CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2000 Rhif 2659 (Cy. 172)

BWYD, CYMRU

Rheoliadau Deunydd Risg Penodedig (Diwygio) (Cymru) 2000

NODYN ESBONIADOL

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

1. Mae'r Rheoliadau hyn yn diwygio Rheoliadau Deunydd Risg Penodedig 1997 (O.S.1997/2965, fel y'u diwygiwyd) i'r graddau y maent yn gymwys i Gymru. Mae Rheoliadau Deunydd Risg Penodedig 1997 yn gymwys i Brydain Fawr gyfan.

2. Diben y Rheoliadau yw gweithredu Erthygl 3.1 o Benderfyniad y Comisiwn 2000/418/EC yn rheoleiddio defnyddio deunydd sy'n creu risg o ran enseffalopathïau sbyngffurf trosglwyddadwy (OJ Rhif L158, 30.6.2000, t.76).

3. Mae'r prif ddiwygiad yn cysoni'r diffiniad o "deunydd risg penodedig" (*"specified risk material"*) yn rheoliad 2(1) o O.S. 1997/2965 â'r diffiniad o'r ymadrodd hwnnw ym Mhenderfyniad y Comisiwn 2000/418/EC. Gwneir diwygiad canlyniadol i reoliad 24(9)(b)(ii) o O.S. 1999/2965, sy'n rheoleiddio gwaredu gwêr sy'n deillio o ddeunydd risg penodedig arbennig.

4. Diwygir O.S. 1997/2965 ymhellach fel y bernir bod carcasau cyfan defaid, geifr ac anifeiliaid buchol yn ddeunydd risg penodedig os cânt eu symud o'r fan lle cawsant eu lladd neu lle y buont farw i gael eu rendro neu eu hylosgi yn gyfan.

5. O ganlyniad i'r diwygiadau a ddisgrifir ym mharagraff 4 uchod, mae'r Rheoliadau hyn yn diddymu rheoliad 12 o O.S. 1997/2965 (rendro carcasau cyfan).

6. Mae arfarniad rheoleiddiol ar gyfer y Rheoliadau hyn wedi'i baratoi yn unol ag adran 65 o Ddeddf Llywodraeth Cymru 1998 ac wedi'i osod yn llyfrgell Cynulliad Cenedlaethol Cymru. Gellir cael copïau oddi

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2000 No. 2659 (W. 172)

FOOD, WALES

The Specified Risk Material (Amendment) (Wales) Regulations 2000

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Specified Risk Material Regulations 1997 (S.I. 1997/2965, as amended) in so far as they apply to Wales. The Specified Risk Material Regulations 1997 apply to the whole of Great Britain.

2. The purpose of the Regulations is to give effect to Article 3.1 of Commission Decision 2000/418/EC regulating the use of material presenting risks as regards transmissible spongiform encephalopathies (OJ No. L158, 30.6.2000, p. 76).

3. The principal amendment brings the definition of "specified risk material" *("deunydd risg penodedig")* in regulation 2(1) of S.I. 1997/2965 into line with the definition of that phrase in Commission Decision 2000/418/EC. A consequential amendment is made to regulation 24(9)(b)(ii) of S.I. 1997/2965, which regulates the disposal of tallow derived from certain specified risk material.

4. S.I. 1997/2965 is further amended so that whole carcases of sheep, goats and bovines are deemed to be specified risk material if they are removed from the place where they were slaughtered or died to be rendered or incinerated whole.

5. In consequence of the amendments described in paragraph 4 above, these Regulations revoke regulation 12 of S.I. 1997/2965 (rendering whole carcases).

6. A regulatory appraisal for these Regulations has been prepared pursuant to section 65 of the Government of Wales Act 1998 and placed in the library of the National Assembly for Wales. Copies

wrth Asiantaeth Safonau Bwyd Cymru, Y Llawr Cyntaf, Southgate House, Wood Street, Caerdydd CF10 1EN.

may be obtained from the Food Standards Agency, 1st Floor, Southgate House, Cardiff CF10 1EN.

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2000 Rhif 2659 (Cy. 172)

BWYD, CYMRU

Rheoliadau Deunydd Risg Penodedig (Diwygio) (Cymru) 2000

Wedi'u gwneud	*28 Medi 2000*
Yn dod i rym	*1 Hydref 2000*

Drwy arfer y pwerau a roddwyd gan adrannau 16(1)(a), (b), (c), (d) ac (f), (2)(a) a (3), 17(1), 19(1)(a), 26 a 48(1) o Ddeddf Diogelwch Bwyd 1990(**a**), a pharagraffau 2(1), 3(1), 5 a 6(1)(a) o Atodlen 1 iddi, sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru(**b**), mae Cynulliad Cenedlaethol Cymru, gan roi sylw yn unol ag adran 48(4A) o'r Ddeddf honno i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd ac ar ôl ymgynghori yn unol ag adran 48(4) a (4B) o'r Ddeddf honno, drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1. Enw'r Rheoliadau hyn yw Rheoliadau Deunydd Risg Penodedig (Diwygio) (Cymru) 2000; maent yn gymwys i Gymry yn unig, a deuant i rym ar 1 Hydref 2000.

Diwygiadau i Reoliadau Deunydd Risg Penodedig 1997

2. —(1) I'r graddau y maent yn gymwys i Gymru, mae Rheoliadau Deunydd Risg Penodedig 1997(**c**) wedi'u diwygio yn unol â'r paragraffau canlynol yn y rheoliad hwn.

(**a**) 1990 p.16.
(**b**) Trosglwyddwyd swyddogaethau "the Ministers" o dan Ddeddf Diogelwch Bwyd 1990, i'r graddau y maent yn arferadwy mewn perthynas â Chymru, i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).
(**c**) O.S. 1997/2965, a ddiwygiwyd mewn perthynas â Phrydain Fawr gyfan gan O.S. 1998/2405 (a ddiwygiwyd ei hun gan O.S. 1998/2431) ac O.S. 1999/539.

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2000 No. 2659 (W. 172)

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The Specified Risk Material (Amendment) (Wales) Regulations 2000

Made	*28th September 2000*
Coming into force	*1st October 2000*

In exercise of the powers conferred by sections 16(1)(a), (b), (c), (d) and (f), (2)(a) and (3), 17(1), 19(1)(a), 26 and 48(1) of, and paragraphs 2(1), 3(1), 5 and 6(1)(a) of Schedule 1 to the Food Safety Act 1990(**a**) and now vested in the National Assembly for Wales(**b**), the National Assembly for Wales, having had regard in accordance with section 48(4A) of that Act to relevant advice given by the Food Standards Agency and after consultation in accordance with section 48(4) and (4B) of that Act, makes the following Regulations:

Title, commencement and application

1. These Regulations may be cited as the Specified Risk Material (Amendment) (Wales) Regulations 2000; they apply to Wales only and come into force on 1st October 2000.

Amendments to the Specified Risk Material Regulations 1997

2. —(1) In so far as they apply to Wales, the Specified Risk Material Regulations 1997(**c**) are amended in accordance with the following paragraphs of this regulation.

(**a**) 1990 c.16.
(**b**) Functions of "the Ministers" under the Food Safety Act 1990, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
(**c**) S.I. 1997/2965, amended in relation to the whole of Great Britain by S.I. 1998/2405 (itself amended by S.I. 1998/2431) and S.I. 1999/539.

(2) Ym mharagraff (1) o reoliad 2 (dehongli) mae'r diffiniadau o "class I specified risk material" a "class II specified risk material" wedi'u diddymu.

(3) Ym mharagraff (1) o reoliad 2 mae'r diffiniad canlynol yn disodli'r diffiniad o "specified risk material"-

" "specified risk material" means –

- (a) specified bovine material;
- (b) specified sheep or goat material;
- (c) any part of the animal remaining attached to specified bovine material or specified sheep or goat material after dissection of the carcase;
- (d) any animal material which comes into contact with specified bovine material or specified sheep or goat material after it has been removed from the carcase; and
- (e) specified solid waste;".

(4) Ym mharagraff (1) o reoliad 3 (deunydd defaid neu eifr penodedig) mae'r ymadrodd "class I" wedi'i ddiddymu.

(5) Mae paragraff (2) o reoliad 3 wedi'i ddiddymu.

(6) Ym mharagraff (3) o reoliad 3 –

- (a) mae'r ymadrodd "class II" wedi'i ddiddymu; a
- (b) mae'r geiriau "or incinerated" wedi'u mewnosod rhwng "rendered" a "whole".

(7) Mae'r paragraff canlynol yn disodli paragraffau (1) a (2) o reoliad 4 (deunydd penodedig o fucholion) –

"(1) In these Regulations, "specified bovine material" means –

- (a) the following material derived from a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 6 months
  - (i) the head (excluding the tongue but including the brains, eyes, trigeminal ganglia and tonsils),
  - (ii) the thymus,
  - (iii) the spleen,
  - (iv) the intestines from the duodenum to the rectum, and
  - (v) the spinal cord;
- (b) in relation to a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 30 months (other than a bovine animal which was accompanied

(2) In paragraph (1) of regulation 2 (interpretation) the definitions of "class I specified risk material" and "class II specified risk material" are revoked.

(3) In paragraph (1) of regulation 2 the following definition is substituted for the definition of "specified risk material"-

" "specified risk material" means –

- (a) specified bovine material;
- (b) specified sheep or goat material;
- (c) any part of the animal remaining attached to specified bovine material or specified sheep or goat material after dissection of the carcase;
- (d) any animal material which comes into contact with specified bovine material or specified sheep or goat material after it has been removed from the carcase; and
- (e) specified solid waste;".

(4) In paragraph (1) of regulation 3 (specified sheep or goat material) the phrase "class I" is revoked.

(5) Paragraph (2) of regulation 3 is revoked.

(6) In paragraph (3) of regulation 3 –

- (a) the phrase "class II" is revoked; and
- (b) the words "or incinerated" are inserted between "rendered" and "whole".

(7) The following paragraph is substituted for paragraphs (1) and (2) of regulation 4 (specified bovine material) –

"(1) In these Regulations, "specified bovine material" means –

- (a) the following material derived from a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 6 months –
  - (i) the head (excluding the tongue but including the brains, eyes, trigeminal ganglia and tonsils),
  - (ii) the thymus,
  - (iii) the spleen,
  - (iv) the intestines from the duodenum to the rectum, and
  - (v) the spinal cord;
- (b) in relation to a bovine animal which was slaughtered or has died in the United Kingdom or Portugal at an age greater than 30 months (other than a bovine animal which was accompanied

at the time of slaughter by a slaughter certificate issued under the Beef Assurance Scheme as described in Schedule 1 to the Fresh Meat (Beef Controls) (No. 2) Regulations 1996(**a**)), the vertebral column (including dorsal root ganglia); and

(c) the following material derived from a bovine animal which was slaughtered or has died outside the United Kingdom or Portugal (other than in Australia or New Zealand) at an age greater than 12 months –

(i) the skull (including the brains and eyes),

(ii) the tonsils,

(iii) the spinal cord, and

(iv) the ileum.".

(8) Mae'r paragraff canlynol wedi disodli paragraff (3) o reoliad 4 –

"(3) Whole carcases of bovine animals are specified bovine material if they are removed to be rendered or incinerated whole from the place where they were slaughtered or died."

(9) Mae'r paragraff canlynol wedi'i ychwanegu at reoliad 4 –

"(4) In paragraph (1) above, the reference to Portugal does not include a reference to the Autonomous Region of the Azores."

(10) Mae rheoliad 12 (rendro'r carcas cyfan) wedi'i ddiddymu.

(11) Ym mharagraff (9)(b)(ii) o reoliad 24 (safleoedd rendro a gymeradwywyd) mae'r geiriau "the specified risk material referred to in paragraph (17) below" wedi disodli'r ymadrodd "class II specified risk material".

(12) Mae'r paragraff canlynol wedi'i ychwanegu at reoliad 24 –

"(17) The specified risk material is –

(a) the head of a bovine animal which was slaughtered or has died in the United Kingdom at an age greater than 6 months except –

(i) the skull (including the brains and eyes), and

(ii) the tongue; and

(b) the material referred to in paragraphs (c) and (d) of the definition of that phrase.".

(**a**) O.S. 1996/2097, a ddiwygiwyd gan O.S. 1996/2522.

at the time of slaughter by a slaughter certificate issued under the Beef Assurance Scheme as described in Schedule 1 to the Fresh Meat (Beef Controls) (No. 2) Regulations 1996(**a**)), the vertebral column (including dorsal root ganglia); and

(c) the following material derived from a bovine animal which was slaughtered or has died outside the United Kingdom or Portugal (other than in Australia or New Zealand) at an age greater than 12 months –

(i) the skull (including the brains and eyes),

(ii) the tonsils,

(iii) the spinal cord, and

(iv) the ileum.".

(8) The following paragraph is substituted for paragraph (3) of regulation 4 –

"(3) Whole carcases of bovine animals are specified bovine material if they are removed to be rendered or incinerated whole from the place where they were slaughtered or died."

(9) The following paragraph is added to regulation 4 –

"(4) In paragraph (1) above, the reference to Portugal does not include a reference to the Autonomous Region of the Azores."

(10) Regulation 12 (rendering whole carcases) is revoked.

(11) In paragraph (9)(b)(ii) of regulation 24 (approved rendering plants) the words "the specified risk material referred to in paragraph (17) below" are substituted for the phrase "class II specified risk material".

(12) The following paragraph is added to regulation 24 –

"(17) The specified risk material is –

(a) the head of a bovine animal which was slaughtered or has died in the United Kingdom at an age greater than 6 months except –

(i) the skull (including the brains and eyes), and

(ii) the tongue; and

(b) the material referred to in paragraphs (c) and (d) of the definition of that phrase.".

(**a**) S.I. 1996/2097, amended by S.I. 1996/2522.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**a**)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**a**)

28 Medi 2000

28th September 2000

D. Elis Thomas

Llywydd Cynulliad Cenedlaethol Cymru

The Presiding Officer of the National Assembly for Wales

(**a**) 1998 p.38.

(**a**) 1998 c. 38.

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