



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2008 Rhif 1080 (Cy.114)

2008 No. 1080 (W.114)

AMAETHYDDIAETH, CYMRU

AGRICULTURE, WALES

BWYD, CYMRU

FOOD, WALES

Rheoliadau Cynhyrchion
Penodedig o Tsieina (Cyfyngiad ar
eu Rhoi Gyntaf ar y Farchnad)
(Cymru) 2008

The Specified Products from China
(Restriction on First Placing on the
Market) (Wales) Regulations
2008

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn gweithredu o ran Cymru Benderfyniad y Comisiwn 2008/289/EC ar fesurau brys ynghylch yr organedd a addaswyd yn enetig heb awdurdod sef "Bt 63" mewn cynhyrchion reis (OJ Rhif L96, 9.4.2008, p.29).

These Regulations implement in relation to Wales Commission Decision 2008/289/EC on emergency measures regarding the unauthorised genetically modified organism "Bt 63" in rice products (OJ No. L96, 9.4.2008, p.29).

Mae'r Rheoliadau hyn —

These Regulations —

- (a) yn gwahardd rhoi unrhyw "gynnyrch penodedig" (a ddiffinnir yn rheoliad 2(1)), gyntaf ar y farchnad, ac eithrio pan fo—
 - (i) yn dod gydag—
 - (aa) adroddiad dadansoddol gwreiddiol sydd wedi ei seilio ar fethod adeiledd-benodol arbennig i ganfod y reis a addaswyd yn enetig, sef "Bt 63" ac a ddyroddwyd gan labordy swyddogol neu achrededig sy'n dangos nad yw'r cynnyrch yn cynnwys y reis a addaswyd yn enetig, sef "Bt 63" neu wedi ei wneud neu wedi ei gynhyrchu o'r cyfryw reis, neu
 - (bb) os nad yw'n cynnwys reis, neu wedi ei wneud neu wedi ei gynhyrchu o reis, datganiad gan y gweithredydd sy'n gyfrifol am y llwyth sy'n dangos nad yw'r bwyd yn cynnwys reis neu nad yw wedi ei wneud neu wedi ei gynhyrchu o reis; neu

- (a) prohibit the first placing on the market of any "specified product" (defined in regulation 2(1)), except where —
 - (i) it is accompanied by—
 - (aa) an original analytical report based on a particular construct-specific method for detection of the genetically modified rice "Bt 63" issued by an official or accredited laboratory demonstrating that the product does not contain or consist of or is not produced from the genetically modified rice "Bt 63", or
 - (bb) if it does not contain or consist of rice or is not produced from rice, a statement from the operator responsible for the consignment indicating that the food does not contain or consist of rice or is not produced from rice; or

- (ii) y gweithredydd a sefydlwyd yn y Gymuned sy'n gyfrifol am roi'r cynnyrch gyntaf ar y farchnad wedi peri profi'r cynnyrch ac mae'r adroddiad dadansoddol o ran y prawf hwnnw yn dangos nad yw'n cynnwys y reis a addaswyd yn enetig, sef "Bt 63" (*rheoliad 3(1)(a)*); a
- (iii) gofynion penodol ar gyfer llwythi hollt yn cael eu cydymffurfio â hwy (*rheoliad 3(1)(b)*);
- (b) yn darparu bod person sy'n mynd yn groes i'r gwaharddiad hwnnw gan wybod hynny yn euog o dramgwydd ac yn rhagnodi cosbau am y tramgwydd hwnnw (*rheoliad 3(2)*);
- (c) yn ei gwneud yn ofynnol bod gweithredydd sy'n dod yn ymwybodol o ganlyniad cadarnhaol o brawf am bresenoldeb y reis a addaswyd yn enetig, sef "Bt 63" mewn cynnyrch penodedig sydd o dan ei reolaeth yn hysbysu'r Asiantaeth Safonau Bwyd am y canlyniad hwnnw ar unwaith (*rheoliad 4(1)*);
- (ch) yn darparu bod person sydd heb esgus rhesymol yn methu â chydymffurfio â'r gofyniad hwnnw yn euog o dramgwydd ac yn rhagnodi cosbau am y tramgwydd hwnnw (*rheoliad 4(2)*);
- (d) yn darparu am eu gorfodi (*rheoliad 5*); ac
- (dd) yn cymhwyso gydag addasiadau ddarpariaethau penodol yn Neddf Diogelwch Bwyd 1990 (1990 p.16) at ddibenion y Rheoliadau (*rheoliad 6*).
- (ii) the operator established in the Community who is responsible for the first placing on the market of the product has had the product tested and the analytical report in respect of that test demonstrates that it does not contain the genetically modified rice "Bt 63" (*regulation 3(1)(a)*); and
- (iii) specified requirements for split consignments are complied with (*regulation 3(1)(b)*);
- (b) provide that a person who knowingly contravenes that prohibition is guilty of an offence and prescribe penalties for that offence (*regulation 3(2)*);
- (c) require an operator who becomes aware of a positive result of a test for the presence of the genetically modified rice "Bt 63" in a specified product that is under his or her control to inform the Food Standards Agency of that result immediately (*regulation 4(1)*);
- (d) provide that a person who without reasonable excuse fails to comply with that requirement is guilty of an offence and prescribe penalties for that offence (*regulation 4(2)*);
- (e) provide for their enforcement (*regulation 5*); and
- (f) apply with modifications certain provisions of the Food Safety Act 1990 (1990 c.16) for the purposes of the Regulations (*regulation 6*).

2008 Rhif 1080 (Cy.114)

AMAETHYDDIAETH, CYMRU

BWYD, CYMRU

**Rheoliadau Cynhyrchion
Penodedig o Tsieina (Cyfyngiad ar
eu Rhoi Gyntaf ar y Farchnad)
(Cymru) 2008**

Gwnaed 14 Ebrill 2008
*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 14 Ebrill 2008
Yn dod i rym 15 Ebrill 2008

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).

Mae Gweinidogion Cymru wedi'u dynodi at ddibenion yr adran honno o ran mesurau sy'n ymwneud â bwyd (gan gynnwys diod), gan gynnwys cynhyrchu sylfaenol bwyd a mesurau sy'n ymwneud â bwyd anifeiliaid a gynhyrchir ar gyfer anifeiliaid sy'n cynhyrchu bwyd neu a fwydir i'r cyfryw anifeiliaid(2).

Fel sy'n ofynnol o dan Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n gosod egwyddorion cyffredinol a gofynion cyfraith bwyd, ac yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd(3) cafwyd ymgynghori agored a thryloyw â'r cyhoedd yn ystod cyfnod paratoi a gwerthuso'r Rheoliadau hyn.

(1) 1972 p. 68.

(2) O.S. 2005/1971.

(3) OJ Rhif L31, 1.2.2002, t.1 fel y'i diwygiwyd ddiwethaf gan Reoliad y Comisiwn (EC) Rhif 575/2006 sy'n diwygio Rheoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor o ran nifer ac enwau Paneli Gwyddonol Parhaol Awdurdod Diogelwch Bwyd Ewrop (OJ Rhif L100, 8.4.2006, t.3).

2008 No. 1080 (W.114)

AGRICULTURE, WALES

FOOD, WALES

**The Specified Products from China
(Restriction on First Placing on the
Market) (Wales) Regulations
2008**

Made 14 April 2008
*Laid before the National
Assembly for Wales* 14 April 2008
Coming into force 15 April 2008

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

The Welsh Ministers have been designated for the purpose of that section in relation to measures in respect of food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals(2).

As required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council 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(3) there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

(1) 1972 c. 68.

(2) S.I. 2005/1971.

(3) OJ No. L31, 1.2.2002, p.1, as last amended by Commission Regulation (EC) No. 575/2006 amending Regulation (EC) No. 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority (OJ No. L100, 8.4.2006, p.3).

Enwi, cymhwyso a chychwyn

1. Enw'r Rheoliadau hyn yw Rheoliadau Cynhyrchion Penodedig o Tsieina (Cyfyngiad ar eu Rhoi Gyntaf ar y Farchnad) (Cymru) 2008; maent yn gymwys o ran Cymru a deuant i rym ar 15 Ebrill 2008.

Dehongli

2.—(1) Yn y Rheoliadau hyn—

ystyr "yr Asiantaeth" ("*the Agency*") yw'r Asiantaeth Safonau Bwyd;

mae i "awdurdod bwyd" yr ystyr a roddir i "*food authority*" yn rhinwedd adran 5(1A) o Ddeddf Diogelwch Bwyd 1990(1);

ystyr "awdurdod bwyd anifeiliaid" ("*feed authority*") yw'r awdurdod sy'n ofynnol gan adran 67(1A) o Ddeddf Amaethyddiaeth 1970(2) i orfodi'r Ddeddf honno o fewn ei ardal;

mae i "bwyd" yr ystyr a roddir i "*food*" yn Erthygl 2 o Reoliad 178/2002;

mae i "bwyd anifeiliaid" yr ystyr a roddir i "*feed*" yn Erthygl 3.4 o Reoliad 178/2002;

ystyr "cynnyrch penodedig" ("*specified product*") yw unrhyw gynnyrch a restrir yn yr Atodiad i Benderfyniad y Comisiwn sy'n tarddu o Tsieina neu a draddodwyd o Tsieina;

mae i "gweithredydd" yr ystyr a roddir i "*operator*" ym Mhenderfyniad y Comisiwn;

ystyr "Penderfyniad y Comisiwn" ("*the Commission Decision*") yw Penderfyniad y Comisiwn 2008/289/EC ar fesurau brys ynghylch yr organedd a addaswyd yn enetig heb awdurdod, sef "Bt 63" mewn cynhyrchion reis(3);

ystyr "Rheoliad 178/2002" ("*Regulation 178/2002*") yw Rheoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor, sy'n gosod egwyddorion cyffredinol a gofynion cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd;

mae i "rhoi gyntaf ar y farchnad" yr ystyr a roddir i "*first placing on the market*" ym Mhenderfyniad y Comisiwn; ac

ystyr "swyddog awdurdodedig" ("*authorised officer*") mewn perthynas ag awdurdod bwyd anifeiliaid neu ag awdurdod bwyd, yw unrhyw berson (p'un ai yw'n un o swyddogion yr awdurdod ai peidio) a awdurdodir ganddo yn ysgrifenedig, naill ai'n gyffredinol neu'n arbennig, i weithredu mewn materion sy'n codi o dan y Rheoliadau hyn.

(1) 1990 p.16.

(2) 1970 p. 40.

(3) OJ Rhif L96, 9.4.2008, t.29.

Title, application and commencement

1. The title of these Regulations is the Specified Products from China (Restriction on First Placing on the Market (Wales) Regulations 2008; they apply in relation to Wales and come into force on 15 April 2008.

Interpretation

2.—(1) In these Regulations—

"the Agency" ("*yr Asiantaeth*") means the Food Standards Agency;

"authorised officer" ("*swyddog awdurdodedig*"), in relation to a feed authority or a food authority, means any person (whether or not an officer of the authority) who is authorised by it in writing, either generally or specially, to act in matters arising under these Regulations;

"the Commission Decision" ("*Penderfyniad y Comisiwn*") means Commission Decision 2008/289/EC on emergency measures regarding the unauthorised genetically modified organism "Bt 63" in rice products(1) ;

"feed" ("*bwyd anifeiliaid* ") has the meaning given to it in Article 3.4 of Regulation 178/2002;

"feed authority" ("*awdurdod bwyd anifeiliaid*") means the authority required by section 67(1A) of the Agriculture Act 1970(2) to enforce that Act within its area;

"food" ("*bwyd* ") has the meaning given to it in Article 2 of Regulation 178/2002;

"first placing on the market" ("*rhoi gyntaf ar y farchnad* ") has the meaning that it bears in the Commission Decision;

"food authority" ("*awdurdod bwyd*") has the meaning that it bears by virtue of section 5(1A) of the Food Safety Act 1990(3);

"operator" ("*gweithredydd*") has the meaning that it bears in the Commission Decision;

"Regulation 178/2002" ("*Rheoliad 178/2002*") means Regulation (EC) No. 178/2002 of the European Parliament and of the Council 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; and

"specified product" ("*cynnyrch penodedig*") means any product listed in the Annex to the Commission Decision that originates from or has been consigned from China.

(1) OJ No.L96, 9 .4. 2008, p.29.

(2) 1970 c. 40.

(3) 1990 c.16.

(2) Pan fo unrhyw swyddogaethau o dan Ddeddf Diogelwch Bwyd 1990 yn cael eu haseinio—

- (a) drwy orchymyn o dan adran 2 o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 (1), i awdurdod iechyd porthladd; neu
- (b) drwy orchymyn o dan adran 6 o Ddeddf Iechyd y Cyhoedd 1936(2), i gyd-fwrdd ar gyfer dosbarth unedig;

dehonglir unrhyw gyfeiriad yn y Rheoliadau hyn at awdurdod bwyd, i'r graddau y mae'n ymwneud â'r swyddogaethau hynny, fel cyfeiriad at yr awdurdod yr aseiniwyd hwy iddo.

Cyfyngiad ar roi cynhyrchion penodedig gyntaf ar y farchnad

3.—(1) Gwaherddir rhoi unrhyw gynnyrch penodedig gyntaf ar y farchnad oni bai—

- (a) bod yr amodau a bennir ym mharagraffau (1) a (3) a'r ail a'r drydedd frawddeg o baragraff (2) o Erthygl 2 o Benderfyniad y Comisiwn yn cael eu cydymffurfio â hwy mewn perthynas â'r cynnyrch hwnnw; a
- (b) bod trefniadau wedi cael eu gwneud i sicrhau cydymffurfiaeth â'r amod a bennir yn y frawddeg gyntaf o baragraff (2) o Erthygl 2 o'r Penderfyniad hwnnw mewn perthynas â'r cynnyrch hwnnw.

(2) Mae unrhyw berson sy'n mynd yn groes, gan wybod hynny, i'r gwaharddiad ym mharagraff (1) yn euog o dramgwydd ac yn agored, ar gollfarn ddiannod, i ddirwy nad yw'n uwch na lefel 5 ar y raddfa safonol, i garchariad am gyfnod nad yw'n fwy na thri mis neu i'r ddau.

Hysbysu am ganlyniadau cadarnhaol

4.—(1) Bydd gweithredydd sy'n dod yn ymwybodol o ganlyniad cadarnhaol o brawf am bresenoldeb y reis a addaswyd yn enetig, sef "Bt 63" mewn cynnyrch penodedig sydd o dan ei reolaeth yn hysbysu'r Asiantaeth am y canlyniad hwnnw ar unwaith.

(2) Mae unrhyw berson sydd heb esgus rhesymol yn methu â chydymffurfio â'r rhwymedigaeth ym mharagraff (1) yn euog o dramgwydd ac yn agored ar gollfarn ddiannod i ddirwy nad yw'n fwy na lefel 5 ar y raddfa safonol, i garchariad am gyfnod nad yw'n fwy na thri mis neu i'r ddau.

(2) Where any functions under the Food Safety Act 1990 are assigned—

- (a) by an order under section 2 of the Public Health (Control of Disease) Act 1984(1), to a port health authority; or
- (b) by an order under section 6 of the Public Health Act 1936(2), to a joint board for a united district,

any reference in these Regulations to a food authority will be construed, so far as relating to those functions, as a reference to the authority to whom they are so assigned.

Restriction on first placing on the market of specified products

3.—(1) The first placing on the market of any specified product is prohibited unless—

- (a) the conditions specified in paragraphs (1) and (3) and the second and third sentences of paragraph (2) of Article 2 of the Commission Decision are complied with in relation to that product; and
- (b) arrangements have been made to ensure compliance with the condition specified in the first sentence of paragraph (2) of Article 2 of that Decision in relation to that product.

(2) Any person who knowingly contravenes the prohibition in paragraph (1) is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale, to imprisonment for a term not exceeding three months or to both.

Notification of positive results

4.—(1) An operator who becomes aware of a positive result of a test for the presence of the genetically modified rice "Bt 63" in a specified product that is under his or her control will inform the Agency of that result immediately.

(2) Any person who without reasonable excuse fails to comply with the obligation in paragraph (1) is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale, to imprisonment for a term not exceeding three months or to both.

(1) 1984 p.22.

(2) 1936 p.49; mae adran 6 i'w darllen gyda pharagraff 1 o Atodlen 3 i Ddeddf Diogelwch Bwyd 1990.

(1) 1984 c.22.

(2) 1936 c.49; section 6 is to be read with paragraph 1 of Schedule 3 to the Food Safety Act 1990.

Gorfodi

5.—(1) Dyletswydd pob awdurdod bwyd anifeiliaid yw gweithredu a gorfodi'r Rheoliadau hyn o fewn ei ardal mewn perthynas â bwyd anifeiliaid.

(2) Dyletswydd pob awdurdod bwyd yw gweithredu a gorfodi'r Rheoliadau hyn o fewn ei ardal mewn perthynas â bwyd.

(3) At ddibenion galluogi'r awdurdod bwyd anifeiliaid i arfer ei ddyletswydd o dan baragraff (1) a'r awdurdod bwyd i arfer ei ddyletswydd o dan baragraff (2), bydd un o swyddogion awdurdodedig yr awdurdod dan sylw yn sicrhau bod y gofynion y cyfeirir atynt ym mharagraff (4) yn cael eu cadw.

(4) Y gofynion yw'r gofynion a bennir yn —

- (a) Erthygl 2 o Benderfyniad y Comisiwn (sy'n ymwneud â'r amodau y caniateir i lwythi o gynhyrchion penodedig gael eu rhoi gyntaf ar y farchnad odanynt);
- (b) y frawddeg gyntaf o Erthygl 3 o'r Penderfyniad hwnnw (sy'n ymwneud â mesurau rheoli sy'n ymwneud â chynhyrchion penodedig a gyflwynir i'w mewnforio neu sydd eisoes ar y farchnad); ac
- (c) Erthygl 4 o'r Penderfyniad hwnnw (sy'n ymwneud â llwythi halogedig).

(5) Mae pob awdurdod bwyd anifeiliaid a phob awdurdod bwyd i roi'r cymorth a'r wybodaeth y mae Gweinidogion Cymru a'r Asiantaeth yn gofyn yn rhesymol amdanynt mewn cysylltiad â gweithredu a gorfodi'r Rheoliadau.

Cymhwyso darpariaethau amrywiol Deddf Diogelwch Bwyd 1990

6. Mae darpariaethau canlynol Deddf Diogelwch Bwyd 1990 yn gymwys at ddibenion y Rheoliadau hyn gyda'r addasiad y mae unrhyw gyfeiriad yn y darpariaethau hynny at y Ddeddf neu at Ran ohoni i'w ddehongli fel cyfeiriad at y Rheoliadau hyn —

- (a) adran 20 (tramgwyddau oherwydd bai person arall);
- (b) adran 21 (amddiffyniad diwydrwydd dyladwy)(1), gyda'r addasiad y mae is-adrannau (2) i (4) yn gymwys mewn perthynas â thrangwydd o dan reoliad 3(2) fel y maent yn gymwys mewn perthynas â thrangwydd o dan adran 14 neu 15, yn is-adrannau (2)(a) a (3)(b) bernir bod y cyfeiriadau at "food" yn gyfeiriadau at fwyd anifeiliaid neu fwyd ac yn is-adran (4)(b) bernir bod y cyfeiriadau at "sale or intended sale" yn gyfeiriadau at "rhoi gyntaf ar y farchnad";

(1) Diwygiwyd adran 21 gan O.S.2004/3279.

Enforcement

5.—(1) It is to be the duty of each feed authority to execute and enforce these Regulations within its area in relation to feed.

(2) It is to be the duty of each food authority to execute and enforce these Regulations within its area in relation to food.

(3) For the purposes of enabling the feed authority to exercise its duty under paragraph (1) and the food authority to exercise its duty under paragraph (2), an authorised officer of the authority concerned will ensure that the requirements referred to in paragraph (4) are adhered to.

(4) The requirements are those specified in —

- (a) Article 2 of the Commission Decision (which is concerned with the conditions under which consignments of specified products may first be placed on the market);
- (b) the first sentence of Article 3 of that Decision (which is concerned with control measures relating to specified products presented for importation or already on the market); and
- (c) Article 4 of that Decision (which is concerned with contaminated consignments).

(5) Each feed authority and each food authority is to give such assistance and information to the Welsh Ministers and the Agency as they may reasonably request in connection with the execution and enforcement of these Regulations.

Application of various provisions of the Food Safety Act 1990

6. The following provisions of the Food Safety Act 1990 apply for the purposes of these Regulations with the modification that any reference in those provisions to that Act or Part thereof is to be construed as a reference to these Regulations —

- (a) section 20 (offences due to fault of another person);
- (b) section 21 (defence of due diligence)(1), with the modification that subsections (2) to (4) apply in relation to an offence under regulation 3(2) as they apply in relation to an offence under section 14 or 15, that in subsections (2)(a) and (3)(b) the references to "food" will be deemed to be references to feed or food and that in subsection (4)(b) the references to "sale or intended sale" are to be deemed to be references to "first placing on the market";

(1) Section 21 was amended by S.I. 2004/3279.

- (c) adran 32 (pwerau mynediad), gyda'r addasiad yn is-adran (1) y bernir bod y cyfeiriad at "an enforcement authority" yn gyfeiriad at awdurdod bwyd anifeiliaid neu at awdurdod bwyd, y bernir bod y cyfeiriadau at "the authority's area" yn gyfeiriadau at ardal yr awdurdod ac y bernir bod cyfeiriad at "a food authority" yn gyfeiriad at awdurdod bwyd anifeiliaid neu at awdurdod bwyd;
- (ch) adran 33(1) (rhwystro etc. swyddogion);
- (d) adran 33(2), gyda'r addasiad y bernir bod y cyfeiriad at "any such requirement as is mentioned in subsection (1)(b) above" yn gyfeiriad at unrhyw ofyniad a grybwyllir yn adran 33(1)(b) fel y'i cymhwysir gan is-baragraff (ch);
- (dd) adran 35(1) (cosbi tramgwyddau)(1), i'r graddau y mae'n ymwneud â thramgwyddau o dan adran 33(1) fel y'i cymhwysir gan is-baragraff (ch);
- (e) adran 35(2) a (3)(2) i'r graddau y mae'n ymwneud â thramgwyddau o dan adran 33(2) fel y'i cymhwysir gan is-baragraff (d);
- (f) adran 36 (tramgwyddau gan gyrff corfforaethol);
- (ff) adran 36A (tramgwyddau gan bartneriaethau Albanaidd)(3); ac
- (g) adran 44 (amddiffyn swyddogion sy'n gweithredu'n ddiwyll), gyda'r addasiad y bernir bod y cyfeiriadau at "food authority" yn gyfeiriadau at awdurdod bwyd anifeiliaid neu at awdurdod bwyd.

- (c) section 32 (powers of entry), with the modification that in subsection (1) the reference to "an enforcement authority" is to be deemed to be a reference to a feed authority or a food authority, the references to "the authority's area" are to be deemed to be references to the authority's area and the reference to "a food authority" will be deemed to be a reference to a feed authority or a food authority;
- (d) section 33(1) (obstruction etc. of officers);
- (e) section 33(2), with the modification that the reference to "any such requirement as is mentioned in subsection (1)(b) above" will be deemed to be a reference to any such requirement as is mentioned in section 33(1)(b) as applied by sub-paragraph (d);
- (f) section 35(1) (punishment of offences)(1), in so far as it relates to offences under section 33(1) as applied by sub-paragraph (d);
- (g) section 35(2) and (3)(2), in so far as it relates to offences under section 33(2) as applied by sub-paragraph (e);
- (h) section 36 (offences by bodies corporate);
- (i) section 36A (offences by Scottish partnerships)(3); and
- (j) section 44 (protection of officers acting in good faith), with the modification that the references to "food authority" will be deemed to be references to feed authority or food authority.

Gwenda Thomas

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

14 Ebrill 2008

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

14 April 2008

(1) Diwygir adran 35(1) gan Ddeddf Cyfiawnder Troseddol 2003 (2003 p. 44), Atodlen 26, paragraff 42, o ddyddiad sydd i'w bennu.

(2) Diwygiwyd adran 35(3) gan O.S. 2004/3279.

(3) Mewnosodwyd adran 36A gan Ddeddf Safonau Bwyd 1999 (1999 p. 28), Atodlen 5, paragraff 16.

(1) Section 35(1) is amended by the Criminal Justice Act 2003 (2003 c. 44), Schedule 26, paragraph 42, from a date to be appointed.

(2) Section 35(3) was amended by S.I. 2004/3279.

(3) Section 36A was inserted by the Food Standards Act 1999 (1999 c. 28), Schedule 5, paragraph 16.

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CYMRU

2008 Rhif 1080 (Cy.114)

AMAETHYDDIAETH, CYMRU

BWYD, CYMRU

Rheoliadau Cynhyrchion
Penodedig o Tsieina (Cyfyngiad ar
eu Rhoi Gyntaf ar y Farchnad)
(Cymru) 2008

WELSH
STATUTORY INSTRUMENTS

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FOOD, WALES

The Specified Products from China
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2008

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