OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2022 Rhif 1327 (Cy. 268)

BWYD, CYMRU

Rheoliadau Bwydydd Proses sydd wedi eu Seilio ar Rawn a Bwydydd Babanod ar gyfer Babanod a Phlant Ifanc (Cymru) (Diwygio) 2022

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Bwydydd Proses sydd wedi'u Seilio ar Rawn a Bwydydd Babanod ar gyfer Babanod a Phlant Ifanc (Cymru) 2004 (O.S. 2004/314 (Cy. 32)) ("Rheoliadau 2004"), sy'n gwahardd gwerthu bwydydd proses sydd wedi eu seilio ar rawn a bwydydd babanod ar gyfer babanod a phlant ifanc, oni bai eu bod yn cydymffurfio â'r gofynion o ran gweithgynhyrchu, cyfansoddiad a labelu a nodir yn y Rheoliadau hynny.

Mae rheoliad 2 o'r Rheoliadau hyn yn diwygio Atodlen 4 i Reoliadau 2004 i ganiatáu ychwanegu calsiwm-L-methylffolad, bisglycinad fferrus a zinc clorid wrth weithgynhyrchu bwydydd proses sydd wedi eu seilio ar rawn a bwydydd babanod. Mae'r diwygiadau i Atodlen 4 hefyd yn dod â'r sylweddau maethol hynny o fewn cwmpas y gofynion labelu a nodir yn rheoliad 8(2) a (3) o Reoliadau 2004.

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

2022 No. 1327 (W. 268)

FOOD, WALES

The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) (Amendment) Regulations 2022

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004 (S.I. 2004/314 (W. 32)) ("the 2004 Regulations"), which prohibit the sale of processed cereal-based foods and baby foods for infants and young children, unless they comply with the manufacturing, compositional and labelling requirements set out in those Regulations.

Regulation 2 of these Regulations amends Schedule 4 to the 2004 Regulations to permit the addition of calcium-L-methylfolate, ferrous bisglycinate and zinc chloride in the manufacture of processed cereal-based foods and baby foods. The amendments to Schedule 4 also bring those nutritional substances within the scope of the labelling requirements set out in regulation 8(2) and (3) of the 2004 Regulations.

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

OFFERYNNAU STATUDOL CYMRU

2022 Rhif 1327 (Cy. 268)

BWYD, CYMRU

Rheoliadau Bwydydd Proses sydd wedi eu Seilio ar Rawn a Bwydydd Babanod ar gyfer Babanod a Phlant Ifanc (Cymru) (Diwygio) 2022

Gwnaed	*14 Rhagfyr 2022*
Gosodwyd gerbron Senedd Cymru	*15 Rhagfyr 2022*
Yn dod i rym	*18 Ionawr 2023*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adrannau 16(1)(a) ac (e) ac 48(1) o Ddeddf Diogelwch Bwyd 1990(**1**) ac a freiniwyd bellach ynddynt hwy(**2**).

Mae Gweinidogion Cymru wedi rhoi sylw i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd yn unol ag adran 48(4A) o Ddeddf Diogelwch Bwyd 1990(**3**).

Cynhaliwyd ymgynghoriad fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cygnor sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod

(**1**) 1990 p. 16. Diwygiwyd adrannau 16(1) ac 48(1) gan adran 40(1) o Ddeddf Safonau Bwyd 1999 (p. 28) ("Deddf 1999") a pharagraffau 7 ac 8 o Atodlen 5 iddi. Mae diwygiadau eraill nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) Rhoddwyd y swyddogaethau hynny a oedd gynt yn arferadwy gan "the Ministers" i'r Ysgrifennydd Gwladol yn unol â pharagraff 8 o Atodlen 5 i Ddeddf 1999. Trosglwyddwyd y swyddogaethau hynny, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan O.S. 1999/672 fel y'i darllenir gydag adran 40(3) o Ddeddf 1999. Mae'r swyddogaethau hynny bellach yn arferadwy gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.

(**3**) Mewnosodwyd adran 48(4A) gan adran 40(1) o Ddeddf 1999 a pharagraff 21 o Atodlen 5 iddi.

WELSH STATUTORY INSTRUMENTS

2022 No. 1327 (W. 268)

FOOD, WALES

The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) (Amendment) Regulations 2022

Made	*14 December 2022*
Laid before Senedd Cymru	*15 December 2022*
Coming into force	*18 January 2023*

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 16(1)(a) and (e) and 48(1) of the Food Safety Act 1990(**1**) and now vested in them(**2**).

The Welsh Ministers have had regard to relevant advice given by the Food Standards Agency in accordance with section 48(4A) of the Food Safety Act 1990(**3**).

There has been consultation as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing

(**1**) 1990 c. 16. Sections 16(1) and 48(1) were amended by section 40(1) of, and paragraphs 7 and 8 of Schedule 5 to, the Food Standards Act 1999 (c. 28) ("the 1999 Act"). There are other amendments which are not relevant to these Regulations.

(**2**) Those functions, formerly exercisable by "the Ministers", were conferred on the Secretary of State pursuant to paragraph 8 of Schedule 5 to the 1999 Act. Those functions, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672 as read with section 40(3) of the 1999 Act. Those functions are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32)

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(**3**) Section 48(4A) was inserted by section 40(1) of, and paragraph 21 of Schedule 5 to, the 1999 Act.

Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(**1**).

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Bwydydd Proses sydd wedi eu Seilio ar Rawn a Bwydydd Babanod ar gyfer Babanod a Phlant Ifanc (Cymru) (Diwygio) 2022.

(2) Daw'r Rheoliadau hyn i rym ar 18 Ionawr 2023.

Diwygiadau i Reoliadau Bwydydd Proses sydd wedi'u Seilio ar Rawn a Bwydydd Babanod ar gyfer Babanod a Phlant Ifanc (Cymru) 2004

2.—(1) Mae Rheoliadau Bwydydd Proses sydd wedi'u Seilio ar Rawn a Bwydydd Babanod ar gyfer Babanod a Phlant Ifanc (Cymru) 2004(**2**) wedi eu diwygio fel a ganlyn.

(2) Yn Atodlen 4 (sylweddau maethol)—

(a) ym mharagraff 1 (fitaminau) ar ôl "Asid ffolig" mewnosoder "Calsiwm-L-methylffolad"; a

(b) ym mharagraff 4 (halwynau mwynau ac elfennau hybrin)—

(i) ar ôl "Carbonad fferrus" mewnosoder "Bisglycinad fferrus"; a

(ii) ar ôl "Zinc asetad" mewnosoder "Zinc clorid".

the European Food Safety Authority and laying down procedures in matters of food safety(**1**).

Title and commencement

1.—(1) The title of these Regulations is the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) (Amendment) Regulations 2022.

(2) These Regulations come into force on 18 January 2023.

Amendments to the Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004

2.—(1) The Processed Cereal-based Foods and Baby Foods for Infants and Young Children (Wales) Regulations 2004(**2**) are amended as follows.

(2) In Schedule 4 (nutritional substances)—

(a) in paragraph 1 (vitamins) after "Folic acid" insert "Calcium-L-methylfolate"; and

(b) in paragraph 4 (salts of minerals and trace elements)—

(i) after "Ferrous carbonate" insert "Ferrous bisglycinate"; and

(ii) after "Zinc acetate" insert "Zinc chloride".

Lynne Neagle

Y Dirprwy Weinidog Iechyd Meddwl a Llesiant, o dan awdurdod y Gweinidog Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru
14 Rhagfyr 2022

Deputy Minister for Mental Health and Wellbeing, under the authority of the Minister for Health and Social Services, one of the Welsh Ministers
14 December 2022

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(**1**) EUR 2002/178. Mae Erthygl 9 yn ei gwneud yn ofynnol ymgynghori'n agored ac yn dryloyw â'r cyhoedd, yn uniongyrchol neu drwy gyrff cynrychioliadol, wrth lunio, gwerthuso a diwygio cyfraith bwyd, ac eithrio pan na fo brys y mater yn caniatáu hynny. Mae diwygiadau eraill i'r Rheoliad hwn nad ydynt yn berthnasol i'r Rheoliadau hyn.

(**2**) O.S. 2004/314 (Cy. 32); yr offerynnau diwygio perthnasol yw O.S. 2005/3254 (Cy. 247), O.S. 2007/2753 (Cy. 232), O.S. 2014/2303 (Cy. 227), O.S. 2016/639 (Cy. 175) ac O.S. 2018/806 (Cy. 162).

(**1**) EUR 2002/178. Article 9 requires open and transparent public consultation, directly or through representative bodies, during the preparation, evaluation and revision of food law, except where the urgency of the matter does not allow it. There are other amendments to this Regulation which are not relevant to these Regulations.

(**2**) S.I. 2004/314 (W. 32); relevant amending instruments are S.I. 2005/3254 (W. 247), S.I. 2007/2753 (W. 232), S.I. 2014/2303 (W. 227), S.I. 2016/639 (W. 175) and S.I. 2018/806 (W. 162).

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