OFFERYNNAU STATUDOL CYMRU

2005 Rhif 1309 (Cy.91)

BWYD, CYMRU

Rheoliadau Labelu Bwyd (Diwygio) (Cymru) 2005

Wedi'u gwneud	- -	*10 Mai 2005*
Yn dod i rym	- -	*20 Mai 2006*

Drwy arfer y pwerau a roddwyd gan adrannau 16(1)(e) ac (f), 17, 26(1) a (3) a 48(1) o Ddeddf Diogelwch Bwyd 1990(**1**) ac sydd bellach wedi'u breinio ynddo(**2**), mae Cynulliad Cenedlaethol Cymru, ac yntau wedi rhoi sylw yn unol ag adran 48(4A) o'r Ddeddf honno i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd, yn gwneud y Rheoliadau canlynol ar ôl ymgynghori fel sy'n ofynnol gan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor(**3**) sy'n pennu egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn pennu gweithdrefnau o ran materion diogelwch bwyd:

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Labelu Bwyd (Diwygio) (Cymru) 2005; maent yn gymwys o ran Cymru yn unig a deuant i rym ar 20 Mai 2006.

Diwygio Rheoliadau Labelu Bwyd 1996

2. Diwygir Rheoliadau Labelu Bwyd 1996(**4**) (i'r graddau y maent yn gymwys o ran Cymru) yn unol â rheoliadau 3 i 8.

3. Yn rheoliad 2(1) (dehongli), yn y diffiniad o "Directive 94/54", mewnosoder ar y diwedd y geiriau "and Commission Directive 2004/77/EC(**5**)".

4. Yn rheoliad 23(2A) (bwyd nad yw wedi ei ragbecynnu a bwyd tebyg, a chynhyrchion cyffaith ffansi) mewnosoder ar y diwedd yr ymadrodd "or regulation 34C".

5. Yn rheoliad 26 (pecynnau bach a photeli gwydr penodol sydd wedi'u marcio'n annileadwy), ym mharagraffau (1)(a)(ii) a (3A) yn lle'r geiriau "regulations 33 and 34" rhodder y geiriau "regulations 33, 34 and 34C".

(**1**) 1990 p.16.
(**2**) Trosglwyddwyd swyddogaethau a oedd gynt yn arferadwy gan "the Secretary of State", i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) fel y'i darllenir gydag adran 40(3) o Ddeddf Safonau Bwyd 1999 (1999 p.28).
(**3**) OJ Rhif L31, 1.2.2002, t.1.
(**4**) O.S. 1996/1499; O.S. 1998/1398, 1999/747, 1483, 2000/2254, 2004/1396 , 249 a 3022 yw'r offerynnau diwygio perthnasol o ran Cymru.
(**5**) OJ Rhif L162, 30.4.2004, t.76.

6. Yn rheoliad 27(1) (bwydydd penodol a werthir mewn sefydliadau arlwyo), yn lle'r geiriau "regulations 32, 33, 34 and 34B" rhodder y geiriau "regulations 32, 33, 34, 34B and 34C".

7. Ar ôl rheoliad 34B (bwydydd sy'n cynnwys cynhwysion alergenig neu gynhwysion sy'n dod o gynhwysion alergenig) mewnosoder y rheoliad canlynol —

"**Confectionery and drinks containing glycyrrhizinic acid or its ammonium salt**

34C.—(1) This regulation applies to any confectionery or drink which contains glycyrrhizinic acid or its ammonium salt as a result of the addition of that acid or salt as such or of the liquorice plant Glycyrrhiza glabra, and references in this regulation to "relevant concentration" are to the concentration of that acid or salt in the food —

(a) manufactured as ready for consumption or,

(b) if it is not so manufactured, as reconstituted according to its manufacturer's instructions.

(2) In the case of —

(a) any confectionery which contains a relevant concentration of at least 100mg/kg but less than 4 g/kg,

(b) any drink which contains more than 1.2 per cent by volume of alcohol and a relevant concentration of at least 10 mg/l but less than 300 mg/l, and

(c) any drink which does not contain more than 1.2 per cent by volume of alcohol and which contains a relevant concentration of at least 10 mg/l but less than 50 mg/l,

that food shall be marked or labelled with the indication "contains liquorice", unless the term "liquorice" appears in the list of ingredients or in the name of the food.

(3) In the case of —

(a) any confectionery which contains a relevant concentration of at least 4g/kg,

(b) any drink which contains more than 1.2 per cent by volume of alcohol and a relevant concentration of at least 300 mg/l, and

(c) any drink which does not contain more than 1.2 per cent by volume of alcohol and which contains a relevant concentration of at least 50 mg/l,

that food shall be marked or labelled with the indication "contains liquorice — people suffering from hypertension should avoid excessive consumption".

(4) The indications required by paragraphs (2) and (3) of this regulation shall appear immediately after the list of ingredients or, in the absence of such a list, near the name of the food.".

8. Yn rheoliad 50 (darpariaeth drosiannol), mewnosoder ar y diwedd y paragraff canlynol —

"(13) In any proceedings for an offence under regulation 44(1)(a), it shall be a defence to prove that —

(a) the food concerned was marked or labelled before 20 May 2006; and

(b) the matters constituting the alleged offence would not have constituted an offence under these Regulations if the amendment made by regulation 7 of the Food Labelling (Amendment) (Wales) Regulations 2005 had not been in operation when the food was sold.".