OFFERYNNAU STATUDOL CYMRU

2003 Rhif 2754 (Cy.265)

BWYD, CYMRU

Rheoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) (Diwygio) (Cymru) (Rhif 2) 2003

Wedi'u gwneud - -	*29 Hydref 2003*
Yn dod i rym - -	*31 Hydref 2003*

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adrannau 16(1)(c), (d) ac (f), 26(3) a 48(1) o Ddeddf Diogelwch Bwyd 1990 a pharagraff 3 o Atodlen 1 iddi(**1**) ac a freiniwyd ynddo bellach(**2**)ac yntau wedi parchu yn unol ag adran 48(4A) o'r Ddeddf honno i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd ac ar ôl ymgynghori fel sy'n ofynnol gan Erthygl 9 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 ar faterion diogelwch bwyd(**3**) ac yn unol ag adran 48(4) a (4B) o'r Ddeddf honno, yn gwneud y Rheoliadau canlynol:

Teitl, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) (Diwygio) (Cymru) (Rhif 2) 2003; maent yn gymwys i Gymru yn unig a deuant i rym ar 31 Hydref 2003.

Diwygio Reoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) 1995

2. I'r graddau y maent yn gymwys i Gymru, diwygir Rheoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) 1995(**4**)) yn unol â Rheoliadau 3 i 8.

3. Ym mharagraff (1) o reoliad 2 (dehongli)—

(a) yn lle'r diffiniad o "the 1999 Order" rhodder y diffiniad canlynol —

> ""the 2003 Regulations" means the Animal By-Products (Wales) Regulations 2003(**5**);";

(**1**) 1990 p. 16.
(**2**) Trosglwyddwyd swyddogaethau "the Ministers", i'r graddau yr oeddent yn arferadwy mewn perthynas â Chymru i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S.1999/672), fel y'i darllenir ag adran 40(3) Deddf Safonau Bwyd 1999 (1999 p.28).
(**3**) OJ Rhif L31, 1.2.2002, t.1.
(**4**) O.S.1995/614, a ddiwygiwyd gan O.S. 1995/1955, O.S.1996/3124, O.S.1997/2073, O.S.2000/656, O.S.2002/1472 (Cy.146) ac O.S. 2003/1849 (Cy.199).
(**5**) O.S.2003/2756 (Cy.267).

(b) yn lle'r diffiniad o "approved premises" rhodder y diffiniadau canlynol —

""approved incineration plant" means a plant which is approved as an incineration plant under regulation 14 of the 2003 Regulations;

"approved rendering plant" means a plant which is approved as a category 2 processing plant or category 2 oleochemical plant under regulation 14 of the 2003 Regulations;"; ac

(c) yn union ar ôl y diffiniad o "cold store", mewnosoder y diffiniad canlynol —

""the Community Regulation" means Regulation (EC) No. 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption(**6**) 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(**7**);

(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(**8**));

(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(**9**);

(ch) Commission Decision 2003/320/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the use in feed of used cooking oil(**10**));

(d) Commission Decision 2003/321/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the processing standards for mammalian blood(**11**);

(dd) 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(**12**);

(e) Commission Decision 2003/327/EC on transitional measures under Regulation (EC) No. 1774/2002 of the European Parliament and of the Council as regards the low capacity incineration or co-incineration plants which do not incinerate or co-incinerate specified risk material or carcasses containing them(**13**);".

4. Ym mharagraff (5) (esemptiadau) —

(a) yn lle paragraff (1)(e) rhodder y ddarpariaeth ganlynol —

"(e) any animal by-product which —

(**6**) OJ Rhif L273, 10.10.2002, t.1.
(**7**) OJ Rhif L117, 13.5.2003, t.1.
(**8**) OJ Rhif L117, 13.5.2003, t.14.
(**9**) OJ Rhif L117, 13.5.2003, t.22.
(**10**) OJ Rhif L117, 13.5.2003, t.24.
(**11**) OJ Rhif L117, 13.5.2003, t.30.
(**12**) OJ Rhif L117, 13.5.2003, t.42.
(**13**) OJ Rhif L117, 13.5.2003, t.44.

(i) is, or is derived from, a product of animal origin regulated by the Community Regulation, and

(ii) is transhipped in accordance with regulation 24 of the Products of Animal Origin (Import and Export) Regulations 1996(**14**); or"; a

(b) ym mharagraff (2) ym mhob un o is-baragraffau (c) a (d), yn lle'r ymadrodd "the 1999 Order" rhodder yr ymadrodd "the 2003 Regulations".

5. Yn rheoliad 6 (staenio sgil-gynhyrchion anifeliaid mewn storfeydd oer, safleoedd torri, cyfleusterau prosesu helgig neu ladd-dai) —

(a) ym mharagraff (2)(b), yn lle is-adran (iii), rhodder yr is-adran ganlynol —

"(iii) is immediately moved, in the manner specified in paragraph (4), to an approved rendering plant for rendering there, or to an approved incineration plant which is adequately separated from the cold store, cutting premises, game processing facility or slaughterhouse concerned, for incineration there."; a

(b) yn lle paragraff (4) rhodder y paragraff canlynol —

"(4) The manner is that the animal by-product is moved through a sealed and leak-proof pipe which connects the cold store, cutting premises, game processing facility or slaughterhouse concerned directly with the relevant approved rendering plant or, as the case may be, approved incineration plant.".

6. Yn rheoliad 7 (staenio sgil-gynhyrchion anifeiliaid mewn safleoedd sgil-gynhyrchion anifeiliaid) yn lle paragraffau (2) a (3) rhodder y paragraffau canlynol —

"(2) The duty imposed by paragraph (1) shall not apply in relation to any animal by-product which is immediately moved, in the manner specified in paragraph (3), to an approved rendering plant for rendering there, or to an approved incineration plant which is adequately separated from the animal by-products premises concerned for incineration there.

(3) The manner is that the animal by-product is moved through a sealed and leak-proof pipe which connects the animal by-products premises concerned directly with the relevant approved rendering plant or, as the case may be, approved incineration plant.".

7. Yn rheoliad 9 (storio a phacio sgil-gynhyrchion anifeiliaid), yn lle paragraff (3) rhodder y paragraff canlynol —

"(3) No person shall store in any part of any cold store, cutting premises, game processing facility or slaughterhouse any animal by-product unless it is placed in a receptacle on which is affixed a conspicuously visible and legible notice containing —

(a) in letters at least two centimetres high, the declaration "Not intended for human consumption";

(b) in the case of any animal by-product which has been imported into Wales, the name of the country from which it was so imported;

(c) in the case of any other animal by-product, the name of the packer and the address at which the animal by-product was packed;

(d) in the case of any animal by-product which is Category 2 material as defined in Article 2.1(c) of the Community Regulation, in letters at least two centimetres high the declaration "Category 2 material"; and

(**14**) O.S.1996/3124, a ddiwygiwyd gan O.S. 1997/3023, O.S.1998/994, O.S.1999/683, O.S.2000/656, O.S.2000/1885 (Cy.131), O.S. 2000/2257 (Cy.150), O.S. 2001/1660 (Cy.119), O.S. 2001/2198 (Cy.158), O.S. 2001/2219 (Cy.159), O.S. 2002/47 (Cy.6), O.S. 2002/1387 (Cy.136) ac O.S. 2002/1476 (Cy.148).