OFFERYNNAU STATUDOL CYMRU

2002 Rhif 1472 (Cy.146)

BWYD, CYMRU

Rheoliadau Sgil-gynyrchion Anifeiliaid (Adnabod) (Diwygio) (Cymru) 2002

Wedi'u gwneud - -	*30 Mai 2002*
Yn dod i rym - -	*15 Gorffennaf 2002*

Mae Cynulliad Cenedlaethol Cymru drwy arfer y pwerau a roddir iddo gan adrannau 16(1)(c), (d) ac (f), 26(3) a 48(1) o Ddeddf Diogelwch Bwyd 1990(**1**) a pharagraff 3 o Atodlen 1 iddi, sydd bellach yn arferadwy mewn perthynas â Chymru gan Gynulliad Cenedlaethol Cymru(**2**), ac yntau wedi rhoi sylw yn unol ag adran 48(4A) o'r Ddeddf honno ac yn unol â gofyniad erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd a Chyngor Ewrop sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu'r Asiantaeth Safonau Bwyd Ewropeaidd ac yn gosod gweithdrefnau ynglyn â materion diogelwch bwyd(**3**), yn unol ag adran 48(4) a (4B) o'r Ddeddf honno mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol:

Enwi, chymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) (Diwygio) (Cymru) 2002; maent yn gymwys i Gymru yn unig a deuant i rym ar 15 Gorffennaf 2002.

Diwygio Rheoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) 1995

2.—(1) I'r graddau y maent yn gymwys i Gymru, mae Rheoliadau Sgil-gynhyrchion Anifeiliaid (Adnabod) 1995(**4**)) yn cael eu diwygio yn unol â pharagraffau canlynol y rheoliad hwn.

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

(a) yn y diffiniad o "animal by-products premises", mewnosodir y geiriau "cold store, cutting premises" cyn y gair "slaughterhouse";

(b) mewnosodir y diffiniad canlynol rhwng y diffiniad o "carcase" a'r diffiniad o "enforcement authority"—

(**1**) 1990 p.16

(**2**) Trosglwyddwyd swyddogaethau "y Gweinidogion" i'r graddau y maent yn arferadwy mewn perthynas â Chymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), fel y'i darllennir gydag adran 40(3) o Ddeddf Safonau Bwyd 1999 (1999 p.28).

(**3**) OJ Rhif L31, 1.2.2002, t.1.

(**4**) O.S. 199564, a ddiwygiwyd gan O.S. 1995/1955, O.S. 1996/3124, O.S. 1997/2073 ac O.S. 2000/656.

""cold store" means any premises licensed as such under the Hygiene Regulations;

"cutting premises" means any premises licensed as such under the Hygiene Regulations;";

(c) yn y diffiniad o "game processing facility", mewnosodir y geiriau "cold store, cutting premises" cyn y gair "slaughterhouse"; ac

(ch) yn y diffiniad o "occupier", mewnosodir y geiriau "cold store, cutting premises" cyn y gair "slaughterhouse"; a

(d) mewnosodir y diffiniad canlynol rhwng y diffiniad o "scientific purposes" a'r diffiniad o "specified bovine offal"—

""slaughterhouse" means any premises licensed as such under the Hygiene Regulations;";

(dd) rhoddir y diffiniad canlynol yn lle'r diffiniad o "stained"—

"stained" means treated with a solution of the colouring agent Black PN or Brilliant Black BN (E151, Colour Index 197 No. 28440)(**5**), which solution is of such a strength that the colouring on the animal by-product is clearly visible;

and in this definition, "treated" means—

(a) that the solution has been applied to the whole surface of the animal by-product, whether by immersing the animal by-product in the solution, spraying the animal by-product with the solution or applying the solution to the animal by-product by any other equally effective means;

(b) in the case of an animal by-product not falling within paragraph (c) below and weighing not less than 25kg, that the solution has been so applied after the surface of the animal by-product has been opened by multiple and deep incisions; and

(c) in the case of an animal by-product comprising an entire poultry carcase, whether or not it has been eviscerated or de-feathered, that the solution has been so applied after the surface of the carcase has been opened by multiple and deep incisions.".

(3) Mae'r paragraff canlynol yn cael ei roi yn lle rheoliad 4 (cwmpas)—

"**Scope**

4. Nothing in these Regulations shall—

(a) require the sterilisation or staining, or affect the disposal or other treatment, of an entire carcase, except an entire poultry carcase which is dead on arrival at a slaughterhouse or which is rejected following pre-slaughter or post-mortem health inspections carried out at a slaughterhouse in accordance with the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995 (**6**);

(b) affect the operation of any order made, or having effect, under the Animal Health Act 1981(**7**).".

(4) Diddymir paragraff (2)(a) o reoliad 5 (esemptiadau).

(**5**) Mae'r Colour Index yn cael ei gyhoeddi gan Gymdeithas y Lliw-wyr yn Perkin House, 82 Grattan Road, Bradford, West Yorkshire BD1 2JB.

(**6**) O.S. 1995/540. a ddiwygiwyd gan O.S. 1995/1763, O.S. 1995/2200, O.S. 1995/2148, O.S. 1995/3205, O.S. 1997/1729, O.S. 2000/656, O.S. 2000/2257 (Cy.150), O.S. 2001/2198 (Cy.158) ac O.S. 2002/47 (Cy.6).

(**7**) 1981 p.22.

(5) Ym mharagraff (2)(c) o reoliad 5, mae'r geiriau "cold store, cutting premises," yn cael eu mewnosos cyn y gair "slaughterhouse".

(6) Rhoddir y rheoliad canlynol yn lle rheoliad 6 (sterileiddio a staenio sgil-gynhyrchion anifeiliaid mewn lladd-dai neu gyfleusterau prosesu anifeiliaid hela)—

"**Sterilisation and staining of animal by-products in cold stores, cutting premises, game processing facilities or slaughterhouses**

6.—(1) Subject to paragraph (2) below it shall be the duty of the occupier of any cold store, cutting premises, game processing facility or slaughterhouse to ensure that any animal by-product is sterilised or stained without undue delay.

(2) The duty imposed by paragraph (1) above shall not apply to any animal by-product—

(a) which is placed in a room and in a receptacle designed for the purpose of holding animal by-products awaiting sterilisation and bearing a notice that its contents are to be sterilised on the premises and which is then sterilised there;

(b) which—

(i) (in the case of an animal by-product other than a poultry by-product) is immediately moved to accommodation in the relevant cutting premises, game processing facility or slaughterhouse and placed in a receptacle as mentioned in paragraph 1(h) of Schedule 2, paragraph 1(c) of Schedule 3, paragraph 1(g) of Part I of Schedule 5, paragraph 1(s) of Part II of Schedule 6 or paragraph 1(p) of Part III of Schedule 6 to the Fresh Meat (Hygiene and Inspection) Regulations 1995(**8**), and which is stained there, or

(ii) (in the case of a poultry by-product) is immediately moved to accommodation in the relevant cold store, cutting premises or slaughterhouse and placed in a container as mentioned in paragraph 4(d) of Schedule 1 or paragraph 4(c) of Part I of Schedule 5 to the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995(**9**) and which is stained there; or

(c) which is intended to be removed from the relevant cold store, cutting premises, game processing facility or slaughterhouse in accordance with regulation 10(2), and which is placed in a room and in a receptacle designed for the purpose of holding animal by-products awaiting sterilisation.

(3) The occupier of any cold store, cutting premises, game processing facility or slaughterhouse shall ensure that any animal by-product which is placed in a receptacle or container in accordance with paragraph (2)(a) or (b) above is sterilised or, as the case may be, stained, and removed from the relevant cold store, cutting premises, game processing facility or slaughterhouse as soon as is reasonably practicable.

(4) The occupier of any cold store, cutting premises, game processing facility or slaughterhouse shall ensure that any animal by-product which is placed in a receptacle in accordance with paragraph (2)(c) above is removed from the relevant cutting premises, game processing facility or slaughterhouse as soon as is reasonably practicable.".

(7) Rhoddir y rheoliad canlynol yn lle rheoliad 8 (rhewi sgil-gynhyrchion anifeiliaid mewn unrhyw ladd-dy, cyfleuster prosesu anifeiliaid hela neu safle sgil-gynhyrchion anifeiliaid—

(**8**) O.S. 1995/539 a ddiwygiwyd gan O.S.1995/731, O.S. 1995/1763, O.S. 1995 2148, O.S. 1995/2200, O.S. 1995/3124, O.S. 1995/3189, O.S. 1996/1148, O.S. 1996/2235, O.S. 1997/1729, O.S. 1997/2074, O.S. 2000/656, O.S. 2000/2257] (Cy. 150), O.S. 2001/1508 (Cy.105), O.S. 2001/1740 (Cy. 123), O.S. 2001/1802 (Cy. 131), O.S 2001/2198 (Cy. 158), O.S. 2001/2627 (Cy.216), O.S. 2001/3459 (Cy.279) ac O.S. 2002/129 (Cy.17).

(**9**) O.S. 1995/540 a ddiwygiwyd gan O.S. 1995/1763, O.S. 1995/2200, O.S. 1995/2148, O.S. 1995/3205, O.S. 1997/1729, O.S. 2000/656, O.S. 2000/2257 (Cy.150), O.S. 2001/2198 (Cy.158) ac O.S. 2002/47 (Cy. 6).