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WELSH
STATUTORY INSTRUMENTS

2007 Rhif 3173 (Cy.278)

2007 No. 3173 (W.278)

AMAETHYDDIAETH, CYMRU

AGRICULTURE, WALES

**Rheoliadau Bwyd Anifeiliaid
(Glwten ŷd a Grawn Bragu)
(Rheolaeth Frys) (Cymru)
(Dirymu) 2007**

**The Feed (Corn Gluten Feed and
Brewers Grains) (Emergency
Control) (Wales) (Revocation)
Regulations 2007**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

1. Mae'r Rheoliadau hyn yn dirymu Rheoliadau Bwyd Anifeiliaid (Glwten ŷd a Grawn Bragu) (Rheolaeth Frys) (Cymru) (O.S. 2005/1323 (Cy.97)), ac yn gwneud diwygiadau canlyniadol i Rheoliadau Bwyd Anifeiliaid a Addaswyd yn Enetig (Cymru) 2004 (O.S. 2004/3221 (Cy.277)) a Rheoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) 2006 (O.S. 2006/590 (Cy.66)).

2. Mae'r Rheoliadau yn gweithredu Penderfyniad y Comisiwn 2007/157/EC sy'n diddymu Penderfyniad 2005/317/EC ar fesurau brys ynglyn â'r organedd a addaswyd yn enetig anawdurdodedig Bt 10 mewn cynhyrchion indrawn. (OJ Rhif L68, 8.3.2007, t.8).

3. Ni luniwyd asesiad effaith rheoleiddiol llawn ar gyfer y Rheoliadau hyn, gan na ragwelir y byddant yn effeithiol o gwbl ar y sector breifat na'r sector wirfoddol.

1. These Regulations revoke the Feed (Corn Gluten Feed and Brewers Grains) (Emergency Control) (Wales) Regulations 2005 (S.I.2005/1323 (W.97)), and make consequential amendments to the Genetically Modified Animal Feed (Wales) Regulations 2004 (S.I. 2004/3221 (W.277)) and the Official Feed and Food Controls (Wales) Regulations 2006 (S.I. 2006/590 (W.66)).

2. The Regulations implement Commission Decision 2007/157/EC repealing Decision 2005/317/EC on emergency measures regarding the non-authorised genetically modified organism Bt 10 in maize products (OJ No. L68, 8.3.2007, p.8).

3. A full regulatory impact assessment has not been produced for these Regulations because no impact on the private or voluntary sectors is foreseen.

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**The Feed (Corn Gluten Feed and
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Control) (Wales) (Revocation)
Regulations 2007**

Gwnaed 7 Tachwedd 2007

Made 7 November 2007

*Wedi'u gosod gerbron Cynulliad
Cenedlaethol Cymru* 8 Tachwedd 2007

*Laid before the National
Assembly for Wales* 8 November 2007

Yn dod i rym 30 Tachwedd 2007

Coming into force 30 November 2007

Mae Gweinidogion Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1).

Mae Gweinidogion Cymru wedi'u dynodi at ddibenion yr adran honno o ran rheoli a rheoleiddio'r broses o ryddhau'n fwriadol organeddau a addaswyd yn enetig, eu rhoi ar y farchnad a rheoli a rheoleiddio'u symudiadau trawsffiniol(2), o ran mesurau sy'n ymwneud â bwyd (gan gynnwys diod), gan gynnwys cynhyrchu sylfaenol o ran bwyd a mesurau sy'n ymwneud â bwyd anifeiliaid sy'n cael ei gynhyrchu neu ei fwydo i anifeiliaid sy'n cynhyrchu bwyd(3), o ran polisi amaethyddol cyffredin y Gymuned Ewropeaidd(4) a mesurau ym maes milfeddygaeth i ddiogelu iechyd y cyhoedd(5).

The Welsh Ministers are designated for the purposes of that section in relation to the control and regulation of the deliberate release, placing on the market and transboundary movements of genetically modified organisms(2), measures relating to food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals(3), the common agricultural policy of the European Community(4) and measures in the veterinary field for the protection of public health(5).

(1) 1972 p.68.

(2) O.S. 2003/2901. Trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru o dan y dynodiad hwn a'r tri dynodiad arall y cyfeiriwyd atynt i Weinidogion Cymru gan adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraffau 28 a 30 o Atodlen 11 iddi.

(3) O.S. 2005/1971.

(4) O.S. 2005/2766.

(5) O.S. 2003/1246.

(1) 1972 c.68.

(2) S.I. 2003/2901. Functions of the National Assembly for Wales under this designation and the three other designations referred to were transferred to the Welsh Ministers by section 162 of and paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006.

(3) S.I. 2005/1971.

(4) S.I. 2005/2766.

(5) S.I. 2003/1246.

Bu ymgynghori agored a thryloyw yn ystod gwaith paratoi'r Rheoliadau hyn yn unol â gofynion Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor(1) sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd.

Enwi a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Bwyd Anifeiliaid (Glwten Ŷd a Grawn Bragu) (Rheolaeth Frys) (Cymru) (Dirymu) 2007, deuant i rym ar 30 Tachwedd 2007 ac maent yn gymwys o ran Cymru.

Dirymu

2. Mae Rheoliadau Bwyd Anifeiliaid (Glwten Ŷd a Grawn Bragu) (Rheolaeth Frys) (Cymru) 2005(2) wedi'u dirymu.

Diwygiadau canlyniadol i Reoliadau Bwyd Anifeiliaid a Addaswyd yn Enetig (Cymru) 2004

3.-(1) Mae'r testun Saesneg o Reoliad 8 (arolygu, atafaelu a dal gafael ar fwyd anifeiliaid a amheuir) o Reoliadau Bwyd Anifeiliaid a Addaswyd yn Enetig (Cymru) 2004(3) wedi'i ddiwygio yn unol â pharagraffau (2) a (3).

(2) Ym mharagraff (5), yn lle'r ymadrodd "Subject to paragraphs (5A), (5B) and (6)" rhodder yr ymadrodd "Subject to paragraph (6)".

(3) Mae paragraffau (5A) a (5B) wedi'u hepgor.

Diwygiad canlyniadol i Reoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) 2006

4. Yn Atodlen 2 (diffiniad o gyfraith bwyd anifeiliaid berthnasol) i Reoliadau Rheolaethau Swyddogol ar Fwyd Anifeiliaid a Bwyd (Cymru) 2006(4), mae paragraff (dd) wedi'i hepgor.

There has been open and transparent consultation during the preparation of these Regulations in accordance with the requirements of Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(1) 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.

Title and commencement

1. The title of these Regulations is the Feed (Corn Gluten Feed and Brewers Grains) (Emergency Control) (Wales) (Revocation) Regulations 2007, they come into force on 30 November 2007 and apply in relation to Wales.

Revocation

2. The Feed (Corn Gluten Feed and Brewers Grains) (Emergency Control) (Wales) Regulations 2005(2) are revoked.

Consequential amendments to the Genetically Modified Animal Feed (Wales) Regulations 2004

3.-(1) The English text of regulation 8 (inspection, seizure and detention of suspected animal feed) of the Genetically Modified Animal Feed (Wales) Regulations 2004(3) is amended in accordance with paragraphs (2) and (3).

(2) In paragraph (5) for the expression "Subject to paragraphs (5A), (5B) and (6)" substitute the expression "Subject to paragraph (6)".

(3) Paragraphs (5A) and (5B) are omitted.

Consequential amendment of the Official Feed and Food Controls (Wales) Regulations 2006

4. In Schedule 2 (definition of relevant feed law) of the Official Feed and Food Controls (Wales) Regulations 2006(4), paragraph (f) is omitted.

(1) OJ Rhif L31, 1.2.2002, t.1, fel y'i diwygiwyd ddiwethaf ar y dyddiad y gwnaed yr offeryn hwn gan Reoliad (EC) Rhif 575/2006 (OJ Rhif L100, 8.4.2006, t.3).

(2) O.S. 2005/1323 (Cy.97).

(3) O.S. 2004/3221 (Cy.277). Cafodd y testun Saesneg o'r offeryn hwnnw ei ddiwygio gan O.S. 2005/1323 (Cy.97), ac mae'r Rheoliadau hyn yn awr yn dirymu'r diwygiadau hynny.

(4) O.S. 2006/590 (Cy.66).

(1) OJ No. L31, 1.2.2002, p.1, as last amended as at the date this instrument was made by Regulation (EC) No. 575/2006 (OJ No. L100, 8.4.2006, p.3).

(2) S.I. 2005/1323 (W.97).

(3) S.I. 2004/3221 (W.277). That instrument was amended by S.I. 2005/1323 (W.97), and these Regulations now revoke those amendments.

(4) S.I. 2006/590 (W.66).

G. Thomas

O dan awdurdod y Gweinidog dros Iechyd a
Gwasanaethau Cymdeithasol, un o Weinidogion
Cymru

Under authority of the Minister for Health and Social
Services, one of the Welsh Ministers

7 Tachwedd 2007

7 November 2007

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