



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2009 Rhif 793 (Cy.71)

2009 No. 793 (W.71)

BWYD, CYMRU

FOOD, WALES

**Rheoliadau Wyau a Chywion
(Cymru) 2009**

**The Eggs and Chicks (Wales)
Regulations 2009**

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 dirymu ac yn ailddeddfu, gydag addasiadau, Reoliadau Wyau (Safonau Marchnata) 1995 (O.S. 1995/1544) i'r graddau y maent yn gymwys o ran Cymru.

These Regulations revoke and remake, with modifications, the Eggs (Marketing Standards) Regulations 1995 (S.I. 1995/1544) insofar as they apply to Wales.

Gwnaeth Rheoliadau 1995, fel y'u diwygiwyd, ddarpariaeth ar gyfer gorfodi darpariaethau penodol yn Rheoliad y Cyngor (EEC) Rhif 2782/75 (OJ Rhif L282, 1.11.1975, t.100) ar gynhyrchu a marchnata wyau deor a chywion dofednod buarth fferm a Rheoliad y Comisiwn (EEC) Rhif 1868/77 (OJ Rhif L209, 17.8.1977, t.1) sy'n gosod rheolau manwl ar gyfer cymhwyso Rheoliad (EEC) Rhif 2782/75. Gwnaethant ddarpariaeth hefyd ar gyfer gorfodi darpariaethau penodol yn Rheoliad y Cyngor (EEC) Rhif 1907/90 (OJ Rhif L173, 6.7.1990, t.5) ar safonau marchnata penodol ar gyfer wyau a Rheoliad y Comisiwn (EC) Rhif 2295/2003 (OJ Rhif L340, 24.12.2003, t.16) sy'n cyflwyno rheolau manwl ar gyfer gweithredu Rheoliad y Cyngor (EEC) Rhif 1907/90.

The 1995 Regulations, as amended, made provision for the enforcement of certain provisions of Regulation (EEC) No. 2782/75 (OJ No. L282, 1.11.1975, p.100) of the Council on the production and marketing of eggs for hatching and of farmyard poultry chicks and Commission Regulation (EEC) No. 1868/77 (OJ No. L209, 17.8.1977, p.1) laying down detailed rules of application for Regulation (EEC) No. 2782/75. They also made provision for the enforcement of certain provisions of Council Regulation (EEC) No. 1907/90 (OJ No. L173, 6.7.1990, p.5) on certain marketing standards for eggs and Commission Regulation (EC) No. 2295/2003 (OJ No. L340, 24.12.2003, p.16) introducing detailed rules for implementing Council Regulation (EEC) No. 1907/90.

Dirymwyd Rheoliad y Cyngor (EEC) Rhif 1907/90 a Rheoliad y Comisiwn (EC) Rhif 2295/2003 a'u disodli gan Reoliad y Cyngor (EC) Rhif 1028/2006 (OJ Rhif L186, 7.7.2006, t.1) a Rheoliad y Comisiwn (EC) Rhif 557/2007 (OJ Rhif L132, 24.5.2007, t.5).

Council Regulation (EEC) No. 1907/90 and Commission Regulation (EC) No. 2295/2003 were revoked and replaced by Council Regulation (EC) No. 1028/2006 (OJ No. L186, 7.7.2006, p.1) and Commission Regulation (EC) No. 557/2007 (OJ No. L132, 24.5.2007, p.5).

Diddymwyd Rheoliad (EEC) Rhif 2782/75 a Rheoliad y Cyngor (EC) Rhif 1028/2006 gan y Rheoliad Sengl CMO. Diddymwyd Rheoliad y Comisiwn (EEC) Rhif 1868/77 gan Reoliad y Comisiwn (EC) Rhif 617/2008 a diddymwyd Rheoliad y Comisiwn (EC) Rhif 557/2007 gan Reoliad y Comisiwn (EC) Rhif 589/2008. O ran wyau i'w deor a chywion ac wyau eraill, cymerwyd lle Rheoliadau'r CE

Regulation (EEC) No. 2782/75 and Council Regulation (EC) No. 1028/2006 have been repealed by the Single CMO Regulation. Commission Regulation (EEC) No. 1868/77 has been repealed by Commission Regulation (EC) No. 617/2008 and Commission Regulation (EC) No. 557/2007 has been repealed by Commission Regulation (EC) No. 589/2008. As regards eggs for hatching and chicks and other eggs,

a ddiddymwyd gan ddarpariaethau penodol yn y Rheoliad Sengl CMO, gan gynnwys y rheini yn Rhannau A ac C o Atodiad XIV i'r Rheoliad, a chan Reoliadau'r Comisiwn (EC) Rhif 617/2008 (wyau i'w deor a chywion) a 589/2008 (wyau eraill).

Mae'r Rheoliadau hyn yn gwneud darpariaeth ar gyfer gorfodi darpariaethau penodol yn y Rheoliad Sengl CMO i'r graddau y maent yn ymwneud ag wyau i'w deor a chywion dofednod buarth fferm ac wyau eraill, fel y'i diwygir o bryd i'w gilydd, Rheoliad y Comisiwn (EC) Rhif 617/2008, fel y'i diwygir o bryd i'w gilydd, a Rheoliad y Comisiwn (EC) Rhif 589/2008 fel y'i mabwysiadwyd ar 23 Mehefin 2008.

Mae'r Rheoliadau hyn yn cynnwys darpariaethau —

- (a) sy'n gwneud y methiant i gydymffurfio â darpariaethau'r Rheoliad Sengl CMO a Rheoliad y Comisiwn (EC) Rhif 617/2008 a grybwyllir yn Atodlen 2 yn dramgwydd (rheoliad 4);
- (b) sy'n ymwneud â chofrestru sefydliadau bridio pedigri, sefydliadau bridio eraill a deorfeydd (rheoliad 5);
- (c) sy'n darparu eithriad rhag Erthygl 3(2) o Reoliad y Comisiwn (EC) Rhif 617/2008 drwy ganiatáu i wyau deor gael eu marcio mewn dull gwahanol i'r dull a bennir yn y ddarpariaeth honno (rheoliad 6);
- (ch) sy'n gwneud y methiant i gydymffurfio â darpariaethau'r Rheoliad Sengl CMO a Rheoliad y Comisiwn (EC) Rhif 589/2008 a grybwyllir yn Atodlen 3 yn dramgwydd (rheoliad 7);
- (d) sy'n ymwneud ag awdurdodi canolfannau pecynnu i raddio wyau (rheoliad 8);
- (dd) sy'n creu eithriad rhag darpariaethau pwyntiau III(1) a (3) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO o ran marcio wyau bwyta (rheoliad 9);
- (e) sy'n amrywio'r gofynion sylfaenol ar gyfer marchnata wyau fel wyau buarth drwy awdurdodi pori da byw ar libartau awyr agored ar gyfer ieir sy'n cynhyrchu'r cyfryw wyau (rheoliad 10);
- (f) sy'n darparu eithriad rhag darpariaethau Rheoliad y Comisiwn (EC) Rhif 589/2008, drwy ganiatáu i wyau gael eu marchnata fel wyau buarth er nad yw'r holl ofynion a osodir yn y Rheoliad hwnnw ar gyfer wyau buarth wedi eu bodloni (rheoliad 11);
- (ff) sy'n darparu eithriad rhag darpariaethau Rheoliad y Comisiwn (EC) Rhif 589/2008, drwy ganiatáu i wyau gael eu marchnata fel wyau sguor er nad yw'r holl ofynion a osodir

the repealed EC Regulations have been replaced by certain provisions of the Single CMO Regulation, including those in Parts A and C of Annex XIV to the Regulation, and by Commission Regulations (EC) No. 617/2008 (eggs for hatching and chicks) and 589/2008 (other eggs).

These Regulations make provision for the enforcement of certain provisions of the Single CMO Regulation insofar as they relate to eggs for hatching and farmyard poultry chicks and other eggs, as from time to time amended, Commission Regulation (EC) No. 617/2008, as from time to time amended, and Commission Regulation (EC) No. 589/2008 as adopted on 23 June 2008.

These Regulations include provisions —

- (a) making the failure to comply with the provisions of the Single CMO and Commission Regulation (EC) No. 617/2008 mentioned in Schedule 2 an offence (regulation 4);
- (b) relating to the registration of pedigree breeding establishments, other breeding establishments and hatcheries (regulation 5);
- (c) providing an exception from Article 3(2) of Commission Regulation (EC) No. 617/2008 by allowing eggs for hatching to be marked in a different manner from that specified in that provision (regulation 6);
- (d) making the failure to comply with the provisions of the Single CMO Regulation and Commission Regulation (EC) No. 589/2008 mentioned in Schedule 3 an offence (regulation 7);
- (e) relating to the authorisation of packing centres to grade eggs (regulation 8);
- (f) providing an exception from the provisions of points III(1) and (3) of Part A of Annex XIV to the Single CMO Regulation, as regards the marking of eggs for consumption (regulation 9);
- (g) varying the minimum requirements for the marketing of eggs as free-range eggs by authorising livestock grazing on open-air runs for hens producing such eggs (regulation 10);
- (h) providing an exception from the provisions of Commission Regulation (EC) No. 589/2008, by allowing eggs to be marketed as free-range eggs although not all of the requirements laid down in that Regulation for free-range eggs are met (regulation 11);
- (i) providing an exception from the provisions of Commission Regulation (EC) No. 589/2008, by allowing eggs to be marketed as barn eggs although not all of the requirements laid down

yn y Rheoliad hwnnw ar gyfer wyau sgebor wedi eu bodloni (rheoliad 12);

(g) sy'n darparu hawl i apelio yn erbyn penderfyniadau penodol a wneir gan Weinidogion Cymru a swyddogion awdurdodedig (rheoliad 18); a

(ng) sy'n creu cosb am dramgwyddau o dan y Rheoliadau (rheoliad 19).

Ni pharatowyd asesiad effaith rheoleiddiol ar gyfer yr offeryn hwn, gan na fydd yn effeithio ar gostau busnes, elusennau na'r sector gwirfoddol.

in that Regulation for barn eggs are met (regulation 12);

(j) providing a right of appeal against certain decisions of the Welsh Ministers and authorised officers (regulation 18); and

(k) creating a penalty for offences under the Regulations (regulation 19).

A regulatory impact assessment has not been prepared as this instrument has no impact on business, charities or the voluntary sector.

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**Rheoliadau Wyau a Chywion
(Cymru) 2009**

**The Eggs and Chicks (Wales)
Regulations 2009**

Gwnaed 25 Mawrth 2009

Made 25 March 2009

*Gosodwyd gerbron Cynulliad
Cenedlaethol Cymru* 27 Mawrth 2009

*Laid before the National
Assembly for Wales* 27 March 2009

Yn dod i rym 17 Ebrill 2009

Coming into force 17 April 2009

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Mae Gweinidogion Cymru wedi'u dynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) o ran polisi amaethyddol cyffredin y Gymuned Ewropeaidd.

The Welsh Ministers are designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to the common agricultural policy of the European Community.

Mae'r Rheoliadau hyn yn gwneud darpariaeth ar gyfer diben a grybwyllir yn adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972, ac mae'n ymddangos i Weinidogion Cymru ei bod yn hwylus i unrhyw gyfeiriad at y Rheoliadau canlynol gael eu dehongli fel cyfeiriadau at y Rheoliadau hynny fel y'u diwygir o bryd i'w gilydd:

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972, and it appears to the Welsh Ministers that it is expedient for any reference to the following Regulations to be construed as a reference to those Regulations as amended from time to time:

- (a) Rheoliad y Cyngor (EC) Rhif 1234/2007 sy'n sefydlu trefniadaeth gyffredin o farchnadoedd amaethyddol ac sy'n gosod darpariaethau penodol ar gyfer cynhyrchion amaethyddol penodol (y Rheoliad Sengl CMO); a
- (b) Rheoliad y Comisiwn (EC) Rhif 617/2008 sy'n gosod rheolau manwl ar gyfer gweithredu Rheoliad (EC) Rhif 1234/2007 o ran safonau marchnata ar gyfer wyau deor a chywion dofednod buarth fferm.

- (a) Council Regulation (EC) No. 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation); and
- (b) Commission Regulation (EC) No. 617/2008 laying down detailed rules for implementing Regulation (EC) No. 1234/2007 as regards marketing standards for eggs for hatching and farmyard poultry chicks.

I'r graddau y gwneir y Rheoliadau hyn wrth arfer pwerau o dan Ddeddf Diogelwch Bwyd 1990(3), mae Gweinidogion Cymru wedi rhoi sylw i gyngor perthnasol a roddwyd gan yr Asiantaeth Safonau Bwyd fel sy'n ofynnol gan adran 48(4A)(4) o'r Ddeddf honno.

Insofar as these Regulations are made in exercise of powers under the Food Safety Act 1990(3), the Welsh Ministers have had regard to relevant advice given by the Food Standards Agency as required by section 48(4A)(4) of that Act.

Bu ymgynghori agored a thryloyw yn ystod paratoi'r Rheoliadau canlynol yn unol â gofynion Erthygl 9 o Reoliad (EC) Rhif 178/2002 Senedd Ewrop a'r Cyngor(5) sy'n gosod egwyddorion a gofynion cyffredinol cyfraith bwyd, yn sefydlu Awdurdod Diogelwch Bwyd Ewrop ac yn gosod gweithdrefnau o ran materion diogelwch bwyd.

There has been open and transparent public consultation during the preparation of the following Regulations as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(5) 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.

(1) O.S. 2005/2766. Yn rhinwedd adrannau 59 a 162 a pharagraffau 28 a 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32), mae swyddogaethau a roddwyd i Gynulliad Cenedlaethol Cymru o dan y dynodiad hwn yn arferadwy gan Weinidogion Cymru.

(2) 1972 p.68.

(3) 1990 p.16. Trosglwyddodd O.S. 1999/672 swyddogaethau perthnasol y Gweinidog o dan y Ddeddf hon i Gynulliad Cenedlaethol Cymru. Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 ac Atodlen 11 iddi, mae'r swyddogaethau hyn bellach yn arferadwy gan Weinidogion Cymru.

(4) Mewnosodwyd adran 48(4A) gan baragraffau 7 a 21 o Atodlen 5 i Ddeddf Safonau Bwyd 1999 (p.28).

(5) OJ Rhif L31, 1.2.2002, t.1, a ddiwygiwyd ddiwethaf gan Reoliad y Comisiwn (EC) Rhif 575/2006 (OJ Rhif L100, 8.4.2006, t.3).

(1) S.I. 2005/2766. By virtue of sections 59 and 162 and paragraphs 28 and 30 of Schedule 11 to the Government of Wales Act 2006 (c.32), functions conferred upon the National Assembly for Wales by this designation are exercisable by the Welsh Ministers.

(2) 1972 c.68.

(3) 1990 c.16. S.I. 1999/672 transferred relevant functions of the Minister under this Act to the National Assembly for Wales. By virtue of section 162 of, and Schedule 11 to, the Government of Wales Act 2006, these functions are now vested in the Welsh Ministers.

(4) Section 48(4A) was inserted by paragraphs 7 and 21 of Schedule 5 to the Food Standards Act 1999 (c.28).

(5) OJ No. L31, 1.2.2002, p.1, last amended by Commission Regulation (EC) No. 575/2006 (OJ No. L 100, 8.4.2006, p. 3).

Yn unol â hyn, mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn wrth arfer y pwerau a roddwyd gan adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972 a pharagraff 1A(1) o Atodlen 2 iddi; ac adrannau 6(4)(2), 16(1)(3), 17(4), 26(2) a (3)(5) a 48(1)(6) o Ddeddf Diogelwch Bwyd 1990 ac a freiniwyd bellach yng Ngweinidogion Cymru(7).

RHAN 1

Cyffredinol

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Wyau a Chywion (Cymru) 2009.

(2) Daw'r Rheoliadau hyn i rym ar 17 Ebrill 2009.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(4) Mae'r Rheoliadau hyn yn gymwys—

- (a) i wyau deor a chywion y mae pwynt I(1) o Ran C o Atodiad XIV i'r Rheoliad Sengl CMO a Rheoliad y Comisiwn (EC) Rhif 617/2008 yn gymwys; a
- (b) i wyau y mae pwynt I(1) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO a Rheoliad y Comisiwn (EC) Rhif 589/2008 yn gymwys (wyau yn eu plisgyn a gynhyrchir gan ieir o'r rhywogaeth *Gallus gallus* ar gyfer eu bwyta).

(5) Nid yw'r Rheoliadau hyn yn gymwys—

- (a) i sefydliadau a deorfeydd o'r math a grybwyllir ym mhwynt I(2) o Ran C o Atodiad XIV i'r Rheoliad Sengl CMO.

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- (1) Mewnosodwyd paragraff 1A o Atodlen 2 gan adran 28 o Ddeddf Diwygio Deddfwriaethol a Rheoleiddiol 2006 (p.51).
 - (2) Diwygiwyd adran 6(4) gan baragraff 6 o Atodlen 9 i Ddeddf Dadreoleiddio a Chontractio Allan 1994 (p.40), paragraffau 7, 10(1) a (3) o Atodlen 5, ac Atodlen 6 i Ddeddf Safonau Bwyd 1999, ac Atodlen 2 i O.S. 2002/794.
 - (3) Diwygiwyd adran 16(1) gan baragraffau 7 ac 8 o Atodlen 5 i Ddeddf Safonau Bwyd 1999.
 - (4) Diwygiwyd adran 17 gan baragraffau 7, 8 a 12 o Atodlen 5 i Ddeddf Safonau Bwyd 1999.
 - (5) Diwygiwyd adran 26 gan Atodlen 6 i Ddeddf Safonau Bwyd 1999.
 - (6) Diwygiwyd adran 48(1) gan baragraffau 7 ac 8 o Atodlen 5 i Ddeddf Safonau Bwyd 1999.
 - (7) Mae swyddogaethau "*the Ministers*", i'r graddau y maent yn arferadwy mewn perthynas â Chymru, bellach yn arferadwy gan Weiniidogion Cymru, gan eu bod wedi eu trosglwyddo i Gynulliad Cenedlaethol Cymru gan erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen 1 iddo, fel y'u darllenir gydag adran 40(3) o Ddeddf 1999, ac yna wedi eu trosglwyddo i Weiniidogion Cymru gan baragraff 30(2)(a) o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32).

Accordingly, the Welsh Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A(1) of Schedule 2 to, the European Communities Act 1972; and sections 6(4)(2), 16(1)(3), 17(4), 26(2) and (3)(5) and 48(1)(6) of the Food Safety Act 1990 and now vested in the Welsh Ministers(7).

PART 1

General

Title, commencement and application

1.—(1) The title of these Regulations is the Eggs and Chicks (Wales) Regulations 2009.

(2) These Regulations come into force on 17 April 2009.

(3) These Regulations apply in relation to Wales.

(4) These Regulations apply—

- (a) to eggs for hatching and chicks to which point I(1) of Part C of Annex XIV to the Single CMO Regulation and Commission Regulation (EC) No. 617/2008 apply; and
- (b) to eggs to which point I(1) of Part A of Annex XIV to the Single CMO Regulation and Commission Regulation (EC) No. 589/2008 apply (eggs in shell produced for consumption by hens of the species *Gallus gallus*).

(5) These Regulations do not apply—

- (a) to establishments and hatcheries of the type mentioned in point I(2) of Part C of Annex XIV to the Single CMO Regulation.

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- (1) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51).
 - (2) Section 6(4) was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act 1994 (c.40), paragraphs 7, 10(1) and (3) of Schedule 5, and Schedule 6, to the Food Standards Act 1999, and Schedule 2 to S.I. 2002/794.
 - (3) Section 16(1) was amended by paragraphs 7 and 8 of Schedule 5 to the Food Standards Act 1999.
 - (4) Section 17 was amended by paragraphs 7, 8 and 12 of Schedule 5 to the Food Standards Act 1999.
 - (5) Section 26 was amended by Schedule 6 to the Food Standards Act 1999.
 - (6) Section 48(1) was amended by paragraphs 7 and 8 of Schedule 5 to the Food Standards Act 1999.
 - (7) Functions of "*the Ministers*", so far as exercisable in relation to Wales, are now exercisable by the Welsh Ministers, having been transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), as read with section 40(3) of the 1999 Act, and then transferred to the Welsh Ministers by paragraph 30(2)(a) of Schedule 11 to the Government of Wales Act 2006 (c.32).

- (b) i werthu wyau y mae pwynt I(1) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO a Rheoliad y Comisiwn (EC) Rhif 589/2008 yn gymwys, os gwerthir yr wyau, heb unrhyw raddio yn ôl ansawdd neu bwysau, yn uniongyrchol i'r defnyddiwr terfynol gan y cynhyrchydd —
 - (i) ar y safle cynhyrchu;
 - (ii) gan werthu o dŷ i dŷ yn y rhanbarth cynhyrchu; neu
- (c) ac eithrio i'r graddau y maent yn ymwneud â'r gofyniad a osodir gan bwynt III(3) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO, i werthu wyau y mae pwynt I(1) o Ran A o Atodiad XIV i'r Rheoliad hwnnw a Rheoliad y Comisiwn (EC) Rhif 589/2008 yn gymwys iddynt, os gwerthir yr wyau gan y cynhyrchydd, heb unrhyw raddio yn ôl ansawdd neu bwysau, yn uniongyrchol i'r defnyddiwr terfynol mewn marchnad gyhoeddus leol yn y rhanbarth cynhyrchu.

(6) Ym mharagraff (5)(b)(ii) ystyr "gwerthu o dŷ i dŷ" ("*door-to-door selling*") yw gwerthu yn ystod ymweliad digymell gan gynhyrchydd â chartref y defnyddiwr terfynol, neu â chartref person arall, neu â gweithle'r defnyddiwr terfynol.

Dirymu

2. Dirymir y Rheoliadau a bennir yn Atodlen 1 i'r graddau y maent yn gymwys o ran Cymru.

Dehongli

3.—(1) Yn y Rheoliadau hyn—

ystyr "awdurdod bwyd" ("*food authority*") yw cyngor sir neu gyngor bwrdeistref sirol;

ystyr "awdurdod gorfodi" ("*enforcement authority*") yw awdurdod sy'n arfer swyddogaeth a roddir iddo gan reoliad 16;

mae i "canolfan becynnu" ("*packing centre*") yr ystyr a roddir i "packing centre" gan is-baragraff (q) o ail baragraff Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 589/2008;

ystyr "Cyfarwyddeb y Cyngor 1999/74/EC" ("*Council Directive 1999/74/EC*") yw Cyfarwyddeb y Cyngor 1999/74/EC(1) sy'n gosod y safonau gofynnol ar gyfer amddiffyn ieir dodwy;

ystyr "Cyfarwyddeb 2000/13/EC" ("*Directive 2000/13/EC*") yw Cyfarwyddeb 2000/13/EC Senedd Ewrop a'r Cyngor ar gyd-ddynesiad cyfreithiau'r Aelod-wladwriaethau sy'n ymwneud â labelu, cyflwyno a hysbysebu deunydd bwyd;

- (b) to the sale of eggs to which point I(1) of Part A to the Single CMO Regulation and Commission Regulation (EC) No. 589/2008 apply, where the eggs are sold, without any quality or weight grading, directly to the final consumer by the producer —
 - (i) on the production site;
 - (ii) by door-to-door selling in the region of production; or
- (c) except insofar as they relate to the requirement imposed by point III(3) of Part A of Annex XIV to the Single CMO Regulation, to the sale of eggs to which point I(1) of Part A of Annex XIV to that Regulation and Commission Regulation (EC) No. 589/2008 apply, where the eggs are sold, without any quality or weight grading, directly to the final consumer by the producer in a local public market in the region of production.

(6) In paragraph (5) (b) (ii) "door-to-door selling" ("*gwerthu o dŷ i dŷ*") means a sale which is made during an unsolicited visit by a producer to the final consumer's home, or to the home of another person, or to the final consumer's place of work.

Revocation

2. The Regulations specified in Schedule 1 are revoked in so far as they apply to Wales.

Interpretation

3.—(1) In these Regulations—

"the Act" ("*y Ddeddf*") means the Food Safety Act 1990;

"authorised officer" ("*swyddog awdurdodedig*") means any person who has written authority from an enforcement authority to act in matters arising under or in relation to the Act or these Regulations;

"breeding establishment" ("*sefydliad bridio*") has the meaning given by Article 1(3)(b) of Commission Regulation (EC) No. 617/2008;

"chicks" ("*cywion*") has the meaning given by Article 1(2) of Commission Regulation (EC) No. 618/2008;

"Commission Regulation (EC) No. 589/2008" ("*Rheoliad y Comisiwn (EC) Rhif 589/2008*") means Commission Regulation (EC) No. 589/2008 laying down detailed rules for implementing Regulation (EC) No. 1234/2007 as regards marketing standards for eggs, as adopted by the Commission on 23 June 2008;

(1) OJ Rhif L203, 3.8.1999, t.53, a ddiwygiwyd ddiwethaf gan Reoliad y Cyngor (EC) Rhif 806/2003 (OJ Rhif L122, 16.5.2003, t.1).

mae i "cywion" ("*chicks*") yr ystyr a roddir i "chicks" gan Erthygl 1(2) o Reoliad y Comisiwn (EC) Rhif 618/2008;

mae i "defnyddiwr terfynol" ("*final consumer*") yr ystyr a roddir i "final consumer" gan is-baragraff (r) o ail baragraff Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 589/2008;

mae i "deorfa" ("*hatchery*") yr ystyr a roddir i "hatchery" gan Erthygl 1(3)(c) o Reoliad y Comisiwn (EC) Rhif 617/2008;

ystyr "y Ddeddf" ("*the Act*") yw Deddf Diogelwch Bwyd 1990;

ystyr "Rheoliad y Comisiwn (EC) Rhif 589/2008" ("*Commission Regulation (EC) No. 589/2008*") yw Rheoliad y Comisiwn (EC) Rhif 589/2008 sy'n gosod rheolau manwl ar gyfer gweithredu Rheoliad (EC) Rhif 1234/2007 o ran safonau marchnata ar gyfer wyau, fel y'i mabwysiadwyd gan y Comisiwn ar 23 Mehefin 2008;

ystyr "Rheoliad y Comisiwn (EC) Rhif 617/2008" ("*Commission Regulation (EC) No. 617/2008*") yw Rheoliad y Comisiwn (EC) Rhif 617/2008 sy'n gosod rheolau manwl ar gyfer gweithredu Rheoliad (EC) Rhif 1234/2007 o ran safonau marchnata ar gyfer wyau deor a chywion dofednod buarth fferm, fel y'i diwygir o bryd i'w gilydd;

ystyr "y Rheoliad Sengl CMO" ("*Single CMO Regulation*") yw Rheoliad y Cyngor (EC) Rhif 1234/2007 sy'n sefydlu trefniadaeth gyffredin o farchnadoedd amaethyddol ac sy'n gosod darpariaethau amodol ar gyfer cynhyrchion amaethyddol penodol (y Rheoliad Sengl CMO), fel y'i diwygir o bryd i'w gilydd;

mae i "safle cynhyrchu" ("*production site*") yr ystyr a roddir i "production site" gan is-baragraff (p) o ail baragraff Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 589/2008;

mae i "sefydliad bridio" ("*breeding establishment*") yr ystyr a roddir i "breeding establishment" gan Erthygl 1(3)(b) o Reoliad y Comisiwn (EC) Rhif 617/2008;

mae i "sefydliad bridio pedigri" ("*pedigree breeding establishment*") yr ystyr a roddir i "pedigree breeding establishment" gan Erthygl 1(3)(a) o Reoliad y Comisiwn (EC) Rhif 617/2008;

ystyr "swyddog awdurdodedig" ("*authorised officer*") yw unrhyw berson a awdurdodwyd yn ysgrifenedig gan awdurdod gorfodi i weithredu mewn cysylltiad â materion sy'n codi o dan neu mewn perthynas â'r Ddeddf neu â'r Rheoliadau hyn;

"Commission Regulation (EC) No. 617/2008" ("*Rheoliad y Comisiwn (EC) Rhif 617/2008*") means Commission Regulation (EC) No. 617/2008 laying down detailed rules for implementing Regulation (EC) No. 1234/2007 as regards marketing standards for eggs for hatching and farmyard poultry chicks, as amended from time to time;

"Council Directive 1999/74/EC" ("*Cyfarwyddeb y Cyngor 1999/74/EC*") means Council Directive 1999/74/EC(1) laying down minimum standards for the protection of laying hens;

"Directive 2000/13/EC" ("*Cyfarwyddeb 2000/13/EC*") means Directive 2000/13/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs;

"eggs" ("*wyau*") has the meaning given by sub-paragraph (k) of the second paragraph of Article 1 of Commission Regulation (EC) No. 589/2008;

"eggs for hatching" ("*wyau deor*") has the meaning given by Article 1(1) of Council Regulation (EC) No. 617/2008;

"enforcement authority" ("*awdurdod gorfodi*") means an authority exercising a function conferred on it by regulation 16;

"final consumer" ("*defnyddiwr terfynol*") has the meaning given by sub-paragraph (r) of the second paragraph of Article 1 of Commission Regulation (EC) No. 589/2008;

"food authority" ("*awdurdod bwyd*") means a county council or a county borough council;

"hatchery" ("*deorfa*") has the meaning given by Article 1(3)(c) of Commission Regulation (EC) No. 617/2008;

"packing centre" ("*canolfan becynnu*") has the meaning given by sub-paragraph (q) of the second paragraph of Article 1 of Commission Regulation (EC) No. 589/2008;

"pedigree breeding establishment" ("*sefydliad bridio pedigri*") has the meaning given by Article 1(3)(a) of Commission Regulation (EC) No. 617/2008;

"production site" ("*safle cynhyrchu*") has the meaning given by sub-paragraph (p) of the second paragraph of Article 1 of Commission Regulation (EC) No. 589/2008; and

(1) OJ No. L203, 3.8.1999, p.53, last amended by Council Regulation (EC) No. 806/2003 (OJ No. L122, 16.5.2003, p.1).

mae i "wyau" ("eggs") yr ystyr sydd i "eggs" yn is-baragraff (k) o ail baragraff Erthygl 1 o Reoliad y Comisiwn (EC) Rhif 589/2008; ac

mae i "wyau deor" ("eggs for hatching") yr ystyr a roddir i "eggs for hatching" gan Erthygl 1(1) o Reoliad y Cyngor (EC) Rhif 617/2008.

(2) Mae i unrhyw ymadrodd nas diffinnir ym mharagraff (1), ond a ddefnyddir yn Rhan 2 o'r Rheoliadau hyn neu yn Atodlen 2 iddynt, ac yn Rhan C o Atodiad XIV i'r Rheoliad Sengl CMO ac y defnyddir yr ymadrodd Saesneg sy'n cyfateb iddo yn y Rheoliad Sengl CMO, yr un ystyr yn y darpariaethau hynny yn y Rheoliadau hyn ag sydd i'r ymadrodd Saesneg cyfatebol yn y Rheoliad Sengl CMO.

(3) Mae i unrhyw ymadrodd nas diffinnir ym mharagraff (1), ond a ddefnyddir yn rheoliad 1(5) neu yn Rhan 3 o'r Rheoliadau hyn, neu yn Atodlen 3 iddynt, ac yn Rhan A o Atodiad XIV i'r Rheoliad Sengl CMO neu yn Rheoliad y Comisiwn (EC) Rhif 589/2008 ac y defnyddir yr ymadrodd Saesneg sy'n cyfateb iddo yn y Rheoliadau hynny, yr un ystyr yn y darpariaethau hynny yn y Rheoliadau hyn ag sydd i'r ymadrodd Saesneg cyfatebol yn y Rheoliadau CE hynny lle y'i defnyddir.

(4) Ystyr unrhyw gyfeiriad at fynd yn groes i unrhyw ddarpariaeth a grybwyllir yn Atodlen 2 neu at fethiant i gydymffurfio â hi yw mynd yn groes i'r canlynol neu fethu â chydymffurfio â'r canlynol—

(a) unrhyw ddarpariaeth yn y Rheoliad Sengl CMO a grybwyllir yng ngholofn 1 yn Rhan 1 o Atodlen 2, fel y'i darllenir gydag unrhyw ddarpariaeth a grybwyllir mewn unrhyw gofnod cyfatebol yng ngholofn 2 yn y Rhan honno; neu

(b) unrhyw ddarpariaeth yn Rheoliad y Comisiwn (EC) Rhif 617/2007 a grybwyllir yng ngholofn 1 yn Rhan 2 o Atodlen 2, fel y'i darllenir gydag unrhyw ddarpariaeth a grybwyllir mewn unrhyw gofnod cyfatebol yng ngholofn 2 yn y Rhan honno.

(5) Ystyr unrhyw gyfeiriad at fynd yn groes i unrhyw ddarpariaeth a grybwyllir yn Atodlen 3 neu at fethu â chydymffurfio â hi yw mynd yn groes i'r canlynol neu fethu â chydymffurfio â'r canlynol—

(a) unrhyw ddarpariaeth yn y Rheoliad Sengl CMO a grybwyllir yng ngholofn 1 yn Rhan 1 o Atodlen 3, fel y'i darllenir gydag unrhyw ddarpariaeth a grybwyllir mewn unrhyw gofnod cyfatebol yng ngholofn 2 yn y Rhan honno; neu

(b) unrhyw ddarpariaeth yn Rheoliad y Comisiwn (EC) Rhif 589/2008 a grybwyllir yng ngholofn 1 yn Rhan 2 o Atodlen 3, fel y'i darllenir gydag unrhyw ddarpariaeth a grybwyllir mewn unrhyw gofnod cyfatebol yng ngholofn 2 yn y Rhan honno.

"Single CMO Regulation" ("y Rheoliad Sengl CMO") means Council Regulation (EC) No. 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), as amended from time to time.

(2) Any expression which is not defined in paragraph (1), but is used in Part 2 of, or Schedule 2 to, these Regulations, and in Part C of Annex XIV to the Single CMO Regulation has the same meaning in those provisions of these Regulations as it does in the Single CMO Regulation.

(3) Any expression which is not defined in paragraph (1), but is used in regulation 1(5) or Part 3 of, or Schedule 3 to, these Regulations and in Part A of Annex XIV to the Single CMO Regulation or Commission Regulation (EC) No. 589/2008, has the same meaning in those provisions of these Regulations as it does in the EC Regulation in which it is used.

(4) Any reference to a contravention of, or failure to comply with, any provision mentioned in Schedule 2 means a contravention of or failure to comply with—

(a) any provision of the Single CMO Regulation mentioned in column 1 of Part 1 of Schedule 2, as read with any provision mentioned in any corresponding entry in column 2 of that Part; or

(b) any provision of Commission Regulation (EC) No. 617/2007 mentioned in column 1 of Part 2 of Schedule 2, as read with any provision mentioned in any corresponding entry in column 2 of that Part.

(5) Any reference to a contravention of or failure to comply with any provision mentioned in Schedule 3 means a contravention of or failure to comply with—

(a) any provision of the Single CMO Regulation mentioned in column 1 of Part 1 of Schedule 3, as read with any provision mentioned in any corresponding entry in column 2 of that Part; or

(b) any provision of Commission Regulation (EC) No. 589/2008 mentioned in column 1 of Part 2 of Schedule 3, as read with any provision mentioned in any corresponding entry in column 2 of that Part.

RHAN 2

Wyau deor a chywion

Cydymffurfio â darpariaethau Cymunedol

4. Mae person yn euog o dramgwydd os yw'r person hwnnw'n mynd yn groes i unrhyw ddarpariaeth a grybwyllir yn Atodlen 2, neu'n methu â chydymffurfio â hi.

Cofrestru sefydliadau bridio pedigri, sefydliadau bridio a deorfeydd

5.—(1) Dynodir Gweinidogion Cymru yn awdurdod cymwys at ddiben Erthygl 2(1) o Reoliad y Comisiwn (EC) Rhif 617/2008 (cofrestru sefydliadau bridio pedigri, sefydliadau bridio eraill a deorfeydd).

(2) Os gwneir cais i Weiniogion Cymru yn unol ag Erthygl 2(1) o Reoliad y Comisiwn (EC) Rhif 617/2008, rhaid iddynt hysbysu'r ceisydd o fewn 28 o ddiwrnodau o'r materion a bennir ym mharagraff (3).

(3) Dyma'r materion—

- (a) penderfyniad Gweinidogion Cymru ar y cais;
- (b) y rhesymau dros wrthod caniatáu'r cais; ac
- (c) yn achos gwrthod caniatáu'r cais, yr hawl i apelio a roddir gan reoliad 18.

(4) Os nad yw Gweinidogion Cymru'n fodlon y dylid caniatáu cais, cânt (yn lle gwrthod y cais) hysbysu'r ceisydd o'r rheswm dros hyn, ac—

- (a) os nad yw Gweinidogion Cymru'n fodlon bod digon o ddata wedi ei ddarparu i gefnogi'r cais, cânt ofyn i'r ceisydd ddarparu rhagor o ddata;
- (b) os nad yw Gweinidogion Cymru'n fodlon y cydymffurfir ar ôl cofrestru'r sefydliad hwnnw â'r holl ddarpariaethau a grybwyllir yn Atodlen 2 ac sy'n berthnasol i'r math o sefydliad sydd i'w gofrestru, cânt ofyn i'r ceisydd gymryd camau i sicrhau y cydymffurfir â'r darpariaethau hynny; ac
- (c) caiff Gweinidogion Cymru roi cyfle i'r ceisydd ddarparu ar eu cyfer esboniadau llafar neu ysgrifenedig mewn cysylltiad â'r cais.

(5) Os bydd Gweinidogion Cymru'n penderfynu tynnu'n ôl gofrestrriad sefydliad bridio pedigri, sefydliad bridio arall neu ddeorfa oherwydd i'r sefydliad neu'r ddeorfa fynd yn groes i unrhyw

PART 2

Eggs for hatching and chicks

Compliance with Community provisions

4. A person is guilty of an offence if that person contravenes, or fails to comply with, any provision mentioned in Schedule 2.

Registration of pedigree breeding establishments, breeding establishments and hatcheries

5.—(1) The Welsh Ministers are designated as the competent authority for the purpose of Article 2(1) of Commission Regulation (EC) No. 617/2008 (registration of pedigree breeding establishments, other breeding establishments and hatcheries).

(2) Where an application is made to the Welsh Ministers pursuant to Article 2(1) of Commission Regulation (EC) No. 617/2008, they must notify the applicant of the matters specified in paragraph (3) within 28 days.

(3) The matters are—

- (a) the decision of the Welsh Ministers on the application;
- (b) the reasons for any refusal to grant the application; and
- (c) in the case of any refusal to grant the application, the right of appeal conferred by regulation 18.

(4) Where the Welsh Ministers are not satisfied that an application should be granted, they may (instead of refusing the application) notify the applicant of the reason for this, and—

- (a) where the Welsh Ministers are not satisfied with the sufficiency of the data provided in support of the application, they may ask the applicant to provide further data;
- (b) where the Welsh Ministers are not satisfied that all of the provisions mentioned in Schedule 2 that are relevant to the type of establishment to be registered will be complied with following the registration of that establishment, they may ask the applicant to take steps to ensure that those provisions will be complied with; and
- (c) the Welsh Ministers may give the applicant an opportunity to provide oral or written explanations to them in respect of the application.

(5) Where the Welsh Ministers decide to withdraw a registration of a pedigree breeding establishment, other breeding establishment or hatchery because of the establishment or hatchery's contravention of, or failure

ddarpariaeth a grybwyllir yn Atodlen 2, neu iddo neu iddi fethu â chydymffurfio â'r ddarpariaeth honno, rhaid iddynt, o fewn 28 o ddiwrnodau, hysbysu'r person sy'n rhedeg busnes yn y sefydliad o dan sylw ("y gweithredydd") o'r materion a bennir ym mharagraff (6).

(6) Dyma'r materion—

- (a) penderfyniad Gweinidogion Cymru i dynnu'n ôl y cofrestrriad;
- (b) y dyddiad y mae tynnu'n ôl y cofrestrriad i fod yn effeithiol;
- (c) y rhesymau dros dynnu'n ôl y cofrestrriad; ac
- (ch) yr hawl i apelio a roddir gan reoliad 18.

(7) Os bydd Gweinidogion Cymru â'u bryd ar dynnu'n ôl gofrestrriad sefydliad bridio pedigri, sefydliad bridio arall neu ddeorfa oherwydd i'r sefydliad neu'r ddeorfa fynd yn groes i unrhyw ddarpariaeth a grybwyllir yn Atodlen 2 neu iddo neu iddi fethu â chydymffurfio â hi, (yn lle tynnu'n ôl y cofrestrriad) cânt hysbysu'r gweithredydd eu bod â'u bryd ar dynnu'n ôl y cofrestrriad, a rhoi iddo'r rhesymau dros wneud hyn, ac—

- (a) os bydd y sefydliad neu'r ddeorfa'n parhau i fynd yn groes i unrhyw ddarpariaeth a grybwyllir yn Atodlen 2, neu'n parhau i fethu â chydymffurfio â'r cyfryw ddarpariaeth, cânt ofyn i'r gweithredydd gymryd camau i sicrhau y cydymffurfir â'r ddarpariaeth honno; a
- (b) cânt roi cyfle i'r gweithredydd ddarparu ar eu cyfer esboniadau llafar neu ysgrifenedig mewn cysylltiad â'r mater.

(8) Os yw Gweinidogion Cymru'n rhoi hysbysiad i geisydd o dan baragraff (4), neu i weithredydd o dan baragraff (7), rhaid i Weinidogion Cymru bennu yn yr hysbysiad derfyn amser erbyn pryd y mae'n rhaid i unrhyw gamau a bennir yn yr hysbysiad gael eu cymryd.

(9) Caniateir i unrhyw derfyn amser a roddir gan Weinidogion Cymru o dan y rheoliad hwn gael ei estyn ar un achlysur neu ar fwy nag un.

(10) Rhaid i unrhyw hysbysiad a roddir gan Weinidogion Cymru o dan y rheoliad hwn fod yn ysgrifenedig.

(11) At ddibenion cyfrifo terfyn y cyfnod o 28 o ddiwrnodau a bennir ym mharagraff (2), bydd y cloc yn cael ei stopio yn ystod unrhyw gyfnod y mae Gweinidogion Cymru yn ei roi i geisydd i gymryd unrhyw gamau a bennir mewn hysbysiad o dan baragraff (4).

Rhanddirymu mewn perthynas â marcio wyau deor

6. Caniateir i wyau deor gael eu marcio mewn dull gwahanol i'r dull a bennir yn Erthygl 3(2) o Reoliad y

to comply with, any provision mentioned in Schedule 2, they must notify the person carrying on business at the establishment concerned ("the operator") of the matters specified in paragraph (6) within 28 days.

(6) The matters are—

- (a) the decision of the Welsh Ministers to withdraw the registration;
- (b) the date on which the withdrawal of the registration is to take effect;
- (c) the reasons for the withdrawal; and
- (d) the right of appeal conferred by regulation 18.

(7) Where the Welsh Ministers are minded to withdraw a registration of a pedigree breeding establishment, other breeding establishment or hatchery because of the establishment or hatchery's contravention of, or failure to comply with, any provision mentioned in Schedule 2, they may (instead of withdrawing the registration) notify the operator that they are minded to withdraw the registration, and the reasons for this, and—

- (a) where the contravention of, or failure to comply with, any provision mentioned in Schedule 2 is continuing, they may ask the operator to take steps to ensure that that provision is complied with; and
- (b) they may give the operator an opportunity to provide oral or written explanations to them in respect of the matter.

(8) Where the Welsh Ministers give a notice to an applicant under paragraph (4), or to an operator under paragraph (7), the Welsh Ministers must specify a deadline in the notice by which any action specified in the notice must be taken.

(9) Any deadline given by the Welsh Ministers under this regulation may be extended on one or more occasions.

(10) Any notice given by the Welsh Ministers under this regulation must be in writing.

(11) For the purposes of calculating the 28-day time limit specified in paragraph (2), the clock is stopped during any period that the Welsh Ministers give to an applicant to take any action specified in a notice under paragraph (4).

Derogation relating to the marking of eggs for hatching

6. Eggs for hatching may be marked in a different manner from that specified in Article 3(2) of

Comisiwn (EC) Rhif 617/2008 os bydd marcio'r wyau—

- (a) mewn du, yn annileadwy, i'w weld yn glir ac yn o leiaf 10mm² ei arwynebedd; a
- (b) yn cael ei wneud cyn iddynt gael eu rhoi yn y deorydd, naill ai yn y sefydliad cynhyrchu neu mewn deorfâ.

RHAN 3

Wyau yn eu plisgyn ar gyfer eu bwyta

Cydymffurfio â darpariaethau Cymunedol

7. Mae person yn euog o dramgwydd os yw'r person hwnnw'n mynd yn groes i unrhyw ddarpariaeth a grybwyllir yn Atodlen 3 neu'n methu â chydymffurfio â hi.

Awdurdodi canolfannau pecynnu i raddio wyau

8.—(1) Dynodwyd Gweinidogion Cymru yn awdurdod cymwys at ddiben is-baragraff cyntaf Erthygl 5(2) o Reoliad y Comisiwn (EC) Rhif 589/2008 (awdurdodi ymgymeriadau yn ganolfannau pecynnu i raddio wyau).

(2) Os gwneir cais i Weinidogion Cymru o dan is-baragraff cyntaf Erthygl 5(2) o Reoliad y Comisiwn (EC) Rhif 589/2008 i awdurdodi ymgymeriad yn ganolfan becynnu i raddio wyau, rhaid iddynt hysbysu'r ceisydd o fewn 28 o ddiwrnodau o'r materion a bennir ym mharagraff (3).

(3) Dyma'r materion—

- (a) penderfyniad Gweinidogion Cymru ar y cais;
- (b) y rhesymau dros wrthod rhoi awdurdodiad; ac
- (c) yn achos gwrthod rhoi awdurdodiad, yr hawl i apelio a roddir gan reoliad 18.

(4) Os nad yw Gweinidogion Cymru'n fodlon y dylid rhoi awdurdodiad, cânt (yn lle gwrthod y cais) hysbysu'r ceisydd o'r rheswm dros hyn, ac

- (a) os nad yw Gweinidogion Cymru'n fodlon bod digon o ddata wedi ei ddarparu i gefnogi'r cais, cânt ofyn i'r ceisydd ddarparu rhagor o ddata;
- (b) os nad yw Gweinidogion Cymru'n fodlon bod yr holl ofynion a geir yn is-baragraff cyntaf Erthygl 5(2) o Reoliad y Cyngor (EC) Rhif 589/2008 ac sy'n berthnasol i'r math o ganolfan becynnu sydd i'w hawdurdodi wedi eu bodloni, cânt ofyn i'r ceisydd gydymffurfio ag unrhyw ofyniad nad yw eto wedi ei fodloni; ac

Commission Regulation (EC) No. 617/2008 if the marking of the eggs—

- (a) is in black, indelible, clearly visible and at least 10mm² in area ; and
- (b) is carried out prior to insertion into the incubator, either at the producer establishment or at a hatchery.

PART 3

Eggs in shell for consumption

Compliance with Community provisions

7. A person is guilty of an offence if that person contravenes, or fails to comply with, any provision mentioned in Schedule 3.

Authorisation of packing centres to grade eggs

8.—(1) The Welsh Ministers are designated as the competent authority for the purpose of the first sub-paragraph of Article 5(2) of Commission Regulation (EC) No. 589/2008 (authorisation of undertakings as packing centres to grade eggs).

(2) Where an application is made to the Welsh Ministers under the first sub-paragraph of Article 5(2) of Commission Regulation (EC) No. 589/2008 to authorise an undertaking as a packing centre to grade eggs they must notify the applicant of the matters specified in paragraph (3) within 28 days.

(3) The matters are—

- (a) the decision of the Welsh Ministers on the application;
- (b) the reasons for any refusal to grant an authorisation; and
- (c) in the case of any refusal to grant an authorisation, the right of appeal conferred by regulation 18.

(4) Where the Welsh Ministers are not satisfied that an authorisation should be granted, they may (instead of refusing the application) notify the applicant of the reason for this and—

- (a) where the Welsh Ministers are not satisfied with the sufficiency of the data provided in support of the application, they may ask the applicant to provide further data;
- (b) where the Welsh Ministers are not satisfied that all of the requirements laid down in the first sub-paragraph of Article 5(2) of Council Regulation (EC) No. 589/2008 that are relevant to the type of packing centre to be authorised have been met, they may ask the applicant to comply with any outstanding requirement; and

- (c) caiff Gweinidogion Cymru roi cyfle i'r ceisydd ddarparu ar eu cyfer esboniadau llafar ac ysgrifenedig mewn cysylltiad â'r cais.

(5) Os bydd Gweinidogion Cymru'n penderfynu tynnu'n ôl awdurdodiad canolfan becynnu i raddio wyau oherwydd i'r ganolfan fethu â chydymffurfio ag unrhyw un neu rai o'r darpariaethau a osodir yn is-baragraff cyntaf Erthygl 5(2) o Reoliad y Comisiwn (EC) Rhif 589/2008 rhaid iddynt hysbysu'r person sy'n rhedeg busnes yn y ganolfan becynnu ("y gweithredydd") o'r materion a bennir ym mharagraff (6) o fewn 28 o ddiwrnodau.

(6) Dyma'r materion—

- (a) penderfyniad Gweinidogion Cymru i dynnu'n ôl yr awdurdodiad;
- (b) y dyddiad y mae tynnu'n ôl yr awdurdodiad i fod yn effeithiol;
- (c) y rhesymau dros dynnu'n ôl yr awdurdodiad; ac
- (ch) yr hawl i apelio a roddir gan reoliad 18.

(7) Os bydd Gweinidogion Cymru â'u bryd ar dynnu'n ôl awdurdodiad canolfan becynnu i raddio wyau oherwydd i'r ganolfan fethu â chydymffurfio ag unrhyw un neu rai o'r darpariaethau a osodir yn is-baragraff cyntaf Erthygl 5(2) o Reoliad y Comisiwn (EC) Rhif 589/2008, (yn lle tynnu'n ôl yr awdurdodiad) cânt hysbysu'r gweithredydd eu bod â'u bryd ar dynnu'n ôl yr awdurdodiad, a rhoi'r rhesymau dros wneud hyn, ac—

- (a) os bydd y methiant i gydymffurfio ag unrhyw un neu rai o'r gofynion a osodir yn is-baragraff cyntaf Erthygl 5(2) o Reoliad y Comisiwn (EC) Rhif 589/2008 yn parhau, cânt ofyn i'r gweithredydd gymryd camau i sicrhau y cydymffurfir â'r gofynion hynny; a
- (b) caiff Gweinidogion Cymru roi cyfle i'r gweithredydd ddarparu ar eu cyfer esboniadau llafar neu ysgrifenedig mewn cysylltiad â'r mater.

(8) Os yw Gweinidogion Cymru'n rhoi hysbysiad i geisydd o dan baragraff (4) neu i weithredydd o dan baragraff (7), rhaid i Weinidogion Cymru bennu yn yr hysbysiad derfyn amser erbyn pryd y mae'n rhaid i unrhyw gamau a bennir yn yr hysbysiad gael eu cymryd.

(9) Caniateir i unrhyw derfyn amser a roddir gan Weinidogion Cymru o dan y rheoliad hwn gael ei estyn ar un achlysur neu ar fwy nag un.

(10) Rhaid i unrhyw hysbysiad a roddir gan Weinidogion Cymru o dan y rheoliad hwn fod yn ysgrifenedig.

(11) At ddiwedd cyfrifo terfyn y cyfnod o 28 o ddiwrnodau a bennir ym mharagraff (2), bydd y cloc yn cael ei stopio yn ystod unrhyw gyfnod y mae

- (c) the Welsh Ministers may give the applicant an opportunity to provide oral or written explanations to them in respect of the application.

(5) Where the Welsh Ministers decide to withdraw an authorisation of a packing centre to grade eggs because of the centre's failure to comply with any of the requirements laid down in the first sub-paragraph of Article 5(2) of Commission Regulation (EC) No. 589/2008 they must notify the person carrying on business at the packing centre ("the operator") of the matters specified in paragraph (6) within 28 days.

(6) The matters are—

- (a) the decision of the Welsh Ministers to withdraw the authorisation;
- (b) the date on which the withdrawal of the authorisation is to take effect;
- (c) the reasons for the withdrawal; and
- (d) the right of appeal conferred by regulation 18.

(7) Where the Welsh Ministers are minded to withdraw the authorisation of a packing centre to grade eggs because of the centre's failure to comply with any of the requirements laid down in the first sub-paragraph of Article 5(2) of Commission Regulation (EC) No. 589/2008, they may (instead of withdrawing the authorisation) notify the operator that they are minded to withdraw the authorisation, and the reasons for this, and—

- (a) where the failure to comply with any of the requirements laid down in the first sub-paragraph of Article 5(2) of Commission Regulation (EC) No. 589/2008 is continuing, they may ask the operator to take steps to ensure that those requirements are met; and
- (b) the Welsh Ministers may give the operator an opportunity to provide oral or written explanations to them in respect of the matter.

(8) Where the Welsh Ministers give a notice to an applicant under paragraph (4), or to an operator under paragraph (7), the Welsh Ministers must specify a deadline in the notice by which any action specified in the notice must be taken.

(9) Any deadline given by the Welsh Ministers under this regulation may be extended on one or more occasions.

(10) Any notice given by the Welsh Ministers under this regulation must be in writing.

(11) For the purposes of calculating the 28-day time limit specified in paragraph (2), the clock is stopped during any period that the Welsh Ministers give to an

Gweinidogion Cymru yn ei roi i geisydd i gymryd unrhyw gamau a bennir mewn hysbysiad o dan baragraff (4).

Rhanddirymiaidau sy'n ymwneud â marcio wyau

9.—(1) Nid yw'r darpariaethau yn ail is-baragraff pwynt III (1) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO (sy'n ei gwneud yn ofynnol i wyau dosbarth B gael eu marcio) yn gymwys os yw wyau dosbarth B i'w marchnata yn y Deyrnas Unedig yn unig.

(2) Nid yw'r darpariaethau yn is-baragraff cyntaf pwynt III (3) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO (sy'n ei gwneud yn ofynnol i wyau a werthir gan gynhyrchydd i ddefnyddiwr terfynol mewn marchnad gyhoeddus leol yn y rhanbarth cynhyrchu gael eu marcio'n unol â phwynt III (1) o Ran A o Atodiad XIV Reoliad y Cyngor) yn gymwys yn achos cynhyrchydd sy'n cadw hyd at 50 o ieir dodwy os nodir enw a chyfeiriad y cynhyrchydd yn y man gwerthu.

Pori da byw ar libartau awyr agored

10. At ddiben pwynt 1 yn Atodiad II i Reoliad y Comisiwn (EC) Rhif 589/2008 (sy'n gosod y gofynion sylfaenol y mae angen eu bodloni er mwyn i wyau gael eu marchnata fel wyau buarth), awdurdodir pori da byw ar libartau awyr agored y mae gan ieir dodwy fynediad iddynt.

Rhanddirymiaidau sy'n ymwneud ag wyau buarth

11.—(1) Trwy randdirymiad o ddarpariaethau pwynt 1 yn Atodiad II i Reoliad y Comisiwn (EC) Rhif 589/2008, caniateir i wyau y mae paragraff (2) yn gymwys iddynt gael eu marchnata fel wyau buarth er iddynt gael eu cynhyrchu mewn system gynhyrchu nad yw'n cydymffurfio ag unrhyw un neu fwy o'r amodau a bennir ym mharagraff (3).

(2) Mae'r paragraff hwn yn gymwys i wyau a gynhyrchir mewn sefydliad a chanddo lai na 350 o ieir dodwy neu sy'n magu ieir dodwy sy'n bridio ar yr adeg pan gynhyrchir yr wyau.

(3) Pennir amodau canlynol Erthygl 4(1) o Gyfarwyddeb y Cyngor 1999/74/EC at ddiben paragraff (1)—

- (a) ail frawddeg pwynt 1(d);
- (b) pwynt 1(e);
- (c) pwynt 2;
- (ch) pwynt 3(a)(i); ac
- (d) pwynt 3(b)(i).

Rhanddirymiaidau sy'n ymwneud ag wyau sguor

12.—(1) Trwy randdirymiad o ddarpariaethau pwynt 2 yn Atodiad II i Reoliad y Comisiwn (EC) Rhif 589/2008, caniateir i wyau y mae paragraff (2) yn

applicant to take any action specified in a notice under paragraph (4).

Derogations relating to the marking of eggs

9.—(1) The provisions in the second sub-paragraph of point III (1) of Part A of Annex XIV to the Single CMO Regulation (requiring class B eggs to be marked) do not apply where class B eggs are to be marketed exclusively in the United Kingdom.

(2) The provisions in the first sub-paragraph of point III(3) of Part A of Annex XIV to the Single CMO Regulation (requiring eggs sold by a producer to a final consumer in a local public market in the region of production to be marked in accordance with point III (1) of Part A of Annex XIV to the Council Regulation) do not apply in the case of a producer keeping up to 50 laying hens if the name and address of the producer are indicated at the point of sale.

Livestock grazing on open-air runs

10. For the purpose of point 1 of Annex II to Commission Regulation (EC) No. 589/2008 (setting down the minimum requirements that need to be met in order for eggs to be marketed as free-range eggs), livestock grazing is authorised on open-air runs to which laying hens have access.

Derogation relating to free-range eggs

11.—(1) By way of derogation from the provisions of point 1 of Annex II to Commission Regulation (EC) No. 589/2008, eggs to which paragraph (2) applies may be marketed as free-range eggs although they have been produced in a system of production that does not comply with any one or more of the conditions specified in paragraph (3).

(2) This paragraph applies to eggs produced in an establishment with fewer than 350 laying hens or rearing breeding laying hens at the time the eggs are produced.

(3) The following conditions of Article 4(1) of Council Directive 1999/74/EC are specified for the purpose of paragraph (1)—

- (a) the second sentence of point 1(d);
- (b) point 1(e);
- (c) point 2;
- (d) point 3(a)(i); and
- (e) point 3(b)(i).

Derogation relating to barn eggs

12.—(1) By way of derogation from the provisions of point 2 of Annex II to Commission Regulation (EC) No. 589/2008, eggs to which paragraph (2) applies

gymwys iddynt gael eu marchnata fel wyau sguor er iddynt gael eu cynhyrchu mewn system gynhyrchu nad yw'n cydymffurfio ag unrhyw un neu fwy o'r amodau a bennir ym mharagraff (3).

(2) Mae'r paragraff hwn yn gymwys i wyau a gynhyrchir mewn sefydliad a chanddo lai na 350 o ieir dodwy neu sy'n magu ieir dodwy sy'n bridio ar yr adeg pan gynhyrchir yr wyau.

(3) Pennir amodau canlynol Erthygl 4(1) o Gyfarwydddeb y Cyngor 1999/74/EC at ddiben paragraff (1)—

- (a) ail frawddeg pwynt 1(d);
- (b) pwynt 1(e);
- (c) pwynt 2;
- (ch) pwynt 3(a)(i); ac
- (d) pwynt 3(b)(i).

RHAN 4

Amrywiol Ddarpariaethau

Pwerau swyddogion awdurdodedig

13.—(1) Caiff swyddog awdurdodedig gyfarwyddo unrhyw berson i adael y canlynol heb aflonyddu arnynt, cyhyd ag y byddo'n rhesymol angenrheidiol at ddiben unrhyw archwiliad neu ymchwiliad—

- (a) wyau;
- (b) wyau deor;
- (c) pecynnau neu gynwysyddion eraill ar gyfer wyau, wyau deor neu gywion;
- (ch) labeli neu ddogfennau'n ymwneud ag wyau, wyau deor neu gywion; a
- (d) unrhyw fangre lle y deuir o hyd i unrhyw wyau, wyau deor neu gywion, unrhyw becynnau neu gynwysyddion eraill ar gyfer wyau, wyau deor neu gywion, ac unrhyw labeli neu ddogfennau'n ymwneud â'r cyfryw wyau neu gywion.

(2) Os na fydd archwiliad neu ymchwiliad yn cael ei gynnal ar unwaith ar ôl i gyfarwyddyd gael ei roi o dan baragraff (1), caiff swyddog awdurdodedig roi tâp ynghlwm wrth y pecynnau neu gynwysyddion eraill ar gyfer wyau neu wyau deor sy'n ddarostyngedig i'r cyfarwyddyd hwnnw, neu eu diogelu mewn ffordd arall tra disgwylir yr archwiliad neu'r ymchwiliad.

(3) Caiff swyddog awdurdodedig gyfarwyddo unrhyw berson i sicrhau bod unrhyw—

- (a) wyau;
- (b) wyau deor;
- (c) pecynnau neu gynwysyddion eraill ar gyfer wyau, wyau deor neu gywion; neu

may be marketed as barn eggs although they have been produced in a system of production that does not comply with any one or more of the conditions specified in paragraph (3).

(2) This paragraph applies to eggs produced in an establishment with fewer than 350 laying hens or rearing breeding laying hens at the time the eggs are produced.

(3) The following conditions of Article 4(1) of Council Directive 1999/74/EC are specified for the purpose of paragraph (1)—

- (a) the second sentence of point 1(d);
- (b) point 1(e);
- (c) point 2;
- (d) point 3(a)(i); and
- (e) point 3(b)(i).

PART 4

Miscellaneous provisions

Powers of authorised officers

13.—(1) An authorised officer may direct any person to leave undisturbed, for so long as reasonably necessary for the purpose of any examination or investigation—

- (a) eggs;
- (b) eggs for hatching;
- (c) packs or other containers for eggs, eggs for hatching or chicks;
- (d) labels or documents relating to eggs, eggs for hatching or chicks; and
- (e) any premises on or in which any eggs, eggs for hatching or chicks, any packs or other containers for eggs, eggs for hatching or chicks, and any labels or documents relating to such eggs or chicks are found.

(2) If an examination or investigation will not be carried out immediately after a direction has been given under paragraph (1), an authorised officer may apply tape to the packs or other containers for eggs or eggs for hatching that are subject to that direction, or otherwise secure them pending the examination or investigation.

(3) An authorised officer may direct any person to ensure that any—

- (a) eggs;
- (b) eggs for hatching;
- (c) packs or other containers for eggs, eggs for hatching or chicks; or

(ch) labeli neu ddogfennau'n ymwneud ag wyau, wyau deor neu gywion,

nad ydynt yn cydymffurfio mewn unrhyw ffordd â gofynion unrhyw ddarpariaeth a grybwyllir yn Atodlen 2 (o ran wyau deor a chywion) neu 3 (o ran wyau eraill), yn cydymffurfio â'r gofynion hynny cyn iddynt gael eu symud o unrhyw dir, cerbyd neu ôl-gerbyd, ac eithrio fel y byddo swyddog awdurdodedig yn cyfarwyddo'n ysgrifenedig fel arall.

(4) Caiff swyddog awdurdodedig atafaelu unrhyw gyfrifiadur ac offer cysylltiedig at ddiben copïo dogfennau ar yr amod eu bod yn cael eu dychwelyd cyn gynted ag y bo'n ymarferol a, beth bynnag, o fewn 28 o ddiwrnodau.

(5) Os yw swyddog awdurdodedig yn arfer y pŵer o dan baragraff (4), rhaid i'r swyddog awdurdodedig hysbysu'r person a chanddo ofal o'r fangre lle yr atafaelwyd y cyfarpar o'r hawl i apelio a roddir gan reoliad 18.

(6) Ac eithrio fel a ddatgenir ym mharagraff (3), gall unrhyw gyfarwyddyd a roddir gan swyddog awdurdodedig o dan baragraff (1) neu (3) gael ei roi ar lafar neu'n ysgrifenedig ond rhaid i unrhyw gyfarwyddyd a roddir ar lafar gael ei gadarnhau'n ysgrifenedig cyn gynted ag y bo'n ymarferol a, beth bynnag, o fewn 24 awr.

(7) Rhaid i swyddog awdurdodedig beidio ag arfer y pwerau o dan baragraffau (1) i (4) onid yw'n cyflwyno, os gofynnir iddo wneud hynny, ddogfen a ddilyswyd yn briodol ac sy'n dangos awdurdod y swyddog.

(8) Mae person yn euog o dramgwydd os yw'r person hwnnw—

- (a) heb esgus rhesymol, yn methu â chydymffurfio ag unrhyw ofyniad a osodir ar y person hwnnw gan gyfarwyddyd a roddir gan swyddog awdurdodedig o dan baragraff (1);
- (b) oni chaiff ei awdurdodi'n ysgrifenedig i wneud hynny gan swyddog awdurdodedig, yn ymyrryd ag unrhyw becynnau neu gynwysyddion a ddiogelwyd gan swyddog awdurdodedig o dan baragraff (2); neu
- (c) heb esgus rhesymol, yn methu â chydymffurfio ag unrhyw ofyniad a osodir ar y person hwnnw gan gyfarwyddyd a roddir gan swyddog awdurdodedig o dan baragraff (3).

Gofynion cadw cofnodion

14.—(1) Caiff Gweinidogion Cymru gyfarwyddo unrhyw berson sy'n gwneud unrhyw weithgaredd a reoleiddir gan ddarpariaeth a grybwyllir yn Atodlen 2 neu 3 i gydymffurfio ag unrhyw un neu rai o'r gofynion a bennir ym mharagraff (2).

(2) Dyma'r gofynion—

- (a) cadw'r cyfryw gofnodion ag y byddo'n

(d) labels or documents relating to eggs, eggs for hatching or chicks,

which do not comply in any respect with the requirements of any provision mentioned in Schedule 2 (as regards eggs for hatching and chicks) or 3 (as regards other eggs), comply with those requirements before being removed from any land, vehicle or trailer, except as may be otherwise directed in writing by an authorised officer.

(4) An authorised officer may seize any computer and associated equipment for the purpose of copying documents provided that they are returned as soon as practicable and, in any event, within 28 days.

(5) Where an authorised officer exercises the power under paragraph (4), the authorised officer must notify the person in charge of the premises from which the equipment is seized of the right of appeal conferred by regulation 18.

(6) Except as stated in paragraph (3), any direction given by an authorised officer under paragraph (1) or (3) can be given orally or in writing but any direction given orally must be confirmed in writing as soon as practicable and, in any event, within 24 hours.

(7) An authorised officer must not exercise the powers under paragraphs (1) to (4) except on the production, if so required, of a duly authenticated document showing the authority of the officer.

(8) A person is guilty of an offence if that person—

- (a) without reasonable excuse, fails to comply with any requirement imposed on that person by a direction given by an authorised officer under paragraph (1);
- (b) unless authorised to do so, in writing, by an authorised officer, interferes with any packs or containers that have been secured by an authorised officer under paragraph (2); or
- (c) without reasonable excuse, fails to comply with any requirement imposed on that person by a direction given by an authorised officer under paragraph (3).

Record-keeping requirements

14.—(1) The Welsh Ministers may direct any person carrying on any activity regulated by a provision mentioned in Schedule 2 or 3 to comply with any of the requirements specified in paragraph (2).

(2) The requirements are—

- (a) to keep, or cause to be kept, such records as the

rhesymol i Weinidogion Cymru ofyn amdanynt at ddibenion gorfodi unrhyw ddarpariaeth o'r fath, neu beri eu bod yn cael eu cadw;

- (b) darparu ar gyfer Gweinidogion Cymru y cyfryw wybodaeth sy'n deillio o'r cyfryw gofnodion ag y byddo Gweinidogion Cymru'n gofyn amdani ar yr adegau a bennir yn yr hysbysiad; ac
- (c) cadw'r cyfryw gofnodion am y cyfryw gyfnod ag y byddo'n rhesymol i Weinidogion Cymru ofyn am eu cadw.

(3) Ond rhaid i Weinidogion Cymru beidio â rhoi cyfarwyddyd o dan baragraff (1) onid yw'r cofnodion y mae'r cyfarwyddyd yn ymwneud â hwy o fath a gedwir yn aml gan bersonau sy'n gwneud unrhyw weithgaredd a reoleiddir gan ddarpariaeth a grybwyllir yn Atodlen 2 neu 3 (p'un ai'r person y rhoddir y cyfarwyddyd iddo sy'n eu cadw ai peidio) ac—

- (a) oni roddir y cyfarwyddyd ar neu cyn 17 Hydref 2009 a'i bod yn rhesymol i Weinidogion Cymru amau bod y person y rhoddir y cyfarwyddyd iddo wedi mynd yn groes i unrhyw ddarpariaeth a grybwyllir yn Atodlen 2 neu 3 neu wedi methu â chydymffurfio â'r ddarpariaeth honno ers i'r Rheoliadau hyn ddod i rym;
- (b) oni roddir y cyfarwyddyd ar neu cyn 17 Hydref 2009, onid yw'r person y rhoddir y cyfarwyddyd iddo wedi ei gollfarnu o dramgwydd o dan reoliad 4 neu 7 o'r Rheoliadau hyn ers i'r Rheoliadau hyn ddod i rym, ac onid yw'n rhesymol i Weinidogion Cymru amau bod y person hwnnw, ers iddo gael ei gollfarnu—
 - (i) wedi parhau i fynd yn groes i'r ddarpariaeth a grybwyllir yn Atodlen 2 neu 3 ac y mae'r gollfarn yn ymwneud â hi, neu'n parhau i fethu â chydymffurfio â hi; neu
 - (ii) wedi mynd yn groes i ryw ddarpariaeth arall a grybwyllir yn Atodlen 2 neu 3 neu wedi methu â chydymffurfio â hi;
- (c) oni roddir y cyfarwyddyd ar neu ar ôl 18 Hydref 2009 ac onid yw'n rhesymol i Weinidogion Cymru amau bod y person y rhoddir y cyfarwyddyd iddo wedi mynd yn groes i unrhyw ddarpariaeth a grybwyllir yn Atodlen 2 neu 3 neu wedi methu â chydymffurfio â hi o fewn y cyfnod o chwe mis yn union cyn i'r cyfarwyddyd gael ei roi; neu
- (ch) oni roddir y cyfarwyddyd ar neu ar ôl 18 Hydref 2009, ac onid yw'r person y rhoddir y cyfarwyddyd iddo wedi ei gollfarnu o dramgwydd o dan reoliad 4 neu 7 o'r Rheoliadau hyn o fewn y cyfnod o chwe mis yn union cyn i'r cyfarwyddyd gael ei roi, ac onid yw'n rhesymol i Weinidogion Cymru

Welsh Ministers may reasonably require for the purposes of enforcing any such provision;

- (b) to provide the Welsh Ministers with such information derived from such records as the Welsh Ministers may require at the times specified in the notice; and
- (c) to retain such records for such period as the Welsh Ministers may reasonably require.

(3) But the Welsh Ministers must not give a direction under paragraph (1) unless the records to which the direction relates are of a type that are often kept by persons carrying on any activity regulated by a provision mentioned in Schedule 2 or 3 (whether or not kept by the person to whom the direction will be given) and—

- (a) the direction will be given on or before 17 October 2009 and the Welsh Ministers reasonably suspect that the person to whom the direction will be given has contravened, or failed to comply with, any provision mentioned in Schedule 2 or 3 since the coming into force of these Regulations;
- (b) the direction will be given on or before 17 October 2009, the person to whom the direction will be given has been convicted of an offence under regulation 4 or 7 of these Regulations since the coming into force of these Regulations, and the Welsh Ministers reasonably suspect that, since the conviction, that person—
 - (i) has continued to contravene, or fail to comply with, the provision mentioned in Schedule 2 or 3 to which the conviction relates; or
 - (ii) has contravened, or failed to comply with, some other provision mentioned in Schedule 2 or 3;
- (c) the direction will be given on or after 18 October 2009 and the Welsh Ministers reasonably suspect that the person to whom the direction will be given has contravened, or failed to comply with, any provision mentioned in Schedule 2 or 3 within the six month period immediately before the direction is given; or
- (d) the direction will be given on or after 18 October 2009, the person to whom the direction will be given has been convicted of an offence under regulation 4 or 7 of these Regulations within the six month period immediately before the giving of the direction, and the Welsh Ministers reasonably suspect

amau bod y person hwnnw, ers ei gollfarnu —

- (i) wedi parhau i fynd yn groes i'r ddarpariaeth a grybwyllir yn Atodlen 2 neu 3 ac y mae'r gollfarn yn ymwneud â hi, neu'n parhau i fethu â chydymffurfio â hi; neu
- (ii) wedi mynd yn groes i ryw ddarpariaeth arall a grybwyllir yn Atodlen 2 neu 3 neu wedi methu â chydymffurfio â hi.

(4) Rhaid i unrhyw gyfarwyddyd a roddir gan Weinidogion Cymru o dan baragraff (1) fod yn ysgrifenedig.

(5) Mae person yn euog o dramgwydd os yw'r person hwnnw, heb esgus rhesymol, yn methu â chydymffurfio ag unrhyw ofyniad a osodir ar y person hwnnw gan gyfarwyddyd a roddir gan Weinidogion Cymru o dan baragraff (1).

Rhwystro

15.—(1) Mae person yn euog o dramgwydd os yw'r person hwnnw—

- (a) yn fwriadol yn rhwystro swyddog awdurdodedig sy'n gweithredu i roi'r Rheoliadau hyn ar waith;
- (b) heb esgus rhesymol, yn methu â rhoi i swyddog awdurdodedig sy'n gweithredu i roi'r Rheoliadau hyn ar waith unrhyw gymorth neu wybodaeth y mae'n rhesymol iddo neu iddi fod yn ofynnol ar gyfer cyflawni swyddogaethau'r swyddog awdurdodedig o dan y Rheoliadau hyn;
- (c) yn rhoi i swyddog awdurdodedig sy'n gweithredu i roi'r Rheoliadau hyn ar waith unrhyw wybodaeth y mae'r person hwnnw sy'n rhoi'r wybodaeth yn gwybod ei bod yn dwyllodrus neu'n gamarweiniol, neu y dylai'n rhesymol wybod ei bod yn dwyllodrus neu'n gamarweiniol; neu
- (ch) yn methu â dangos cofnod, pan ofynnir iddo wneud hynny gan swyddog awdurdodedig sy'n gweithredu i roi'r Rheoliadau hyn ar waith.

(2) Nid oes dim ym mharagraff (1)(b) i'w ddehongli fel ei bod yn ofynnol i unrhyw berson ateb unrhyw gwestiwn neu roi unrhyw wybodaeth pe byddai'r person hwnnw o wneud hynny'n ei hunan-argyhuddo.

Gorfodi

16.—(1) Rhaid i bob awdurdod bwyd—

- (a) gorfodi'r darpariaethau a grybwyllir yn Atodlen 3, fel y'i darllenir gyda rheoliad 7, i'r graddau y maent yn ymwneud â—
 - (i) manwerthu wyau o fewn ei ardal; a
 - (ii) gwerthu wyau i arlwywyr mawr yn ei ardal;
- (b) gorfodi darpariaethau rheoliad 13(8)—

that, since the conviction, that person —

- (i) has continued to contravene, or fail to comply with, the provision mentioned in Schedule 2 or 3 to which the conviction relates; or
- (ii) has contravened, or failed to comply with, some other provision mentioned in Schedule 2 or 3.

(4) Any direction given by the Welsh Ministers under paragraph (1) must be in writing.

(5) A person is guilty of an offence if, without reasonable excuse, that person fails to comply with any requirement imposed on that person by a direction given by the Welsh Ministers under paragraph (1).

Obstruction

15.—(1) A person is guilty of an offence if that person—

- (a) intentionally obstructs an authorised officer acting in the execution of these Regulations;
- (b) without reasonable excuse, fails to give an authorised officer acting in the execution of these Regulations any assistance or information which is reasonably required for the performance of the authorised officer's functions under these Regulations;
- (c) gives to an authorised officer acting in the execution of these Regulations any information which that person knows, or ought reasonably to know, to be false or misleading; or
- (d) fails to produce a record when required to do so by an authorised officer acting in the execution of these Regulations.

(2) Nothing in paragraph (1)(b) is to be construed as requiring any person to answer any question or give any information if to do so might incriminate that person.

Enforcement

16.—(1) Each food authority must—

- (a) enforce the provisions mentioned in Schedule 3, as read with regulation 7, insofar as they apply to—
 - (i) the retail sale of eggs within their area; and
 - (ii) the sale of eggs to a mass caterer in their area;
- (b) enforce the provisions of regulation 13(8)—

- (i) yn achos cyfarwyddyd a roddir gan swyddog awdurdodedig sydd wedi ei awdurdodi gan yr awdurdod bwyd; a
- (ii) yn achos pecyn neu gynhwysydd a ddiogelir gan swyddog awdurdodedig a awdurdodir gan yr awdurdod bwyd; ac
- (c) gorfodi darpariaethau rheoliad 15 (1) yn achos rhwystro swyddog awdurdodedig a awdurdodir gan yr awdurdod bwyd.

(2) Caiff Gweinidogion Cymru orfodi'r darpariaethau a grybwyllir yn Atodlen 3, fel y'i darllenir gyda rheoliad 7, i'r graddau y maent yn gymwys i fanwerthu wyau neu werthu wyau i arlwywr mawr.

(3) Rhaid i Weinidogion Cymru—

- (a) gorfodi'r darpariaethau a grybwyllir yn Atodlen 2, fel y'i darllenir gyda rheoliad 4;
- (b) gorfodi'r darpariaethau a grybwyllir yn Atodlen 3, fel y'i darllenir gyda rheoliad 7, i'r graddau nad ydynt yn gymwys i fanwerthu wyau neu werthu wyau i arlwywr mawr;
- (c) gorfodi darpariaethau rheoliad 13(8)—
 - (i) yn achos cyfarwyddyd a roddir gan swyddog awdurdodedig a awdurdodir gan Weinidogion Cymru; ac
 - (ii) yn achos pecyn neu gynhwysydd a ddiogelir gan swyddog awdurdodedig sydd wedi ei awdurdodi gan Weinidogion Cymru;
- (ch) gorfodi darpariaethau rheoliad 14(5); a
- (d) gorfodi darpariaethau rheoliad 15 (1) (a) i (ch) yn achos rhwystro swyddog awdurdodedig sydd wedi ei awdurdodi gan Weinidogion Cymru.

(4) Yn y rheoliad hwn—

mae "gwerthu" ("*sale*") yn cynnwys meddu ar gynnyrch ar gyfer ei werthu, ei gynnig a'i arddangos ar gyfer ei werthu a hysbysebu ei fod ar werth; ac

ystyr "manwerthu" ("*retail sale*") yw unrhyw werthu ac eithrio gwerthu'r cynnyrch ar gyfer ei ddefnyddio neu ei ailwerthu wrth fasnachu neu redeg busnes.

Dyletswydd i roi cymorth a darparu gwybodaeth

17. Rhaid i bob awdurdod gorfodi roi'r cyfryw gymorth a'r cyfryw wybodaeth i unrhyw awdurdod gorfodi arall ag y byddo'r awdurdod arall hwnnw'n gofyn yn rhesymol amdano neu amdani at ddiben eu dyletswyddau o dan y Rheoliadau hyn.

Apelau

18.— (1) Caiff unrhyw berson y mae penderfyniad a

- (i) in the case of a direction given by an authorised officer who is authorised by the food authority; and
- (ii) in the case of a pack or container secured by an authorised officer who is authorised by the food authority; and
- (c) enforce the provisions of regulation 15(1) in the case of an obstruction of an authorised officer who is authorised by the food authority.

(2) The Welsh Ministers may enforce the provisions mentioned in Schedule 3, as read with regulation 7, insofar as they apply to the retail sale of eggs or the sale of eggs to a mass caterer.

(3) The Welsh Ministers must—

- (a) enforce the provisions mentioned in Schedule 2, as read with regulation 4;
- (b) enforce the provisions mentioned in Schedule 3, as read with regulation 7, insofar as they do not apply to the retail sale of eggs or the sale of eggs to a mass caterer;
- (c) enforce the provisions of regulation 13(8)—
 - (i) in the case of a direction given by an authorised officer who is authorised by the Welsh Ministers; and
 - (ii) in the case of a pack or container secured by an authorised officer who is authorised by the Welsh Ministers;
- (d) enforce the provisions of regulation 14(5); and
- (e) enforce the provisions of regulation 15(1) (a) to (d) in the case of an obstruction of an authorised officer who is authorised by the Welsh Ministers.

(4) In this regulation—

"retail sale" ("*manwerthu*") means any sale other than a sale for use or resale in the course of a trade or business; and

"sale" ("*gwerthu*") includes possession for sale and offer, exposure and advertising for sale.

Duty to give assistance and provide information

17. Each enforcement authority must give such assistance and information to any other enforcement authority as that other authority may reasonably require for the purpose of their duties under these Regulations.

Appeals

18.—(1) Any person who is aggrieved by a decision

bennir ym mharagraff (2) yn ei dramgwyddo apelio i lys ynadon yn erbyn y penderfyniad hwnnw.

(2) Mae'r canlynol yn benderfyniad penodedig at ddiben paragraff (1) —

- (a) penderfyniad gan Weinidogion Cymru i wrthod cofrestru sefydliad yn sefydliad bridio pedigri, yn sefydliad bridio arall neu'n ddeorfa o dan Erthygl 2(1) o Reoliad y Comisiwn (EC) Rhif 617/2008, neu i dynnu'n ôl y cyfryw gofrestriad;
- (b) penderfyniad gan Weinidogion Cymru i wrthod awdurdodi ymgymeriad yn ganolfan becynnu i raddio wyau o dan is-baragraff cyntaf Erthygl 5(2) o Reoliad y Comisiwn (EC) Rhif 589/2008, neu i dynnu'n ôl y cyfryw awdurdodiad; ac
- (c) penderfyniad gan swyddog awdurdodedig i atafaelu unrhyw gyfrifiadur neu gyfarpar cysylltiedig o dan reoliad 13(4).

(3) Mae adran 37(3), (5) a (6) o'r Ddeddf yn effeithiol mewn perthynas ag apêl o dan y rheoliad hwn fel y mae'n effeithiol mewn perthynas ag apêl o dan yr adran honno, ond gyda hepgor—

- (a) yn is-adran (3), y geiriau ", or an appeal to such a court for which provision is made by regulations under Part II of this Act,";
- (b) is-adran (5)(b), a'r gair "or" sy'n dod yn union o'i blaen; ac
- (c) yn is-adran (6)(a), y geiriau "or to the sheriff".

(4) Nid yw tynnu'n ôl awdurdodiad neu gofrestriad y cyfeirir ato ym mharagraff (2) yn effeithiol hyd oni fydd yr amser ar gyfer apelio yn ei erbyn wedi dod i ben, ac, os cyflwynir apêl, hyd oni waredir yr apêl yn derfynol, hyd oni chaiff ei thynnu'n ôl, neu hyd oni chaiff, yn niffyg erlyniad, ei dileu.

Cosb

19. Mae person sy'n euog o dramgwydd a bennir yn rheoliad 4, 7, 13(8), 14(5) neu 15 (1) yn atebol ar gollfarn ddiannod i ddirwy nad yw'n fwy na lefel 5 ar y raddfa safonol.

Cyfnod estynedig ar gyfer dwyn erlyniad

20.—(1) Caniateir cychwyn achos am dramgwydd o dan y Rheoliadau hyn o fewn y cyfnod o un flwyddyn o'r dyddiad pryd y daeth tystiolaeth sy'n ddigonol ym marn yr erlynydd i gyfiawnhau dwyn yr achos i sylw'r erlynydd.

(2) Ond nid yw'r cyfryw achos i'w gychwyn yn rhinwedd paragraff (1) fwy na thair blynedd ar ôl i'r tramgwydd gael ei gyflawni.

(3) At ddibenion y rheoliad hwn—

- (a) mae tystysgrif a lofnodwyd gan yr erlynydd

specified in paragraph (2) may appeal against that decision to a magistrates' court.

(2) A specified decision for the purpose of paragraph (1) is—

- (a) a decision by the Welsh Ministers to refuse to register an establishment as a pedigree breeding establishment, other breeding establishment or hatchery under Article 2(1) of Commission Regulation (EC) No. 617/2008, or to withdraw such a registration;
- (b) a decision by the Welsh Ministers to refuse to authorise an undertaking as a packing centre to grade eggs under the first sub-paragraph of Article 5(2) of Commission Regulation (EC) No. 589/2008, or to withdraw such an authorisation; and
- (c) a decision by an authorised officer to seize any computer or associated equipment under regulation 13(4).

(3) Section 37(3), (5) and (6) of the Act has effect in relation to an appeal under this regulation as it has effect in relation to an appeal under that section, but with the omission—

- (a) in subsection (3), of the words ", or an appeal to such a court for which provision is made by regulations under Part II of this Act,";
- (b) of subsection (5)(b), and the word "or" immediately preceding it; and
- (c) in subsection (6)(a), of the words "or to the sheriff".

(4) The withdrawal of an authorisation or registration referred to in paragraph (2) do not take effect until the time for appealing against it has expired, and, if an appeal is lodged, until the appeal is finally disposed of, withdrawn or struck out for want of prosecution.

Penalty

19. A person guilty of an offence specified in regulation 4, 7, 13(8), 14(5) or 15(1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Extended period for bringing prosecutions

20.—(1) Proceedings for an offence under these Regulations may be commenced within the period of one year from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.

(2) But no such proceedings are to be commenced by virtue of paragraph (1) more than three years after the commission of the offence.

(3) For the purposes of this regulation—

- (a) a certificate signed by or on behalf of the

neu ar ei ran ac y nodir arni'r dyddiad pryd y daeth tystiolaeth sy'n ddigonol ym marn yr erllynydd i gyfiawnhau dwyn achos i sylw'r erllynydd yn dystiolaeth ddigamsyniol o'r ffaith honno; a

- (b) bernir bod tystysgrif sy'n datgan y mater hwnnw ac yr honnir iddi gael ei llofnodi felly wedi ei llofnodi felly oni cheir prawf i'r gwrthwyneb.

Cymhwyso amrywiol ddarpariaethau'r Ddeddf

21.— (1) Mae darpariaethau canlynol y Ddeddf yn gymwys at ddibenion y Rheoliadau hyn gyda'r addasiadau a bennir ym mharagraff (2)—

adran 3 (rhagdybiaethau fod bwyd wedi'i fwriadu ar gyfer ei fwyta gan bobl);

adran 20 (tramgwyddau oherwydd bai person arall);

adran 21(1) (amddiffyniad o ddiwydrwydd dyladwy);

adran 29 (caffael samplau);

adran 30(8) (tystiolaeth ddogfennol);

adran 32(1) i (8)(2) (pwerau mynediad);

adran 36 (tramgwyddau gan gyrff corfforaethol);

adran 36A(3) (tramgwyddau gan bartneriaethau Albanaid);

adran 44 (amddiffyn swyddogion sy'n gweithredu'n ddiwyll);

adran 46(1) (treuliau swyddogion awdurdodedig); ac

adran 50(4) (cyflwyno dogfennau).

(2) Mae'r addasiadau fel a ganlyn—

- (a) dehongli unrhyw gyfeiriad yn y darpariaethau a bennir ym mharagraff (1) at y Ddeddf (neu at Ran o'r Ddeddf) fel cyfeiriad at y Rheoliadau hyn, a hefyd, mewn perthynas ag adran 32(1)(a), dehongli'r cyfeiriad at "the provisions of this Act" fel cyfeiriad at y darpariaethau a grybwyllir yn Atodlenni 2 a 3;
- (b) dehongli unrhyw gyfeiriad yn y darpariaethau a bennir ym mharagraff (1) at swyddog awdurdodedig, neu swyddog i awdurdod gorfodi neu awdurdod bwyd, fel cyfeiriad at swyddog awdurdodedig fel y'i diffinnir yn rheoliad 3 (1) o'r Rheoliadau hyn;

prosecutor and stating the date on which evidence sufficient in the prosecutor's opinion to warrant the proceedings came to the prosecutor's knowledge is conclusive evidence of that fact; and

- (b) a certificate stating that matter and purporting to be so signed is deemed to be so signed unless the contrary is proved.

Application of various provisions of the Act

21.—(1) The following provisions of the Act apply for the purposes of these Regulations with the modifications specified in paragraph (2)—

section 3 (presumptions that food intended for human consumption);

section 20 (offences due to fault of another person);

section 21(1) (defence of due diligence);

section 29 (procurement of samples);

section 30(8) (documentary evidence);

section 32(1) to (8)(2) (powers of entry);

section 36 (offences by bodies corporate);

section 36A(3) (offences by Scottish partnerships);

section 44 (protection of officers acting in good faith);

section 46(1) (expenses of authorised officers); and

section 50(4) (service of documents).

(2) The modifications are—

- (a) construe any reference in the provisions specified in paragraph (1) to the Act (or a Part of the Act) as a reference to these Regulations, and also, in relation to section 32(1)(a), construe the reference to "the provisions of this Act" as a reference to the provisions mentioned in Schedules 2 and 3;
- (b) construe any reference in the provisions specified in paragraph (1) to an authorised officer, or an officer of an enforcement authority or food authority, as a reference to an authorised officer as defined in regulation 3(1) of these Regulations;

(1) Diwygiwyd adran 21(2) gan O.S. 2004/3279.

(2) Diwygiwyd adran 32 gan baragraff 18 o Atodlen 2 i Ddeddf Cyfiawnder Troseddol a'r Heddlu 2001 (p.16).

(3) Mewnosodwyd adran 36A gan baragraffau 7 ac 16 o Atodlen 5 i Ddeddf Safonau Bwyd 1999.

(4) Diwygiwyd adran 50 gan baragraff 18 o Atodlen 16 i Ddeddf Dadreoleiddio a Chontractio Allan 1994.

(1) Section 21(2) was amended by S.I. 2004/3279.

(2) Section 32 was amended by paragraph 18 of Schedule 2 to the Criminal Justice and Police Act 2001 (c.16).

(3) Section 36A was inserted by paragraphs 7 and 16 of Schedule 5 to the Food Standards Act 1999.

(4) Section 50 was amended by paragraph 18 of Schedule 16 to the Deregulation and Contracting Out Act 1994.

- (c) mewn perthynas ag adran 20, dehongli'r cyfeiriad at yr adran fel pe bai'n cynnwys cyfeiriad at yr adran honno fel y'i cymhwysir i'r Rheoliadau hyn gan baragraff (1);
- (ch) mewn perthynas ag adran 21(2), rhodder yn lle'r geiriau "section 14 or 15 above" y geiriau "these Regulations";
- (d) mewn perthynas ag adran 29—
 - (i) ym mharagraff (b)(ii), dehongli'r cyfeiriad at adran 32 fel pe bai'n cynnwys cyfeiriad at adran 32 fel y'i cymhwysir i'r Rheoliadau hyn gan baragraff (1); a
 - (ii) ym mharagraff (d), hepgorer y geiriau "or of regulations or orders made under it";
- (dd) mewn perthynas ag adran 30(8)(a), hepgorer y geiriau "under subsection (6) above";
- (e) mewn perthynas ag adran 32—
 - (i) yn is-adran (1)(a), hepgorer y geiriau ", or of regulations or orders made under it";
 - (ii) yn is-adran (4), dehongli'r cyfeiriad at yr adran fel pe bai'n cynnwys cyfeiriad at yr adran honno fel y'i cymhwysir i'r Rheoliadau hyn gan baragraff (1);
 - (iii) yn is-adran (5), dehongli'r cyfeiriad at yr adran fel pe bai'n cynnwys cyfeiriad at yr adran honno fel y'i cymhwysir i'r Rheoliadau hyn gan baragraff (1) a dehongli'r cyfeiriad at "a food business" fel pe bai'n cynnwys deorfa;
 - (iv) yn is-adran (6)(a), hepgorer y geiriau "or of regulations or orders made under it"; a
 - (v) yn is-adran (7), dehongli'r cyfeiriad at yr adran fel pe bai'n cynnwys cyfeiriad at yr adran honno fel y'i cymhwysir i'r Rheoliadau hyn gan baragraff (1); a
- (f) mewn perthynas ag adran 44, dehongli unrhyw gyfeiriad at awdurdod bwyd fel cyfeiriad at awdurdod gorfodi.

- (c) in relation to section 20, construe the reference to the section as including a reference to that section as applied to these Regulations by paragraph (1);
- (d) in relation to section 21(2), replace the words "section 14 or 15 above" with the words "these Regulations";
- (e) in relation to section 29—
 - (i) in paragraph (b)(ii), construe the reference to section 32 as including a reference to section 32 as applied to these Regulations by paragraph (1); and
 - (ii) in paragraph (d), omit the words "or of regulations or orders made under it";
- (f) in relation to section 30(8)(a), omit the words "under subsection (6) above";
- (g) in relation to section 32—
 - (i) in subsection(1)(a), omit the words ", or of regulations or orders made under it";
 - (ii) in subsection (4), construe the reference to the section as including a reference to that section as applied to these Regulations by paragraph (1);
 - (iii) in subsection (5), construe the reference to the section as including a reference to that section as applied to these Regulations by paragraph (1) and construe the reference to "a food business" as including a hatchery;
 - (iv) in subsection (6)(a), omit the words "or of regulations or orders made under it"; and
 - (v) in subsection (7), construe the reference to the section as including a reference to that section as applied to these Regulations by paragraph (1); and
- (h) in relation to section 44, construe any reference to a food authority as a reference to an enforcement authority.

Darpariaeth drosiannol

22. Mae unrhyw awdurdod ysgrifenedig a roddwyd i unrhyw berson i weithredu mewn materion sy'n deillio o dan neu mewn perthynas â Rheoliadau Wyau (Safonau Marchnata) 1995(1) yn effeithiol fel pe bai'n cyfeirio at y Rheoliadau hyn.

Transitional provision

22. Any written authority granted to any person to act in matters arising under or in relation to the Eggs (Marketing Standards) Regulations 1995(1) has effect as if it referred to these Regulations.

(1) O.S. 1995/1544, a ddiwygiwyd gan O.S. 1996/1725, 1997/1414, 1998/1665, 2006/1540.

(1) S.I. 1995/1544, amended by S.I. 1996/1725, 1997/1414, 1998/1665, 2006/1540.

Elin Jones

Y Gweinidog dros Faterion Gwledig, un o Minister for Rural Affairs, one of the Welsh Ministers
Weinidogion Cymru

25 Mawrth 2009

25 March 2009

ATODLEN 1

SCHEDULE 1

Rheoliad 2

Regulation 2

DIRYMIADAU

REVOCATIONS

Rheoliadau Wyau (Safonau Marchnata) 1995

The Eggs (Marketing Standards) Regulations 1995

Rheoliadau Wyau (Safonau Marchnata) (Diwygio) 1996(1)

The Eggs (Marketing Standards) (Amendment) Regulations 1996(1)

Rheoliadau Wyau (Safonau Marchnata) (Diwygio) 1997(2)

The Eggs (Marketing Standards) (Amendment) Regulations 1997(2)

Rheoliadau Wyau (Safonau Marchnata) (Diwygio) 1998(3)

The Eggs (Marketing Standards) (Amendment) Regulations 1998(3)

Rheoliadau Wyau (Safonau Marchnata) (Diwygio) (Cymru a Lloegr) 2006(4)

The Eggs (Marketing Standards) (Amendment) (England and Wales) Regulations 2006(4)

ATODLEN 2

SCHEDULE 2

Rheoliad 4

Regulation 4

DARPARIAETHAU CYMUNEDOL YN
YMWNEUD AG WYAU DEOR A
CHYWION Y MAE METHIANT I
GYDYMFFURFIO Â HWY YN
DRAMGWYDD

COMMUNITY PROVISIONS RELATING TO
EGGS FOR HATCHING AND CHICKS
CONTRAVENTION OF WHICH IS AN
OFFENCE

RHAN 1

PART 1

DARPARIAETHAU'R RHEOLIAD SENGL CMO

PROVISIONS OF THE SINGLE CMO
REGULATION

(1) O.S. 1996/1725.

(2) O.S. 1997/1414.

(3) O.S. 1998/1665.

(4) O.S. 2006/1540.

(1) S.I. 1996/1725.

(2) S.I. 1997/1414.

(3) S.I. 1998/1665.

(4) S.I. 2006/1540.

<i>Colofn 1</i>	<i>Colofn 2</i>	<i>Colofn 3</i>	<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Y ddarpariaeth berthnasol yn y Rheoliad Sengl CMO	Darpariaethau i'w darllen gyda darpariaethau'r Rheoliad Sengl CMO a grybwyllir yng ngholofn 1	Y pwnc	Relevant provision of the Single CMO Regulation	Provisions to be read with the provisions of the Single CMO Regulation mentioned in column 1	Subject matter
Erthygl 113(3) i'r graddau y mae'n ymwneud â marchnata wyau deor a chywion	Rhan C o Atodiad XIV i'r Rheoliad Sengl CMO a Rheoliad y Comisiwn (EC) Rhif 617/2008	Gwaharddiad ar farchnata wyau deor a chywion ac eithrio yn unol â'r safonau marchnata a osodir yn Rhan C o Atodiad XIV i'r Rheoliad Sengl CMO a Rheoliad y Comisiwn (EC) Rhif 617/2008.	Article 113(3) insofar as it relates to the marketing of eggs for hatching and chicks	Part C of Annex XIV to the Single CMO Regulation and Commission Regulation (EC) No. 617/2008	Prohibition on the marketing of eggs for hatching and of chicks except in accordance with the marketing standards laid down in Part C of Annex XIV to the Single CMO Regulation and Commission Regulation (EC) No. 617/2008.
Pwynt II(1) o Ran C o Atodiad XIV	Erthygl 3(1) o Reoliad y Comisiwn (EC) Rhif 617/2008	Marcio wyau deor.	Point II(1) of Part C of Annex XIV	Article 3(1) of Commission Regulation (EC) No. 617/2008	Marking of eggs for hatching
Pwynt II(2) o Ran C o Atodiad XIV	Erthygl 3(4) a (5) o Reoliad y Comisiwn (EC) Rhif 617/2008	Cludo a phacio wyau deor.	Point II(2) of Part C of Annex XIV	Article 3(4) and (5) of Commission Regulation (EC) No. 617/2008	Transportation and packing of eggs for hatching.
Pwynt II(3) o Ran C o Atodiad XIV	Erthygl 3(8) o Reoliad y Comisiwn (EC) Rhif 617/2008	Mewnforio pecynnau o wyau deor o drydedd wlad.	Point II(3) of Part C of Annex XIV	Article 3(8) of Commission Regulation (EC) No. 617/2008	Importation of packages of eggs for hatching from a third country.
Pwynt III(1) o Ran C o Atodiad XIV	Erthygl 4(1) o Reoliad y Comisiwn (EC) Rhif 617/2008	Pacio cywion yn ôl rhywogaeth, math a chategori o ddofednod.	Point III(1) of Part C of Annex XIV	Article 4(1) of Commission Regulation (EC) No. 617/2008	Packing of chicks by species, type and category of poultry.
Pwynt III(2) o Ran C o Atodiad XIV	Erthygl 4(2) o Reoliad y Comisiwn (EC) Rhif 617/2008	Cynnwys a marciau bocsus o gywion.	Point III(2) of Part C of Annex XIV	Article 4(2) of Commission Regulation (EC) No. 617/2008	Content and marking of boxes of chicks.
Pwynt III(3) o Ran C o Atodiad XIV	Erthygl 4(1) a (3) o Reoliad y Comisiwn (EC) Rhif 617/2008,	Mewnforio cywion o drydedd wlad.	Point III(3) of Part C of Annex XIV	Article 4(1) and (3) of Commission Regulation (EC) No. 617/2008	Importation of chicks from a third country.

RHAN 2

**DARPARIAETHAU RHEOLIAD Y COMISIWN
(EC) RHIF 617/2008**

PART 2

**PROVISIONS OF COMMISSION REGULATION
(EC) NO. 617/2008**

<i>Colofn 1</i>	<i>Colofn 2</i>	<i>Colofn 3</i>	<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Darpariaeth berthnasol Rheoliad y Comisiwn (EC) Rhif 617/2008	Darpariaethau sydd i'w darllen gyda darpariaethau Rheoliad y Comisiwn (EC) Rhif 617/2008 a grybwyllir yng ngholofn 1	Y pwnc	Relevant provision of Commission Regulation (EC) No. 617/2008	Provisions to be read with the provisions of Commission Regulation (EC) No. 617/2008 mentioned in column 1	Subject matter
Erthygl 2(1)		Cofrestru sefydliadau bridio pedigri, sefydliadau bridio a deorfeydd.	Article 2(1)		Registration of pedigree breeding establishments, breeding establishments and hatcheries.
Erthygl 3(1)	Erthygl 3(2) a (3) o Reoliad y Comisiwn (EC) Rhif 617/2008	Marcio wyau deor fesul un.	Article 3(1)	Article 3(2) and (3) of Commission Regulation (EC) No. 617/2008	Individual marking of eggs for hatching
Erthygl 3(2)	Erthygl 3(3) a (5) o Reoliad y Comisiwn (EC) Rhif 617/2008 a rheoliad 6	Marcio wyau deor yn y sefydliad cynhyrchu.	Article 3(2)	Article 3(3) and (5) of Commission Regulation (EC) No. 617/2008 and regulation 6	Marking of eggs for hatching at producer establishment.
Erthygl 3(4)	Erthygl 3(5) a (6) o Reoliad y Comisiwn (EC) Rhif 617/2008 ac Atodiad II iddo	Pacio wyau deor.	Article 3(4)	Article 3(5) and (6) of, and Annex II to, Commission Regulation (EC) No. 617/2008	Packing of eggs for hatching.
Erthygl 3(6)	Erthygl 3(4) a (5) o Reoliad y Comisiwn (EC) Rhif 617/2008	Rhif unigryw'r sefydliad cynhyrchu ar becynnau a chynwysyddion y cludir wyau deor ynddynt.	Article 3(6)	Article 3(4) and (5) of Commission Regulation (EC) No. 617/2008	Distinguishing number of producer establishment on packs and containers in which eggs for hatching are transported.
Erthygl 3(7)	Erthygl 3(1), (2) a (3) o Reoliad y Comisiwn (EC) Rhif 617/2008 a rheoliad 6	Gwaharddiad ar gludo neu fasnachu wyau deor rhwng Aelod—wladwriaethau onid ydynt wedi'u marcio'n gywir.	Article 3(7)	Article 3(1), (2) and (3) of Commission Regulation (EC) No. 617/2008 and regulation 6	Prohibition on transporting or trading eggs for hatching between Member States unless properly marked.

Erthygl 3(8)		Mewnforio wyau deor	Article 3(8)		Importation of eggs for hatching.
Erthygl 4(1)	Pwynt III (1) o Ran C o Atodiad XIV i'r Rheoliad Sengl CMO ac Erthygl 4(2) o Reoliad y Comisiwn (EC) Rhif 617/2008	Pacio cywion yn ôl rhywogaeth, math a chategori o ddefnod.	Article 4(1)	Point III(1) of Part C of Annex XIV to the Single CMO Regulation and Article 4(2) of Commission Regulation (EC) No. 617/2008	Packing of chicks by species, type and category of poultry
Erthygl 4(2)	Pwynt III (2) o Ran C o Atodiad XIV i'r Rheoliad Sengl CMO ac Erthygl 4(1) o Reoliad y Comisiwn (EC) Rhif 617/2008	Cynhwysiad a gofynion marcio sylfaenol ar gyfer pecynnau sy'n cynnwys cywion.	Article 4(2)	Point III(2) of Part C of Annex XIV to the Single CMO Regulation and Article 4(1) of Commission Regulation (EC) No. 617/2008	Content and minimum marking requirement for packs containing chicks.
Erthygl 4(3)	Pwynt III (3) o Ran C o Atodiad XIV i'r Rheoliad Sengl CMO ac Erthygl 4(1) o Reoliad y Comisiwn (EC) Rhif 617/2008	Mewnforio cywion o drydydd gwledydd, gan gynnwys cynhwysiad a gofynion marcio sylfaenol ar gyfer pecynnau sy'n cynnwys cywion.	Article 4(3)	Point III(3) of Part C of Annex XIV to the Single CMO Regulation and Article 4(1) of Commission Regulation (EC) No. 617/2008	Importation of chicks from third countries, including content and minimum marking requirement for packs containing such chicks.
Erthygl 5(1)		Dogfennau sy'n gorfod bod gyda sypiau o wyau deor a chywion.	Article 5(1)		Documentation that must accompany batches of eggs for hatching and chicks.
Erthygl 5(2)	Erthygl 5(1) o Reoliad y Comisiwn (EC) Rhif 617/2008	Gofynion arbennig o ran gwybodaeth sydd i'w darparu o ran dogfennau sy'n gorfod bod gyda sypiau o wyau deor a chywion a fewnforir o drydedd wlad.	Article 5(2)	Article 5(1) of Commission Regulation (EC) No. 617/2008	Special requirements as to information to be provided in the documentation that must accompany batches of eggs for hatching and chicks imported from a third country.
Erthygl 6		Cadw cofrestrï gan ddeorfeydd.	Article 6		Keeping of registers by hatcheries.
Erthygl 7		Cyfyngiad ar y defnydd o wyau a dynnwyd o ddeorydd.	Article 7		Restriction on the use of eggs withdrawn from an incubator.

Erthygl 8(1)

Ymrwymiad ar
ddeorfeydd i
ddarparu
adroddiadau
misol.

Article 8(1)

Obligation on
hatcheries to
provide monthly
reports.

DARPARIAETHAU CYMUNEDOL YN
YMWNEUD AG WYAU YN EU PLISGYN
I'W BWYTA Y MAE METHIANT I
GYDYMFFURFIO Â HWY YN
DRAMGWYDD

COMMUNITY PROVISIONS RELATING TO
EGGS IN SHELL FOR CONSUMPTION
CONTRAVENTION OF WHICH IS AN
OFFENCE

RHAN 1

PART 1

DARPARIAETHAU'R RHEOLIAD SENGL
CMOPROVISIONS OF THE SINGLE CMO
REGULATION

<i>Colofn 1</i>	<i>Colofn 2</i>	<i>Colofn 3</i>
Y ddarpariaeth berthnasol yn y Rheoliad Sengl CMO	Darpariaethau i'w darllen gyda darpariaethau'r Rheoliad Sengl CMO a grybwyllir yng ngholofn 1	Y pwnc
Erthygl 113(3) i'r graddau y mae'n ymwneud â marchnata wyau	Rhan A o Atodiad XIV i'r Rheoliad Sengl CMO a Comisiwn (EC) Rhif 589/2008	Gwaharddiad ar farchnata wyau ac eithrio yn unol â'r safonau marchnata a osodir yn Rhan A o Atodiad XIV i'r Rheoliad Sengl CMO a Rheoliad y Comisiwn (EC) Rhif 589/2008.
Pwynt II(1) o Ran A o Atodiad XIV	Erthygl 2(1) a (4) o Reoliad y Comisiwn (EC) Rhif 589/2008	Graddio ansawdd.
Pwynt II(2) o Ran A o Atodiad XIV	Erthygl 4(1) o Reoliad y Comisiwn (EC) Rhif 589/2008	Graddio pwysau wyau dosbarth A.
Pwynt II(3) o Ran A o Atodiad XIV		Gwaharddiad ar gyflenwi wyau dosbarth B ac eithrio i'r diwydiant bwyd a diwydiant nad yw'n ddiwydiant bwyd.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Relevant provision of the Single CMO Regulation	Provisions to be read with the provisions of the Single CMO Regulation mentioned in column 1	Subject matter
Article 113(3) insofar as it relates to the marketing of eggs	Part A of Annex XIV to the Single CMO Regulation and Commission Regulation (EC) No. 589/2008	Prohibition on the marketing of eggs except in accordance with the marketing standards laid down in Part A of Annex XIV to the Single CMO Regulation and Commission Regulation (EC) No. 589/2008.
Point II(1) of Part A of Annex XIV	Article 2(1) and (4) of Commission Regulation (EC) No. 589/2008	Quality grading.
Point II(2) of Part A of Annex XIV	Article 4(1) of Commission Regulation (EC) No. 589/2008	Weight grading of class A eggs.
Point II(3) of Part A of Annex XIV		Prohibition on the delivery of class B eggs except to the food and non-food industry.

Pwynt III(1) o Ran A o Atodiad XIV, yr is-baragraff cyntaf	Pwynt III(3) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO ac Erthyglau 9(1) ac 11 o Reoliad y Comisiwn (EC) Rhif 589/2008	Marcio wyau dosbarth A.	Point III(1) of Part A of Annex XIV, first sub-paragraph	Point III(3) of Part A of Annex XIV to the Single CMO Regulation and Articles 9(1) and 11 of Commission Regulation (EC) No. 589/2008	Marking of class A eggs.
Pwynt III(1) o Ran A o Atodiad XIV, yr ail is-baragraff	Erthyglau 9, 10 ac 11 o Reoliad y Comisiwn (EC) Rhif 589/2008 a rheoliad 9(1)	Marcio wyau dosbarth B.	Point III(1) of Part A of Annex XIV, second sub-paragraph	Articles 9, 10 and 11 of Commission Regulation (EC) No. 589/2008 and regulation 9(1)	Marking of class B eggs.
Pwynt III(2) o Ran A o Atodiad XIV	Pwynt III(1) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO	Y man lle caiff wyau eu marcio.	Point III(2) of Part A of Annex XIV	Point III(1) of Part A of Annex XIV to the Single CMO Regulation	Place at which eggs are marked.
Pwynt III(3) o Ran A o Atodiad XIV, yr is-baragraff cyntaf	Pwynt III(1) o Ran A o Atodiad XIV ac ail is-baragraff pwynt III(3) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO a rheoliad 9(2)	Marcio wyau a werthir gan gynhyrchydd i'r cwsmer terfynol mewn marchnad gyhoeddus leol.	Point III(3) of Part A of Annex XIV, first sub-paragraph	Point III(1) of Part A of Annex XIV and the second sub-paragraph of point III(3) of Part A of Annex XIV to the Single CMO Regulation and regulation 9(2)	Marking of eggs sold by a producer to the final consumer at a local public market.
Pwynt IV(1) o Ran A o Atodiad XIV, y drydedd frawddeg	Erthygl 30(2) o Reoliad y Comisiwn (EC) Rhif 589/2008	Marcio wyau a fewnforir o drydedd wlad os canfyddwyd bod y rheolau a gymhwysir mewn perthynas â'r wyau hynny yn y drydedd wlad o dan sylw yn cynnig digon o warant bod y rheolau'n gyfwerth â deddfwriaeth Gymunedol.	Point IV(1) of Part A of Annex XIV, third sentence	Article 30(2) of Commission Regulation (EC) No. 589/2008	Marking of eggs imported from a third country where the rules applied in relation to those eggs in the third country concerned have been found to offer sufficient guarantees as to equivalence with Community legislation.
Pwynt IV(3) o Ran A o Atodiad XIV	Erthygl 30(2) o Reoliad y Comisiwn (EC) Rhif 589/2008	Marcio wyau a fewnforir o drydedd wlad os canfyddwyd nad yw'r rheolau a gymhwysir mewn perthynas â'r wyau hynny'n	Point IV(3) of Part A of Annex XIV	Article 30(2) of Commission Regulation (EC) No. 589/2008	Marking of eggs imported from a third country where sufficient guarantees of equivalence of the rules relating to those eggs with

cynnig digon o warant bod y rheolau'n gyfwerth â deddfwriaeth Gymunedol.

Community legislation have not been provided.

RHAN 2

DARPARIAETHAU RHEOLIAD Y COMISIWN (EC) RHIF 589/2008

PART 2

PROVISIONS OF COMMISSION REGULATION (EC) NO. 589/2008

<i>Colofn 1</i>	<i>Colofn 2</i>	<i>Colofn 3</i>	<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Darpariaeth berthnasol Rheoliad y Comisiwn (EC) Rhif 589/2008	Darpariaethau sydd i'w darllen gyda darpariaethau Rheoliad y Comisiwn (EC) Rhif 589/2008 a grybwyllir yng ngholofn 1	Y pwnc	Relevant provision of Commission Regulation (EC) No. 589/2008	Provisions to be read with the provisions of Commission Regulation (EC) No. 589/2008 mentioned in column 1	Subject matter
Erthygl 2(1)	Pwynt II(1) o Ran A o Atodiad XIV, yr indent cyntaf, i'r Rheoliad Sengl CMO	Nodweddion ansawdd wyau dosbarth A.	Article 2(1)	Point II(1) of Part A of Annex XIV, first indent, to the Single CMO Regulation	Quality characteristics of class A eggs.
Erthygl 2(2)	Erthygl 3 o Reoliad y Comisiwn (EC) Rhif 589/2008	Gwahardd golchi a glanhau wyau dosbarth A cyn eu graddio neu ar ôl hynny.	Article 2(2)	Article 3 of Commission Regulation (EC) No. 589/2008	Prohibition on the washing and cleaning of class A eggs before or after grading.
Erthygl 2(3)		Gwahardd trin wyau dosbarth A ar gyfer eu cadw ac oeri wyau mewn mangreoedd neu weithfeydd lle y cedwir y tymheredd drwy ddulliau artiffisial yn is na 5°C.	Article 2(3)		Prohibition on the treatment of class A eggs for preservation, and the chilling of eggs, in premises or plants where the temperature is artificially maintained at less than 5°C.
Erthygl 2(4)	Pwynt II(1) o Ran A o Atodiad XIV, yr ail indent, i'r Rheoliad Sengl CMO	Nodweddion ansawdd wyau dosbarth B.	Article 2(4)	Point II(1) of Part A of Annex XIV, second indent, to the Single CMO Regulation	Quality characteristics of class B eggs.
Erthygl 4(1)	Pwynt II(2) o Ran A o Atodiad XIV i'r Rheoliad	Graddio wyau dosbarth A yn ôl eu pwysau.	Article 4(1)	Point II(2) of Part A of Annex XIV to the Single CMO	Grading of class A eggs by weight.

	Sengl CMO ac Erthygl 4(3) o Reoliad y Comisiwn (EC) Rhif 589/2008			Regulation and Article 4(3) of Commission Regulation (EC) No. 589/2008	
Erthygl 4(2)	Erthygl 4(1) o Reoliad y Comisiwn (EC) Rhif 589/2008 a Chyfarwyddeb 2000/13/EC	Dangosiadau graddio yn ôl pwysau.	Article 4(2)	Article 4(1) of Commission Regulation (EC) No. 589/2008 and Directive 2000/13/EC	Weight grading indications.
Erthygl 4(3)	Erthygl 4(1) o Reoliad y Comisiwn (EC) Rhif 589/2008	Isafswm pwysau net mewn gramau a'r dangosiad 'eggs of different sizes' neu dermau cyfwerth i'w gosod ar wyneb allanol pecyn o wyau dosbarth A o wahanol feintiau.	Article 4(3)	Article 4(1) of Commission Regulation (EC) No. 589/2008	Minimum net weight in grams and the indication 'eggs of different sizes' or equivalent terms to be given on the outer surface of a pack of class A eggs of different sizes.
Erthygl 5(1), yr is-baragraff cyntaf		Graddio a phacio wyau a labelu pecynnau yn ôl canolfannau pecynnu.	Article 5(1), first sub-paragraph		Grading and packing of eggs and the labelling of packs by packing centres.
Erthygl 5(3)		Canolfannau pecynnu i feddu ar y cyfarpar technegol angenrheidiol i sicrhau bod wyau'n cael eu trafod yn briodol.	Article 5(3)		Packing centres to have the technical equipment necessary to ensure that eggs are handled properly.
Erthygl 6(1)		Wyau i'w graddio, i'w marcio ac i'w pecynnu o fewn 10 niwrnod i'w dodwy.	Article 6(1)		Eggs to be graded, marked and packed within 10 days of laying.
Erthygl 6(2)	Erthygl 14 o Reoliad y Comisiwn (EC) Rhif 589/2008	Wyau dosbarth A a gaiff eu marchnata fel wyau 'extra' neu 'extra fresh' i'w graddio, i'w marcio ac i'w pecynnu o fewn pedwar diwrnod i'w dodwy.	Article 6(2)	Article 14 of Commission Regulation (EC) No. 589/2008	Class A eggs marketed as 'extra' or 'extra fresh' eggs to be graded, marked and packed within four days of laying.
Erthygl 6(3)	Erthyglau 12(1)(d) a 13 o Reoliad y Comisiwn (EC) Rhif 589/2008 ac Erthygl	Pecynnau i'w marcio gyda dyddiad isafswm eu parhauster adeg eu pacio.	Article 6(3)	Articles 12(1)(d) and 13 of Commission Regulation (EC) No. 589/2008 and Article	Packs to be marked with date of minimum durability at the time of packing.

	9(2) o Gyfarwyddeb 2000/13/EC			9(2) of Directive 2000/13/EC	
Erthygl 7(1), yr is-baragraff cyntaf	Erthygl 7(1), yr ail is-baragraff, o Reoliad y Comisiwn (EC) Rhif 589/2008	Cynhyrchwyr i nodi gwybodaeth benodol ar bob deunydd pacio ar gyfer cludo sy'n cynnwys wyau.	Article 7(1), first sub-paragraph	Article 7(1), second sub-paragraph, of Commission Regulation (EC) No. 589/2008	Producers to identify each transport packaging containing eggs with certain information.
Erthygl 7(2), yr is-baragraff cyntaf, y frawddeg gyntaf	Erthygl 7(1), ac Erthygl 7(2), yr ail is-baragraff, o Reoliad y Comisiwn (EC) Rhif 589/2008	Cymhwyso'r wybodaeth a bennir yn Erthygl 7(1) o Reoliad y Comisiwn (EC) Rhif 589/2008 i bob deunydd pacio ar gyfer cludo sy'n cynnwys wyau a chynnwys yr wybodaeth honno mewn dogfennau sy'n mynd gyda'r deunydd pacio.	Article 7(2), first sub-paragraph, first sentence	Article 7(1), and Article 7(2), second sub-paragraph, of Commission Regulation (EC) No. 589/2008	Application of the information specified in Article 7(1) of Commission Regulation (EC) No. 589/2008 to each transport packaging containing eggs, and the inclusion of that information in accompanying documents.
Erthygl 7(2), yr is-baragraff cyntaf, yr ail frawddeg	Erthygl 7(2), yr is-baragraff cyntaf, y frawddeg gyntaf, a'r ail is-baragraff, o Reoliad y Comisiwn (EC) Rhif 589/2008	Gweithredwyr camau canol y broses i gadw copi o'r dogfennau a bennir ym mrawddeg gyntaf is-baragraff cyntaf Erthygl 7(2) o Reoliad y Comisiwn (EC) Rhif 589/2008.	Article 7(2), first sub-paragraph, second sentence	Article 7(2), first sub-paragraph, first sentence, and second sub-paragraph, of Commission Regulation (EC) No. 589/2008	Intervening operators to keep a copy of the documents specified in the first sentence of the first sub-paragraph of Article 7(2) of Commission Regulation (EC) No. 589/2008.
Erthygl 7(2), yr is-baragraff cyntaf, y drydedd frawddeg	Erthygl 7(2), yr is-baragraff cyntaf, y frawddeg gyntaf, a'r ail is-baragraff, o Reoliad y Comisiwn (EC) Rhif 589/2008	Y ganolfan becynnu sy'n graddio wyau y mae'r dogfennau'n ymwneud â hwy i gadw dogfennau gwreiddiol y cyfeirir atynt ym mrawddeg gyntaf is-baragraff cyntaf Erthygl 7(2) o Reoliad y Comisiwn (EC) Rhif 589/2008.	Article 7(2), first sub-paragraph, third sentence	Article 7(2), first sub-paragraph, first sentence, and second sub-paragraph, of Commission Regulation (EC) No. 589/2008	Original documents referred to in the first sentence of the first sub-paragraph of Article 7(2) of Commission Regulation (EC) No. 589/2008 to be kept by the packing centre that grades the eggs to which the documents relate.
Erthygl 7(3)	Erthygl 7(1) o Reoliad y Comisiwn (EC) Rhif 589/2008	Gwahardd addasu neu symud yr wybodaeth y cyfeirir ati yn Erthygl 7(1) o Reoliad y Comisiwn (EC)	Article 7(3)	Article 7(1) of Commission Regulation (EC) No. 589/2008	Prohibition on the modification or removal of the information referred to in Article 7(1) of

		Rhif 589/2008 ar ddeunydd pacio ar gyfer cludo sy'n cynnwys wyau hyd oni symudir yr wyau ar gyfer eu graddio, eu marcio a'u pecynnu yn ddiymdroi.			Commission Regulation (EC) No. 589/2008 on the transport packaging of eggs until the removal of the eggs for immediate grading, marking and packing.
Erthygl 8(1)	Erthygl 8(2) o Reoliad y Comisiwn (EC) Rhif 589/2008	Wyau a gyflenwir o safle cynhyrchu i gasglwr, i ganolfan becynnu neu i ddiwydiant nad yw'n ddiwydiant bwyd mewn Aelod-wladwriaeth arall i'w marcio â chod y cynhyrchydd cyn gadael y safle cynhyrchu, ac eithrio pan fo esemptiad wedi ei roi o dan Erthygl 8(2) o Reoliad y Comisiwn (EC) Rhif 589/2008.	Article 8(1)	Article 8(2) of Commission Regulation (EC) No. 589/2008	Eggs delivered from a production site to a collector, packing centre or non-food industry in another Member State to be marked with the producer code before leaving the production site, except where an exemption has been granted under Article 8(2) of Commission Regulation (EC) No. 589/2008.
Erthygl 8(2), y frawddeg olaf		Copi o'r contract cyflenwi i fynd gyda llwyth o wyau y rhoddwyd esemptiad iddo o dan Erthygl 8(2) o Reoliad y Comisiwn (EC) Rhif 589/2008.	Article 8(2), last sentence		A copy of the delivery contract to accompany a consignment of eggs for which an exemption has been granted under Article 8(2) of Commission Regulation (EC) No. 589/2008.
Erthygl 8(5)	Pwynt III(1) o Ran A o Atodiad XIV ail is-baragraff, y Rheoliad Sengl CMO, ac Erthygl 10 o Reoliad y Comisiwn (EC) Rhif 598/2008	Marcio wyau dosbarth B i'w marchnata mewn Aelod—wladwriaeth arall.	Article 8(5)	Point III(1) of Part A of Annex XIV second subparagraph, of the Single CMO Regulation, and Article 10 of Commission Regulation (EC) No. 589/2008	Marking of class B eggs for marketing in another Member State.
Erthygl 9(1)	Pwynt 2 o'r Atodiad i Gyfarwyddeb y Comisiwn 2002/4/EC(1) ar gofrestriad	Cod cynhyrchydd.	Article 9(1)	Point 2 of the Annex to Commission Directive 2002/4/EC(1) on	Producer code.

(1) OJ Rhif L30, 31.1.2002, t.44, a ddiwygiwyd ddiwethaf gan Gyfarwyddeb y Comisiwn 2006/83/EC (OJ Rhif L362, 20.12.2006, t.97).

(1) OJ No. L30, 31.1.2002, p.44, last amended by Commission Directive 2006/83/EC (OJ No. L362, 20.12.2006, p.97).

	sefydliadau sy'n cadw ieir dodwy, a gwmpesir gan Gyfarwyddeb y Cyngor 1999/74/EC			the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC	
Erthygl 10	Pwynt III(1) o Ran A o Atodiad XIV yr ail is-baragraff, i'r Rheoliad Sengl CMO	Y dangosiadau ar wyau dosbarth B.	Article 10	Point III(1) of Part A of Annex XIV, second sub-paragraph, to the Single CMO Regulation	Indications on class B eggs.
Erthygl 12(1)		Marcio pecynnau o wyau dosbarth A.	Article 12(1)		Marking of packs of class A eggs.
Erthygl 12(2), yr is-baragraff cyntaf a'r ail is-baragraff	Erthygl 12(1) o Reoliad y Comisiwn (EC) Rhif 589/2008 a Rhan A o Atodiad I iddo, ac Atodiad II iddo, Erthygl 2 o Reoliad y Cyngor (EEC) Rhif 2092/91 (1) ar gynhyrchu cynhyrchion amaethyddol yn organig a dangosiadau sy'n cyfeirio at hynny ar gynhyrchion amaethyddol a chynhyrchion bwyd, a rheoliadau 10, 11 a 12	Y dull ffermio i'w ddangos ar wyneb allanol y pecynnau sy'n cynnwys wyau dosbarth A.	Article 12(2), first and second sub-paragraphs	Article 12(1) of, and Part A of Annex I, and Annex II, to Commission Regulation (EC) No. 589/2008, Article 2 of Council Regulation (EEC) No. 2092/91(1) on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs, and regulations 10, 11 and 12	Farming method to be shown on the outer surface of packs containing class A eggs.
Erthygl 12(2), y trydydd is-baragraff	Erthygl 9(1) o Reoliad y Comisiwn (EC) Rhif 589/2008	Cod cynhyrchydd i'w egluro ar becynnau neu y tu mewn iddynt.	Article 12(2), third sub-paragraph	Article 9(1) of Commission Regulation (EC) No. 589/2008	Producer code to be explained on or inside packs.
Erthygl 12(2), y pedwerydd is-baragraff	Rhan B o Atodiad I i Reoliad y Comisiwn (EC) Rhif 589/2008 a Phennod III o Gyfarwyddeb y Cyngor 1999/74/EC	Defnyddio dangosiad a restrir yn Rhan B o Atodiad I i Reoliad y Comisiwn (EC) Rhif 589/2008 (caetus a gyfoethogwyd).	Article 12(2), fourth sub-paragraph	Part B of Annex I to Commission Regulation (EC) No. 589/2008 and Chapter III of Council Directive 1999/74/EC	Use of an indication listed in Part B of Annex I to Commission Regulation (EC) No. 589/2008 (enriched cages).

(1) OJ Rhif L198, 22.7.1991, t.1, a ddiwygiwyd ddiwethaf gan Reoliad y Comisiwn (EC) Rhif 404/2008 (OJ Rhif L120, 7.5.2008, t.8).

(1) OJ No. L198, 22.7.1991, p.1, last amended by Commission Regulation (EC) No. 404/2008 (OJ No. L120, 7.5.2008, p.8).

Erthygl 12(4)		Marcio pecynnau o wyau dosbarth B.	Article 12(4)		Marking of packs of class B eggs.
Erthygl 13	Erthygl 3(1)(5) o Gyfarwyddeb 2000/13/EC	Dyddiad parhauster lleiaf.	Article 13	Article 3(1)(5) of Directive 2000/13/EC	Date of minimum durability.
Erthygl 14(1)		Defnyddio'r geiriau 'extra' ac 'extra fresh' fel dangosiad ychwanegol o ran ansawdd ar becynnau'n cynnwys wyau dosbarth A.	Article 14(1)		Use of the words 'extra' and 'extra fresh' as an additional quality indication on packs containing class A eggs.
Erthygl 14(2)	Erthygl 14(1) o Reoliad y Comisiwn (EC) Rhif 589/2008	Y dyddiad dodwy a'r terfyn amser naw niwrnod a bennir yn Erthygl 14(1) o Reoliad y Comisiwn (EC) Rhif 598/2008 i'w ddangos yn y fan lle y defnyddir y geiriau 'extra' neu 'extra fresh' fel dangosiad ychwanegol o ran ansawdd ar becynnau'n cynnwys wyau dosbarth A.	Article 14(2)	Article 14(1) of Commission Regulation (EC) No. 589/2008	Laying date and the nine-day time limit specified in Article 14(1) of Commission Regulation (EC) No. 589/2008 to be shown where the words 'extra' or 'extra fresh' are used as an additional quality indication on packs containing class A eggs.
Erthygl 15		Cyfeiriad at rawnfyd fel cynhwysyn bwyd anifeiliaid pan roddir dangosiad ynghylch sut y bwydir ieir dodwy.	Article 15		Reference to a cereal as a feed ingredient where an indication is given of how laying hens are fed.
Erthygl 16		Gwybodaeth i'w rhoi am werthiant wyau heb eu pecynnu.	Article 16		Information to be given for loose egg sales.
Erthygl 17		Ansawdd y pecynnau.	Article 17		Quality of packs.
Erthygl 18		Cynwysyddion pacio y caiff wyau diwydiannol eu marchnata ynddynt.	Article 18		Packaging containers in which industrial eggs are marketed.
Erthygl 19		Ailbecynnu wyau dosbarth A.	Article 19		Repacking of class A eggs.
Erthygl 20(1)	Erthygl 20(4) o Reoliad y	Cofnodion cynhyrchydd ar	Article 20(1)	Article 20(4) of Commission	Producer records on farming

	Comisiwn (EC) Rhif 589/2008	ddulliau ffermio.		Regulation (EC) No. 589/2008	methods.
Erthygl 20(2)	Erthyglau 15 a 20(4) o Reoliad y Comisiwn (EC) Rhif 589/2008	Cofnodion cynhyrchydd ar fwyd anifeiliaid.	Article 20(2)	Articles 15 and 20(4) of Commission Regulation (EC) No. 589/2008	Producer records on feed.
Erthygl 20(3)	Erthygl 20(1) a (2) o Reoliad y Comisiwn (EC) Rhif 589/2008	Gwybodaeth a gofnodir gan gynhyrchwyr o dan Erthygl 20(1) a (2) o Reoliad y Comisiwn (EC) Rhif 589/2008 i'w chofnodi fesul cwt ieir pan fo cynhyrchydd yn defnyddio dulliau ffermio gwahanol ar un safle cynhyrchu unigol.	Article 20(3)	Article 20(1) and (2) of Commission Regulation (EC) No. 589/2008	Information recorded by producers under Article 20(1) and (2) of Commission Regulation (EC) No. 589/2008 to be broken down by hen house where a producer uses different farming methods on a single production site.
Erthygl 21(1)	Erthygl 21(2) o Reoliad y Comisiwn (EC) Rhif 589/2008	Casglwyr i gofnodi gwybodaeth benodol ar wyau a gesglir ac a gyflenwir ganddynt.	Article 21(1)	Article 21(2) of Commission Regulation (EC) No. 589/2008	Collector records on eggs collected and delivered by them.
Erthygl 22(1), yr is-baragraff cyntaf	Erthygl 22(3) o Reoliad y Comisiwn (EC) Rhif 589/2008	Cofnodion canolfannau pecynnu.	Article 22(1), first subparagraph	Article 22(3) of Commission Regulation (EC) No. 589/2008	Packing centre records.
Erthygl 22(1), yr ail is-baragraff		Canolfannau pecynnu i ddiweddarau eu cofnodion stoc ffisegol bob wythnos.	Article 22(1), second subparagraph		Updating of packing centres physical stock records each week.
Erthygl 22(2)	Erthyglau 15 a 22(1) a (3) o Reoliad y Comisiwn (EC) Rhif 589/2008	Canolfannau pecynnu i gadw cofnodion ar wahân pan fo wyau dosbarth A a'u pecynnau'n dwyn dangosiad ynghylch sut y bwydir ieir dodwy.	Article 22(2)	Articles 15 and 22(1) and (3) of Commission Regulation (EC) No. 589/2008	Packing centres to keep separate records where class A eggs and their packs bear an indication of how laying hens are fed.
Erthygl 23	Erthyglau 7(2), 20, 21 a 22 o Reoliad y Comisiwn (EC) Rhif 589/2008	Cofnodion a ffeiliau y cyfeirir atynt yn Erthyglau 7(2), 20, 21 a 22 o Reoliad y Comisiwn (EC) Rhif 589/2008 i'w cadw am o leiaf	Article 23	Articles 7(2), 20, 21 and 22 of Commission Regulation (EC) No. 589/2008	Records and files referred to in Articles 7(2), 20, 21 and 22 of Commission Regulation (EC) No. 589/2008 to be kept for at least

		12 mis o ddyddiad eu creu.			12 months from their date of creation.
Erthygl 24(5)	Erthyglau 20, 21 a 22 o Reoliad y Comisiwn (EC) Rhif 589/2008	Cofnodion y cyfeirir atynt yn Erthyglau 20, 21 a 22 o Reoliad y Comisiwn (EC) Rhif 589/2008 i fod ar gael i'r gwasanaethau arolygu y tro cyntaf y gofynnir amdanynt.	Article 24(5)	Articles 20, 21 and 22 of Commission Regulation (EC) No. 589/2008	Records referred to in Articles 20, 21 and 22 of Commission Regulation (EC) No. 589/2008 to be made available to the inspection services on first request.
Erthygl 30(2)		Wyau a gaiff eu mewnfario o drydydd gwledydd i fod wedi eu marcio yn y darddwlad yn glir ac yn ddarllenadwy yn unol â'r cod gwlad ISO 3166.	Article 30(2)		Eggs imported from third countries to have been clearly and legibly marked in the country of origin in accordance with the ISO 3166 country code.
Erthygl 30(3)	Pwynt IV(3) o Ran A o Atodiad XIV i'r Rheoliad Sengl CMO	Marcio pecynnau'n cynnwys wyau a fewnforir o drydedd wlad os canfyddwyd nad yw'r rheolau a gymhwysir mewn perthynas â'r wyau hynny'n cynnig digon o warant bod y rheolau'n gyfwerth â deddfwriaeth Gymunedol.	Article 30(3)	Point IV(3) of Part A of Annex XIV to the Single CMO Regulation	Marking of packs containing eggs imported from a third country where sufficient guarantees of equivalence of the rules relating to those eggs with Community legislation have not been provided.

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