OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2022 Rhif 594 (Cy. 137)

AMAETHYDDIAETH, CYMRU

BWYD, CYMRU

Rheoliadau Bwyd a Bwyd Anifeiliaid (Cyfyngiadau Fukushima) (Dirymu) (Cymru) 2022

2022 No. 594 (W. 137)

AGRIGULTURE, WALES

FOOD, WALES

The Food and Feed (Fukushima Restrictions) (Revocation) (Wales) Regulations 2022

NODYN ESBONIADOL

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

Mae'r Rheoliadau hyn yn dirymu, o ran Cymru, Reoliad (EU) 2016/6 a ddargedwir sy'n gosod amodau arbennig sy'n llywodraethu mewnforio bwyd anifeiliaid a bwyd sy'n tarddu o Japan neu'n cael eu traddodi o Japan yn dilyn y ddamwain yng ngorsaf ynni niwclear Fukushima. Maent hefyd yn dirymu dau arall o Reoliadau'r UE a ddargedwir, a oedd yn diwygio Rheoliad (EU) 2016/6 yn wreiddiol ac sy'n cynnwys darpariaeth drosiannol.

Mae'r Rheoliadau hyn hefyd yn dirymu Datganiad OFFC 2019/W/04, a ddyroddwyd yn wreiddiol gan yr Asiantaeth Safonau Bwyd er mwyn gweithredu yn rhannol Reoliad (EU) 2016/6 o ran Cymru. Gellir cael copi o'r Datganiad oddi wrth yr Asiantaeth Safonau Bwyd yn y cyfeiriad isod, neu drwy e-bost i regulated.products.wales@food.gov.uk.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth yr Asiantaeth Safonau Bwyd yn: Yr Asiantaeth Safonau Bwyd yng Nghymru, Llawr 11, Tŷ Southgate, Stryd Wood, Caerdydd, CF10 1EW neu oddi ar wefan yr Asiantaeth yn www.food.gov.uk/cy.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke, in relation to Wales, retained Regulation (EU) 2016/6 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station. They also revoke two further retained EU Regulations, which originally amended Regulation (EU) 2016/6 and which contain transitional provision.

These Regulations also revoke Declaration OFFC 2019/W/04, which was originally issued by the Food Standards Agency to part implement Regulation (EU) 2016/6 in relation to Wales. A copy of the Declaration can be obtained from the Food Standards Agency at the below address, or by email at regulated.products.wales@food.gov.uk.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Food Standards Agency at: Food Standards Agency Wales, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW or from the Agency's website at www.food.gov.uk.

OFFERYNNAU STATUDOL CYMRU

2022 Rhif 594 (Cy. 137)

AMAETHYDDIAETH, CYMRU

BWYD, CYMRU

Rheoliadau Bwyd a Bwyd Anifeiliaid (Cyfyngiadau Fukushima) (Dirymu) (Cymru) 2022

Gwnaed	*27 Mai 2022*
Gosodwyd gerbron Senedd Cymru	*30 Mai 2022*
Yn dod i rym	*29 Mehefin 2022*

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan Erthyglau 53(1)(b) a 57a(6) o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(**1**).

Fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002, ymgynghorwyd yn agored ac yn dryloyw â'r cyhoedd wrth lunio a gwerthuso'r Rheoliadau hyn.

Enwi, rhychwant, cymhwyso a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Bwyd a Bwyd Anifeiliaid (Cyfyngiadau Fukushima) (Dirymu) (Cymru) 2022.

(2) Mae'r Rheoliadau hyn—

(a) yn rhychwantu Cymru a Lloegr;

(b) yn gymwys o ran Cymru;

(c) yn dod i rym ar 29 Mehefin 2022.

(**1**) EUR 2002/178; yr offerynnau diwygio perthnasol yw O.S 2019/641 a 2020/1504. Diffinnir y term "appropriate authority" yn Erthygl 3(19) o Reoliad (EC) Rhif 178/2002.

WELSH STATUTORY INSTRUMENTS

2022 No. 594 (W. 137)

AGRICULTURE, WALES

FOOD, WALES

The Food and Feed (Fukushima Restrictions) (Revocation) (Wales) Regulations 2022

Made	*27 May 2022*
Laid before Senedd Cymru	*30 May 2022*
Coming into force	*29 June 2022*

The Welsh Ministers make these Regulations in exercise of the powers conferred by Articles 53(1)(b) and 57a(6) of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(**1**).

As required by Article 9 of Regulation (EC) No. 178/2002, there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

Title, extent, application and commencement

1.—(1) The title of these Regulations is the Food and Feed (Fukushima Restrictions) (Revocation) (Wales) Regulations 2022.

(2) These Regulations—

(a) extend to England and Wales;

(b) apply in relation to Wales;

(c) come into force on 29 June 2022.

(**1**) EUR 2002/178; relevant amending instruments are S.I. 2019/641 and 2020/1504. The term "appropriate authority" is defined in Article 3(19) of Regulation (EC) No. 178/2002.

Dirymu deddfwriaeth uniongyrchol yr UE a ddargedwir

2. Mae'r offerynnau a ganlyn wedi eu dirymu—

(a) Rheoliad Gweithredu'r Comisiwn (EU) 2016/6 dyddiedig 5 Ionawr 2016 sy'n gosod amodau arbennig sy'n llywodraethu mewnforio bwyd anifeiliaid a bwyd sy'n tarddu o Japan neu'n cael eu traddodi o Japan yn dilyn y ddamwain yng ngorsaf ynni niwclear Fukushima ac sy'n diddymu Rheoliad Gweithredu (EU) Rhif 322/2014(**1**);

(b) Rheoliad Gweithredu'r Comisiwn (EU) 2017/2058 dyddiedig 10 Tachwedd 2017 sy'n diwygio Rheoliad Gweithredu (EU) 2016/6 sy'n gosod amodau arbennig sy'n llywodraethu mewnforio bwyd anifeiliaid a bwyd sy'n tarddu o Japan neu'n cael eu traddodi o Japan yn dilyn y ddamwain yng ngorsaf ynni niwclear Fukushima(**2**);

(c) Rheoliad Gweithredu'r Comisiwn (EU) 2019/1787 dyddiedig 24 Hydref 2019 sy'n diwygio Rheoliad Gweithredu (EU) 2016/6 sy'n gosod amodau arbennig sy'n llywodraethu mewnforio bwyd anifeiliaid a bwyd sy'n tarddu o Japan neu'n cael eu traddodi o Japan yn dilyn y ddamwain yng ngorsaf ynni niwclear Fukushima(**3**).

Dirymu Datganiad OFFC/2019/W/04

3. Mae Datganiad OFFC/2019/W/04(**4**), i'r graddau y mae'n parhau i gael effaith yn rhinwedd rheoliad 16 o Reoliadau Hylendid a Diogelwch Bwyd a Bwyd Anifeiliaid (Diwygiadau Amrywiol a Darpariaeth Arbed) (Cymru) (Ymadael â'r UE) 2020(**5**), wedi ei ddirymu.

Revocation of retained direct EU legislation

2. The following instruments are revoked—

(a) Commission Implementing Regulation (EU) 2016/6 of 5 January 2016 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) No 322/2014(**1**);

(b) Commission Implementing Regulation (EU) 2017/2058 of 10 November 2017 amending Implementing Regulation (EU) 2016/6 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station(**2**);

(c) Commission Implementing Regulation (EU) 2019/1787 of 24 October 2019 amending Implementing Regulation (EU) 2016/6 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station(**3**).

Revocation of Declaration OFFC/2019/W/04

3. Declaration OFFC/2019/W/04(**4**), so far as it continues to have effect by virtue of regulation 16 of the Food and Feed Hygiene and Safety (Miscellaneous Amendments and Saving Provision) (Wales) (EU Exit) Regulations 2020(**5**), is revoked.

Lynne Neagle

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

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

(**1**) EUR 2016/6, a ddiwygiwyd gan O.S. 2020/1504.
(**2**) EUR 2017/2058.
(**3**) EUR 2019/1787.
(**4**) Dyroddwyd Datganiad OFFC/2019/W/04 gan yr Asiantaeth Safonau Bwyd o dan reoliad 35 o Reoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) 2009 (O.S. 2009/3376 (Cy. 298)). Dirymwyd rheoliad 35 gan reoliad 10(11) o Reoliadau Hylendid a Diogelwch Bwyd a Bwyd Anifeiliaid (Diwygiadau Amrywiol a Darpariaeth Arbed) (Cymru) (Ymadael â'r UE) 2020 (O.S 2020/1581 (Cy. 331)). O dan reoliad 16 o'r Rheoliadau hynny, mae'r Datganiad yn parhau i gael effaith fel pe bai wedi ei wneud gan Weinidogion Cymru mewn offeryn statudol o dan Erthygl 53 o Reoliad (EC) Rhif 178/2002.
(**5**) O.S. 2020/1581 (Cy. 331).

(**1**) EUR 2016/6, amended by S.I. 2020/1504.
(**2**) EUR 2017/2058.
(**3**) EUR 2019/1787.
(**4**) Declaration OFFC/2019/W/04 was issued by the Food Standards Agency under regulation 35 of the Official Feed and Food Controls (Wales) Regulations 2009 (S.I. 2009/3376 (W. 298)). Regulation 35 was revoked by regulation 10(11) of the Food and Feed Hygiene and Safety (Miscellaneous Amendments and Saving Provision) (Wales) (EU Exit) Regulations 2020 (S.I 2020/1581 (W. 331)). Under regulation 16 of those Regulations, the Declaration continues to have effect as if made by the Welsh Ministers in a statutory instrument under Article 53 of Regulation (EC) No. 178/2002.
(**5**) S.I. 2020/1581 (W. 331).

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