CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2001 Rhif 2253 (Cy.163)

AMAETHYDDIAETH, CYMRU

Rheoliadau Deunyddiau Porthi (Samplu a Dadansoddi) (Diwygio) (Cymru) 2001

NODYN ESBONIADOL

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

1. Mae'r Rheoliadau hyn, sy'n gymwys i Gymru yn unig, yn diwygio Rheoliadau Deunyddiau Porthi (Samplu a Dadansoddi) 1999 ac yn gweithredu Cyfarwyddeb y Comisiwn 2000/45/EC sy'n sefydlu dulliau dadansoddi Cymunedol ar gyfer dod o hyd i fitamin A, fitamin E a tryptophan mewn deunyddiau porthi (OJ Rhif L174, 13.7.2000, t.32).

2. Mae'r Rheoliadau -

(a) yn diwygio Rheoliadau 1999 drwy ragnodi dull dadansoddi diwygiedig ar gyfer dod o hyd i fitamin A, a dulliau newydd ar gyfer dod o hyd i fitamin E a tryptophan, mewn deunyddiau porthi ac, yn achos fitaminau A ac E, mewn rhag-gymysgeddau (rheoliad 4), a

(b) yn gwneud mân ddiwygiadau a diwygiadau canlyniadol i'r Rheoliadau hynny, i Reoliadau Deunyddiau Porthi 2000, i Reoliadau Deunyddiau Porthi (Sefydliadau a Chanolwyr) 1999 ac i Reoliadau Deunyddiau Porthi (Gorfodi) 1999 (rheoliadau 3 a 5 - 8).

3. Mae arfarniad rheoliadol 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 wrth yr Asiantaeth Safonau Bwyd, Llawr 1, Southgate House, Caerdydd CF10 1EN.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2001 No. 2253 (W.163)

AGRICULTURE, WALES

The Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001

EXPLANATORY NOTE

(This note does not form part of the Regulations)

1. These Regulations, which apply to Wales only, amend the Feeding Stuffs (Sampling and Analysis) Regulations 1999 and implement Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs (OJ No. L174, 13.7.2000, p.32).

2. The Regulations -

(a) amend the 1999 Regulations by prescribing a revised method of analysis for the determination of vitamin A, and new methods for the determination of vitamin E and tryptophan, in feeding stuffs and, in the cases of vitamins A and E, in premixtures (regulation 4), and

(b) make minor and consequential amendments to those Regulations, the Feeding Stuffs Regulations 2000, the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999 and the Feeding Stuffs (Enforcement) Regulations 1999 (regulations 3 and 5 - 8).

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

OFFERYNNAUSTATUDOL

2001 Rhif 2253 (Cy.163)

AMAETHYDDIAETH, CYMRU

Rheoliadau Deunyddiau Porthi (Samplu a Dadansoddi) (Diwygio) (Cymru) 2001

Wedi'u gwneud	*14 Mehefin 2001*
Yn dod i rym	*1 Awst 2001*

Drwy arfer y pwerau a roddir gan adrannau 66(1), 77(4), 78(6) ac 84 o Ddeddf Amaethyddiaeth 1970 (**a**) (fel y'i darllenir gyda rheoliad 14 o Reoliadau Deddf Safonau Bwyd 1999 (Darpariaethau Trosiannol a Chanlyniadol ac Eithriadau) (Cymru a Lloegr) 2000 (**b**)) sydd bellach wedi'u breinio yng Nghynulliad Cenedlaethol Cymru (**c**), ar ôl ymgynghori yn unol â gofynion adran 84(1) o'r Ddeddf honno â'r personau neu'r cyrff y mae'n ymddangos eu bod yn cynrychioli'r buddiannau sydd o dan sylw, a chan ei fod wedi'i ddynodi (**ch**) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 (**d**) mewn perthynas â pholisi amaethyddol cyffredin y Gymuned Ewropeaidd, drwy arfer y pwerau a roddwyd iddo gan yr adran 2(2) a enwyd (i'r graddau na ellir gwneud y Rheoliadau hyn o dan y pwerau yn Neddf Amaethyddiaeth 1970 a bennir uchod), mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol:

Teitl, cychwyn a chymhwyso

1.-(1) Teitl y Rheoliadau hyn yw Rheoliadau Deunyddiau Porthi (Samplu a Dadansoddi) (Diwygio) (Cymru) 2001 a deuant i rym ar 1 Awst 2001

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

(a) 1970 p.40. Diwygiwyd y diffiniad o "the Ministers" gan Orchymyn Trosglwyddo Swyddogaethau (Cymru) (Rhif 1) 1978 (OS 1978/272), Atodlen 5, paragraff 1.

(b) OS 2000/656.

(c) Yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (OS 1999/672), mae swyddogaethau "the Ministers" yn arferadwy bellach yng Nghymru gan Gynulliad Cenedlaethol Cymru.

(ch) OS 1999/2788.

(d) 1972 p.68.

STATUTORY INSTRUMENTS

2001 No. 2253 (W.163)

AGRICULTURE, WALES

The Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001

Made	*14th June 2001*
Coming into force	*1st August 2001*

In exercise of the powers conferred by sections 66(1), 77(4), 78(6) and 84 of the Agriculture Act 1970 (**a**) (as read with regulation 14 of the Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (England and Wales) Regulations 2000 (**b**)) and now vested in the National Assembly for Wales (**c**), after consultation as required by section 84(1) of that Act with the persons or organisations appearing to represent the interests concerned, and being designated (**d**) for the purposes of section 2(2) of the European Communities Act 1972 (**e**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2) (in so far as these Regulations cannot be made under the powers in the Agriculture Act 1970 specified above), the National Assembly for Wales makes the following Regulations:

Title, commencement and extent

1.-(1) These Regulations may be cited as the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001 and shall come into force on 1st August 2001.

(2) These Regulations apply to Wales only.

(a) 1970 c.40. The definition of "the Ministers" was amended by the Transfer of Functions (Wales) (No.1) Order 1978 (SI 1978/272), Schedule 5, paragraph 1.

(b) SI 2000/656.

(c) By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672), functions of "the Ministers" are now exercisable in Wales by the National Assembly for Wales.

(d) SI 1999/2788.

(e) 1972 c.68.

Diwygio Rheoliadau Deunyddiau Porthi (Samplu a Dadansoddi) 1999

2. Caiff Rheoliadau Deunyddiau Porthi (Samplu a Dadansoddi) (Diwygio) 1999 (**a**) eu diwygio mewn perthynas â Chymru yn unol â rheoliadau 3 a 4 isod.

3. Yn rheoliad 6 -

(a) ym mharagraff (1), ar ôl y geiriau "pursuant to the Act," ychwanegir y geiriau "or, in the cases of the substances vitamin A and vitamin E, in a sample of a premixture to be analysed pursuant to Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs," (**b**); a

(b) ym mharagraff (2) caiff is-baragraff (c) ei ddileu.

4. Caiff Atodiad 1 i Ran II o Atodlen 2 ei ddiwygio fel a ganlyn -

(a) ar ôl yr eitem ar gyfer Theobromine ychwanegir yr eitem ganlynol yng ngholofnau 1 i 3:

Amendment of the Feeding Stuffs (Sampling and Analysis) Regulations 1999

2. The Feeding Stuffs (Sampling and Analysis) Regulations 1999 (**a**) shall be amended in relation to Wales in accordance with regulations 3 and 4 below.

3. In regulation 6 -

(a) in paragraph (1), after the words "pursuant to the Act," there shall be added the words "or, in the cases of the substances vitamin A and vitamin E, in a sample of a premixture to be analysed pursuant to Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs," (**b**); and

(b) in paragraph (2) subparagraph (c) shall be deleted.

4. Annex 1 to Part II of Schedule 2 shall be amended as follows -

(a) after the entry for Theobromine there shall be added in columns 1 to 3 the following entry :

"Tryptophan	Part C of the Annex to Directive 2000/45/EC	OJ No. L174, 13.7.2000,

(b) yn lle'r darpariaethau yng ngholofnau 2 a 3 ynghylch yr eitem ar gyfer Fitamin A rhoddir y darpariaethau canlynol:

(b) for the provisions in columns 2 and 3 relating to the entry for Vitamin A there shall be substituted the following provisions:

“

Part A of the Annex to Directive 2000/45/EC	OJ No. L174, 13.7.2000, p.32.

”

ac

and

(c) ar ôl yr eitem ar gyfer Fitamin A ychwanegir yr eitem ganlynol yng ngholofnau 1 i 3:

(c) after the entry for Vitamin A there shall be added in columns 1 to 3 the following entry :

“

Vitamin E	Part B of the Annex to Directive 2000/45/EC	OJ No. L174, 13.7.2000, p.32.

”

(a) OS 1999/1663, y mae diwygiadau iddo nad ydynt yn berthnasol i'r Rheoliadau hyn.

(b) OJ Rhif L174, 13.7.2000, t.32.

(a) SI 1999/1663; to which there are amendments not relevant to these Regulations.

(b) OJ No. L174, 13.7.2000, p.32.

Diwygio Rheoliadau Deunyddiau Porthi 2000

5. Yn Rheoliadau Deunyddiau Porthi 2000 (**a**), caiff rheoliad 26, paragraff (b) o reoliad 27 ac is-baragraff (ch)(i) o'r rheoliad hwnnw eu hepgor.

Diwygio Rheoliadau Deunyddiau Porthi (Sefydliadau a Chanolwyr) 1999

6.-(1) Caiff Rheoliadau Deunyddiau Porthi (Sefydliadau a Chanolwyr) 1999 (**b**) eu diwygio mewn perthynas â Chymru fel a ganlyn -

(a) yn y darpariaethau a bennir ym mharagraff (2) isod, ar ôl y geiriau "the Feeding Stuffs (Sampling and Analysis) Regulations 1999.", lle bynnag y'u gwelir, mewnosodir y geiriau ", as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs Regulations 2000 and amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001," (**c**); a

(b) yn rheoliad 106(2), caiff is-baragraff (c) ei ddileu.

(2) Y darpariaethau y cyfeirir atynt ym mharagraff (1)(a) uchod yw rheoliadau 98(8) a (9), 99 a 106(1).

Diwygio Rheoliadau Deunyddiau Porthi (Gorfodi) 1999

7. Caiff Rheoliadau Deunyddiau Porthi (Gorfodi) 1999 (**ch**) eu diwygio mewn perthynas â Chymru fel a ganlyn -

(a) yn rheoliad 8, ar ôl y geiriau "the Feeding Stuffs (Sampling and Analysis) Regulations 1999" ychwanegir y geiriau "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs Regulations 2000 and amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001"; a

(b) yn rheoliad 10, yn yr addasiad ar adran 76(8), (9) a (10) o Ddeddf Amaethyddiaeth 1970, ar ôl y geiriau "the Feeding Stuffs (Sampling and Analysis) Regulations 1999" ychwanegir y geiriau "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs Regulations 2000 and amended by the Feeding Stuffs

(a) OS 2001/343(Cy.15).

(b) OS 1999/1872, a addaswyd gan OS 2001/343(Cy.15).

(c) OS 1999/1871 yw'r cyfeirnod ar gyfer Rheoliadau Deunyddiau Porthi (Cynhyrchion Söotechnegol) 1999, y mae diwygiadau iddynt nad ydynt yn berthnasol i'r Rheoliadau hyn.

(ch) OS 1999/2325, a addaswyd gan OS 2001/343(Cy.15).

Amendment of the Feeding Stuffs Regulations 2000

5. In the Feeding Stuffs Regulations 2000 (**a**), regulation 26, paragraph (b) of regulation 27 and subparagraph (d)(i) of that regulation shall be omitted.

Amendment of the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999

6.-(1) The Feeding Stuffs (Establishments and Intermediaries) Regulations 1999 (**b**) shall be amended in relation to Wales as follows -

(a) in the provisions specified in paragraph (2) below, after the words "the Feeding Stuffs (Sampling and Analysis) Regulations 1999.", wherever they occur, there shall be inserted the words ", as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs Regulations 2000 and amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001," (**c**); and

(b) in regulation 106(2), subparagraph (c) shall be deleted.

(2) The provisions referred to in paragraph (1)(a) above are regulations 98(8) and (9), 99 and 106(1).

Amendment of the Feeding Stuffs (Enforcement) Regulations 1999

7. The Feeding Stuffs (Enforcement) Regulations 1999 (**d**) shall be amended in relation to Wales as follows -

(a) in regulation 8, after the words "the Feeding Stuffs (Sampling and Analysis) Regulations 1999" there shall be added the words "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs Regulations 2000 and amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001"; and

(b) in regulation 10, in the modification of section 76(8), (9) and (10) of the Agriculture Act 1970, after the words "the Feeding Stuffs (Sampling and Analysis) Regulations 1999" there shall be inserted the words "as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999 and as modified by the Feeding Stuffs Regulations 2000 and amended

(a) SI 2001/343(W.15).

(b) SI 1999/1872, modified by SI 2001/343(W.15)

(c) The reference for the Feeding Stuffs (Zootechnical Products) Regulations 1999 is SI 1999/1871, to which there are amendments not relevant to these Regulations.

(d) SI 1999/2325, modified by SI 2001/343(W.15).

(Sampling and Analysis) (Amendment) (Wales) Regulations 2001"; ac

(c) yn rheoliad 11, yn lle'r geiriau "not a feeding stuff", rhoddir y geiriau "neither a feeding stuff, nor a premixture to which Part A or Part B of Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs applies".

8. Caiff Rheoliadau Deunyddiau Porthi (Gorfodi) 1999 eu diwygio mewn perthynas â Chymru drwy fewnosod y rheoliad canlynol ar ôl rheoliad 11 -

"**11A**. For the purposes of sections 77(4) and 78(6) of the Act, analysis shall (as specified in regulation 7) be treated as carried out in the prescribed manner, in relation to a sample of a premixture to which Part A or Part B of Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs applies, if it is carried out in accordance with whichever of those Parts is applicable in the case concerned.".

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

14 Mehefin 2001

Llywydd y CynulliadCenedlaethol

(a) 1998 p.38.

by the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001"; and

(c) in regulation 11, for the words "not a feeding stuff", there shall be substituted the words "neither a feeding stuff, nor a premixture to which Part A or Part B of Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs applies".

8. The Feeding Stuffs (Enforcement) Regulations 1999 shall be amended in relation to Wales by the insertion, after regulation 11, of the following regulation -

"**11A**. For the purposes of sections 77(4) and 78(6) of the Act, analysis shall (as specified in regulation 7) be treated as carried out in the prescribed manner, in relation to a sample of a premixture to which Part A or Part B of Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs applies, if it is carried out in accordance with whichever of those Parts is applicable in the case concerned.".

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

14th June 2001

D.Elis Thomas

The Presiding Office of the National Assembly

(a) 1998 c.38.

CYNULLIAD CENEDLAETHOL CYMRU

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2001 Rhif 2253 (Cy.163)

AMAETHYDDIAETH, CYMRU

Rheoliadau Deunyddiau Porthi (Samplu a Dadansoddi) (Diwygio) (Cymru) 2001

NATIONAL ASSEMBLY FOR WALES

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The Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2001

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