475, Lippincott and Raven, 227E Washington Street, Philadelphia PA 19106, UDA.

(**3**) MacConkey Agar - *Gweler* (1963) International Standards for Drinking Water, World Health Distribution and Sales, CH-1211, Genefa 27, Y Swistir.

Day three

4. On day three, the RV broth must be plated out on to two 90 millimetre plates of Brilliant Green Agar (BGA)(**1**) or on to one 90 millimetre plate of BGA and one 90 millimetre plate of Xylose Lysine Deoxycholate Agar (XLD)(**2**) using a 2.5 mm diameter loop. The plates must be inoculated with a droplet taken from the edge of the surface of the fluid by drawing the loop over the whole of one plate in a zig zag pattern and continuing to the second plate without recharging the loop. The space between the loop streaks must be 0.5 cm - 1.0 cm. The plates must be incubated at 37°C ±2oC for 24 hours ± 3 hours.

5. The residual RV broth must be reincubated at 41.5°C±0.5°C for a further 24 hours.

Day four

6. On day four the plates must be examined and a minimum of 3 colonies from each plate showing suspicion of Salmonella growth must be subcultured-

(a) on to a blood agar plate;

(b) on to a MacConkey agar plate(**3**); and

(c) into biochemical media suitable for the identification of Salmonella.

These media must be incubated at 37°C overnight.

7. The reincubated RV broth must be plated out as described in paragraph 4.

Day five

8. On day five the incubated composite media or equivalent must be examined and the findings recorded, discarding cultures which are obviously not Salmonella. Slide serological tests must be performed using Salmonella polyvalent "O" and polyvalent "H" (phase 1 and 2) agglutinating sera on selected suspect colonies collected from the blood agar or MacConkey plates. If reactions occur with one or both sera, the colonies must be typed by slide serology. If requested in writing by the National Assembly , the operator of the laboratory must send a subculture to a Regional Veterinary Laboratory of the Veterinary Laboratories Agency of the Department for Environment, Food and Rural Affairs for further typing.

(**1**) Brilliant Green Agar - *See* Edel W and Kampelmacher E H (1969) Bulletin of World Health Organisation 41:297-306, World Health Organisation Distribution and Sales, CH-1211, Geneva 27, Switzerland (ISSN 0042-9686).

(**2**) Xylose Lisene Deoxycholate Agar - *See* Taylor W I, (1965) American Journal of Clinical Pathology, 44:471-475, Lippincott and Raven, 227E Washington Street, Philadelphia PA 19106, USA.

(**3**) MacConkey agar - *See* (1963) International Standards for Drinking Water, World Health Distribution and Sales, CH-1211, Geneva 27, Switzerland.

ymhellach.

9. Rhaid archwilio'r platiau y cyfeirir atynt ym mharagraff 7 a chymryd camau pellach yn ôl paragraff 6 ac 8.

B. Y DULL DARGLUDIANT TRYDANOL

10. Rhaid dechrau'r profion pan ddaw'r sampl i law neu ar y diwrnod gwaith cyntaf sy'n caniatáu i'r dull hwn gael ei gwblhau. Os na ddechreuir y prawf ar ddiwrnod cael y sampl rhaid ei storio mewn oergell hyd nes y bydd ei hangen. Os cafodd y sampl ei rhoi mewn oergell rhaid ei thynnu o'r oergell a'i storio ar wres ystafell am o leiaf bedair awr cyn i'r prawf ddechrau.

Diwrnod un

11. Ar y diwrnod cyntaf rhaid gweithredu'r profion yn ddyblyg drwy ddefnyddio dwy gyfran 25 gram o bob sampl a gyflwynir i'w phrofi. Rhaid rhoi'r ddwy sampl 25 gram yn aseptigol mewn cynhwysydd sterilaidd sy'n cynnwys 225 ml o Ddŵr Pepton/Lysin/Glwcos Byfferog (BPW/L/G)(**1**) a'u deor ar 37°C am 18 awr.

Diwrnod dau

12. Ar yr ail ddiwrnod rhaid ychwanegu'r BPW/L/G a ddeorwyd at gyfrwng Dwlsitol Selenit Cystin Trimethylamin-N-Ocsid (SC/T/D)(**2**) a Glwcos Lysin Decarbocsylas (LD/G)(**3**) mewn celloedd neu bantiau dargludo trydanol. Ar gyfer celloedd neu bantiau sy'n cynnwys cyfrwng mwy na 5 ml rhaid ychwanegu 0.2 ml o BPW/L/G ac ar gyfer celloedd neu bantiau sy'n cynnwys cyfrwng 5 ml neu lai rhaid ychwanegu 0.1 ml o BPW/L/G. Rhaid bod y celloedd neu'r pantiau wedi'u cysylltu â chyfarpar mesur dargludiant trydanol addas a osodwyd i fonitro a chofnodi newidiadau yn y dargludiant trydanol fesul 6 munud dros gyfnod o 24 awr. Rhaid cadw tymheredd y celloedd a'r pantiau ar 37°C.

(**1**) Buffered Peptone Water/Lysine/Glucose - *Gweler* Ogden I D (1988) International Journal of Food Microbilogy 7:287-297, Elsevier Science BV, PO Box 211, 1000 AE, Amsterdam, Yr Iseldiroedd (ISSN 0168-1695).

(**2**) Selenite Cystine Trimethylamine-N-Oxide Dulcitol - *Gweler* Easter, M C and Gibson, D M, (1985) Journal of Hygiene 94:245-262, Cambridge University Press, Caer-grawnt

(**3**) Lysine Decarboxylase Glucose - *Gweler* Ogden I D (1988) International Journal of Food Microbilogy 7:287-297, Elsevier Science BV, PO Box 211, 1000 AE, Amsterdam, Yr Iseldiroedd (ISSN 0168-1695).

9. The plates referred to in paragraph 7 must be examined and further action taken as in paragraph 6 and 8.

B. ELECTRICAL CONDUCTANCE METHOD

10. Tests must be begun on receipt of the sample or on the first working day which allows the following method to be completed. If the test is not begun on the day of receipt the sample must be stored in a refrigerator until required. If the sample has been refrigerated it must be stored at room temperature for at least four hours before the test is started.

Day one

11. On day one tests must be carried out in duplicate using two 25 gram portions of each sample submitted for testing. Each 25 gram sample must be placed aseptically in a sterile container containing 225 ml Buffered Peptone Water/Lysine/Glucose (BPW/L/G)(**1**) and incubated at 37°C for 18 hours.

Day two

12. On day two the incubated BPW/L/G must be added to Selenite Cystine Trimethylamine-N-Oxide Dulcitol (SC/T/D)(**2**) and Lysine Decarboxylase Glucose (LD/G)(**3**) media in electrical conductance cells or wells. For cells or wells containing more than 5 ml medium 0.2 ml of the BPW/L/G must be added and for cells or wells containing 5 ml or less medium 0.1 ml of the BPW/L/G must be added. Cells or wells must be connected to appropriate electrical conductance measuring equipment set to monitor and record changes in electrical conductance at 6 minute intervals over a 24 hour period. The temperature of cells and wells must be kept at 37°C.

(**1**) Buffered Peptone Water/Lysine/Glucose - *See* Ogden I D (1988) International Journal of Food Microbilogy 7:287-297, Elsevier Science BV, PO Box 211, 1000 AE, Amsterdam, Netherlands (ISSN 0168-1695).

(**2**) Selenite Cystine Trimethylamine-N-Oxide Dulcitol - *See* Easter, M C and Gibson, D M, (1985) Journal of Hygiene 94:245-262, Cambridge University Press, Cambridge.

(**3**) Lysine Decarboxylase Glucose- *See* Ogden I D (1988) International Journal of Food Microbilogy 7:287-297, Elsevier Science BV, PO Box 211, 1000 AE, Amsterdam, Netherlands (ISSN 0168-1695).

Diwrnod tri

13. Ar y trydydd diwrnod, ar ddiwedd y cyfnod 24 awr, rhaid i'r wybodaeth a gofnodwyd gan y cyfarpar mesur dargludiant gael ei dadansoddi a'i dehongli gan ddefnyddio'r meini prawf a ddiffinnir gan weithgynhyrchwyr y cyfarpar. Os dynodir dros dro bod pant neu gell yn cadarnhau bod Salmonela'n bresennol, rhaid cadarnhau'r canlyniad drwy is-feithrin cynnwys y pant neu'r gell ar ddau blât 90 milimetr o BGA neu ar un plât 90 milimetr o BGA ac un plât 90 milimetr o Agar Sylos Lysin Deocsicolad (XLD) sy'n defnyddio dolen 2.5 mm ei diamedr. Rhaid plannu defnyn yn y platiau sydd wedi'i gymryd o ymyl wyneb yr hylif drwy dynnu'r ddolen dros y cyfan o'r naill blât mewn patrwm igam-ogam gan fynd ymlaen i'r plât arall heb ailwefru'r ddolen. Rhaid i'r bwlch rhwng llinellau'r ddolen fod yn 0.5 cm- 1.0 cm. Rhaid deor y platiau ar 37°C dros nos.

Diwrnod pedwar

14. Ar y pedwerydd diwrnod, rhaid archwilio'r platiau a rhaid is-feithrin lleiafswm o 3 cytref o bob plât sy'n dangos amheuaeth o dyfiant Salmonela-

(a) ar blât agar gwaed;

(b) ar blât agar MacConkey; ac

(c) i gyfrwng biocemegol sy'n addas i adnabod Salmonela.

Rhaid deor y cyfryngau hyn ar 37°C dros nos.

Diwrnod pump

15. ar y pumed diwrnod, rhaid i'r cyfrwng cyfansawdd wedi'i ddeor neu'r hyn sy'n gyfwerth iddo gael ei archwilio a rhaid cofnodi'r canlyniadau, gan ddiystyru'r meithriniadau y mae'n amlwg nad ydynt yn rhai Salmonela. Rhaid cyflawni profion sleidiau serolegol sy'n defnyddio Salmonela amryfalent "O" ac amryfalent "H" (cyfnod 1 a 2) sera cyfludol ar gytrefi detholedig a amheuir ac a gasglwyd o blatiau agar gwaed neu blatiau MacConkey. Os bydd adweithiau yn un o'r sera neu yn y ddau rhaid dosbarthu'r cytrefi drwy seroleg sleidiau. Os gofynnir iddo'n ysgrifenedig gan y Cynulliad Cenedlaethol, rhaid i weithredydd y labordy anfon is-feithriniad at un o Labordai Milfeddygol Rhanbarthol Asiantaeth Labordai Milfeddygol yr Adran dros yr Amgylchedd, Bwyd a Materion Gwledig ar gyfer dosbarthu ymhellach.

Day three

13. On day three, at the end of the 24 hour period, the information recorded by the conductance measuring equipment must be analysed and interpreted using criteria defined by the manufacturers of the equipment. Where a well or cell is provisionally identified as being positive for Salmonella, the result must be confirmed by subculturing the contents of the well or cell on to two 90 millimetre plates of BGA or on to one 90 millimetre plate of BGA and one 90 millimetre plate of Xylose Lysine Deoxycholate Agar (XLD) using a 2.5 mm diameter loop. The plates must be inoculated with a droplet taken from the edge of the surface of the fluid by drawing the loop over the whole of one plate in a zig zag pattern and continuing to the second plate without recharging the loop. The space between the loop streaks must be 0.5 cm - 1.0 cm. The plates must be incubated at 37°C overnight.

Day four

14. On day four the plates must be examined and a minimum of 3 colonies from each plate showing suspicion of Salmonella growth must be subcultured-

(a) on to a blood agar plate;

(b) on to a MacConkey agar plate; and

(c) into biochemical media suitable for the identification of Salmonella.

These media must be incubated at 37°C overnight.

Day five

15. On day five the incubated composite media or equivalent must be examined and the findings recorded, discarding cultures which are obviously not Salmonella. Slide serological tests must be performed using Salmonella polyvalent "O" and polyvalent "H" (phase 1 and 2) agglutinating sera on selected suspect colonies collected from the blood agar or MacConkey plates. If reactions occur with one or both sera, the colonies must be typed by slide serology. If requested in writing by the National Assembly , the operator of the laboratory must send a subculture to a Regional Veterinary Laboratory of the Veterinary Laboratories Agency of the Department for Environment, Food and Rural Affairs for further typing.

RHAN III

Y DULL AR GYFER YNYSU
ENTEROBACTERIACEAE

1. Rhaid dechrau'r profion pan ddaw'r sampl i law neu ar y diwrnod gwaith cyntaf sy'n caniatáu i'r dull hwn gael ei gwblhau. Os na ddechreuir y prawf ar y diwrnod y daw'r sampl i law rhaid ei storio mewn oergell rhwng 2°C a 8°C hyd nes y bydd ei hangen. Os cafodd y sampl ei rhoi mewn oergell rhaid ei thynnu o'r oergell a'i storio ar wres ystafell am o leiaf un awr cyn i'r prawf ddechrau.

Samplau

2. Rhaid gweithredu'r profion drwy ddefnyddio pum cyfran 10 gram o bob sampl a gyflwynir i'w phrofi. Rhaid rhoi pob sampl 10 gram yn aseptigol mewn cynhwysydd sterilaidd sy'n cynnwys 90 ml o Ddŵr Pepton Byfferog a'i chymysgu'n drylwyr hyd nes bod y samplau mewn daliant gwastad.

Planiadau

3. Am bob cyfran o'r sampl rhaid trosglwyddo 1 ml o hydoddiant i ddysgl petri 90 mm ddi-haint (yn ddyblyg). Rhaid bod y platiau wedi'u labelu i ddynodi cyfran y sampl y cymerwyd yr hydoddiant ohoni. Rhaid ychwanegu 15 ml o Agar Glwcos Bustl Coch Fioled (VRBGA)(**1**) ar dymheredd o 47°C±2°C ym mhob dysgl petri ac ar unwaith ei gymysgu gan bwyll drwy droelli'r ddysgl bum gwaith yn glocwedd a phum gwaith yn wrthglocwedd.

4. Unwaith y mae'r agar wedi ceulo, rhaid troshaenu pob plât agar â 10 ml VRBGA pellach o agar ar dymheredd o 47°C±2°C. Pan fydd y droshaen wedi ceulo rhaid troi'r platiau wyneb i waered a'u deor yn anerobig ar 36°C±1°C am 20 awr±2 awr.

Samplau â chytrefi *Enterobacteriaceae*

5. Ar ôl y deoriad rhaid archwilio pob set o blatiau dyblyg am gytrefi sy'n nodweddu *Enterobacteriaceae* (cytrefi porffor 1-2 mm eu diamedr). Rhaid cyfrif yr holl gytrefi nodweddiadol ar bob plât a chymryd cymedr rhifyddol y platiau dyblyg.

Bydd y sampl yn methu dros dro naill ai-

(a) os bydd unrhyw gymedr rhifyddol dros 30(**2**); neu

(**1**) Violet Red Bile Glucose Agar - *Gweler* Mossell D A A, Eelderink I, Koopmans M, van Rossem F (1978) Laboratory Practice 27 No. 12 1049-1050; Emap Maclaren, PO Box 109, Maclaren House, 19 Scarbrook Road, Croydon CR9 1QH.

(**2**) Mae cymedr rhifyddol yn gyfwerth â $3x10^2$ o unedau ffurfio cytref fesul gram o'r sampl wreiddiol.

PART III

METHOD FOR THE ISOLATION OF
ENTEROBACTERIACEAE

1. Tests must be begun on receipt of the sample or on the first working day which allows this method to be completed. If the test is not begun on the day of receipt the sample must be stored in a refrigerator until required at between 2°C and 8°C. If the sample has been refrigerated it must be removed from the refrigerator and stored at room temperature for at least one hour before the test is started.

Samples

2. Tests must be carried out using five 10 gram portions of each sample submitted for testing. Each 10 gram sample must be placed aseptically in a sterile container containing 90 ml Buffered Peptone Water and mixed thoroughly until the sample is evenly suspended.

Inoculations

3. For each portion of the sample 1 ml of solution must be transferred to a sterile 90 mm petri dish (in duplicate). The plates must be labelled to identify the portion of sample they were taken from. 15 ml of Violet Red Bile Glucose Agar (VRBGA)(**1**) at a temperature of 47°C±2°C must be added to each petri dish and immediately gently mixed by swirling the dish with five clockwise and five anticlockwise circular movements.

4. Once the agar has set, each agar plate must be overlaid with a further 10 ml VRBGA at a temperature of 47°C±2°C. Once the overlay has set, the plates must be inverted and incubated aerobically at 37°C±1°C for 20 hours±2 hours.

Samples with colonies of *Enterobacteriaceae*

5. After incubation each set of duplicate plates must be examined for colonies characteristic of *Enterobacteriaceae* (purple colonies 1 - 2 mm in diameter). All characteristic colonies on each plate must be counted and the arithmetic mean of the duplicate plates taken.

The sample provisionally fails if either-

(a) any arithmetic mean is above 30(**2**); or

(**1**) Violet Red Bile Glucose Agar - *See* Mossell D A A, Eelderink I, Koopmans M, van Rossem F (1978) Laboratory Practice 27 No. 12 1049-1050; Emap Maclaren, PO Box 109, Maclaren House, 19 Scarbrook Road, Croydon CR9 1QH.

(**2**) An arithmetic mean of 30 is equivalent to 3x102 colony forming units per gram of original sample.

(b) os bydd tri neu ragor o gymedrau rhifyddol dros 10;

ac yn yr achos hwnnw rhaid dilyn y weithdrefn ganlynol er mwyn cadarnhau a yw'r cytrefi yn *Enterobacteriaceae* neu beidio.

6. Ar ôl cyfrif y cytrefi, rhaid cymryd cytrefi nodweddiadol ar hap o'r platiau agar, a rhaid i'r nifer fod o leiaf yn ail isradd y cytrefi a gyfrifwyd. Rhaid is-feithrin y cytrefi ar blât agar gwaed a'u deor yn aerobig ar 37°C±1°C am 20 awr±2 awr.

Archwilio'r is-feithriniadau

7. Rhaid cyflawni prawf ocsidas a phrawf eplesiad glwcos ar bob un o'r pum cytref a gafodd eu his-feithrin. Rhaid ystyried bod cytrefi sy'n ocsidas-negyddol ac yn eplesiad glwcos-cadarnhaol yn *Enterobacteriaceae*.

8. Os na phrofir bod yr holl gytrefi yn *Enterobacteriaceae*, rhaid i'r cyfanswm cyfrif ym mharagraff 5 gael ei leihau yn gymesur cyn cadarnhau a ddylai'r sampl fethu neu beidio.

Dulliau rheoli

9. Rhaid cynnal profion rheoli bob dydd wrth ddechrau profi gan ddefnyddio-

(a) *Escherichia* coli NCTC 10418 heb fod yn fwy na saith niwrnod oed ar adeg ei ddefnyddio; ac

(b) protein anifeiliaid neu gompost neu weddill traul wedi'i brosesu sy'n rhydd rhag *Enterobacteriaceae*.

10. Rhaid rhoi cyfran 10 gram o'r protein anifail wedi'i rendro yn aseptigol mewn cynhwysydd sterilaidd sy'n cynnwys 90 ml BPW a'i gymysgu'n drwyadl nes bod y sampl mewn daliant gwastad.

11. Rhaid rhoi un gytref o *Escherichia coli* mewn 10 ml BPW a'i gymysgu i ffurfio daliant gwastad. Rhaid ychwanegu 0.1 ml o'r daliad at y daliad yn y paragraff blaenorol.

12. Yna caiff hon ei thrin a'i harchwilio yn yr un modd â'r samplau prawf. Os na ffurfir cytrefi nodweddiadol yna rhaid bod profion y diwrnod hwnnw'n annilys a rhaid eu hailadrodd.

(b) three or more arithmetic means are above 10;

in which case the following procedure must be followed to establish whether or not the colonies are *Enterobacteriaceae*.

6. After counting the colonies, characteristic colonies must be taken at random from the agar plates, the number being at least the square root of the colonies counted. The colonies must be subcultured onto a blood agar plate and incubated aerobically at 37°C±1°C for 20 hours±2 hours.

Examination of subcultures

7. An oxidase test and a glucose fermentation test must be performed on each of the five subcultured colonies. Colonies which are oxidase-negative and glucose fermentation-positive must be considered to be *Enterobacteriaceae*.

8. If not all of the colonies prove to be *Enterobacteriaceae*, the total count in paragraph 5 must be reduced in proportion prior to establishing whether or not the sample should fail.

Controls

9. Control tests must be carried out each day that a test is initiated using-

(a) *Escherichia* coli NCTC 10418 no more than seven days old at time of use; and

(b) processed animal protein or compost or digestion residue which is free of *Enterobacteriaceae*.

10. A 10 gram portion of the rendered animal protein must be placed aseptically in a sterile container containing 90 ml BPW and mixed thoroughly until the sample is evenly suspended.

11. One colony of *Escherichia coli* must be placed in 10 ml BPW and mixed to form an even suspension. 0.1 ml of the suspension must be added to the suspension in the preceding paragraph.

12. This is then treated and examined in the same way as test samples. If no typical colonies are formed then that day's testing must be invalid and must be repeated.

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