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Feed Act¹

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Amended by the following acts

Reception	Publication	Enforcement
16.09.2009	RT I 2009, 48, 321	23.10.2009
22.04.2010	RT I 2010, 21, 107	01.01.2011 shall enter into force on the day specified in the decision of the Council of the European Union on the annulment of the exception established for the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Council of the European Union 13.07.2010. a decision No. 2010/416/EU (OJ L 196, 28.07.2010, pp. 24–26).
22.04.2010	RT I 2010, 22, 108	01.01.2011 shall enter into force on the day specified in the decision of the Council of the European Union on the annulment of the exception established for the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Council of the European Union 13.07.2010. a decision No. 2010/416/EU (OJ L 196, 28.07.2010, pp. 24–26).
15.09.2010	RT I 2010, 72, 542	15.10.2010
17.02.2011	RT I, 02.03.2011, 1	04.03.2011
23.02.2011	RT I, 25.03.2011, 1	01.01.2014; effective date changed 01.07.2014 [RT I, 22.12.2013, 1]
19.06.2013	RT I, 04.07.2013, 1	14.07.2013
05.12.2013	RT I, 22.12.2013, 1	01.01.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
12.06.2014	RT I, 29.06.2014, 2	01.07.2014
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, titles of ministers replaced on the basis of § 107 ³ subsection 4 of the Government of the Republic Act.
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
10.12.2014	RT I, 30.12.2014, 1	01.01.2015
11.06.2015	RT I, 30.06.2015, 4	01.09.2015, on the basis of § 107 ⁴ subsection 2 of the Government of the Republic Act, the word "Ministry of Agriculture" was replaced by the word "Ministry of Rural Affairs" in the corresponding case.
31.05.2017	RT I, 16.06.2017, 1	01.07.2017
14.06.2017	RT I, 04.07.2017, 1	01.01.2018
25.10.2017	RT I, 10.11.2017, 2	01.01.2018
20.02.2019	RT I, 13.03.2019, 2	15.03.2019
20.11.2019	RT I, 04.12.2019, 2	14.12.2019, partially 01.01.2020; in the law, the word "non-union" was replaced by the word "non-union" in the corresponding case.
10.06.2020	RT I, 01.07.2020, 1	01.01.2021, in the text of the law, the words "Veterinary and Food Board" were replaced by the words "Agricultural and Food Board" in the corresponding case.
25.11.2020	RT I, 03.12.2020, 2	25.12.2020
27.10.2021	RT I, 17.11.2021, 1	01.12.2021
01.06.2022	RT I, 15.06.2022, 2	01.07.2022
20.06.2023	RT I, 30.06.2023, 1	01.07.2023; On the basis of § 105.19 subsection 7 of the Act on the Government of the Republic, the word "Ministry of Rural Affairs" throughout the text is replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case.

Chapter 1 general settings

§ 1. Scope of the Act

(1) This Act stipulates requirements for feed, feed handling and use, and requirements for the organization of state supervision of feed safety and compliance with other requirements, in order to ensure the safety of feed for human and animal health and the environment, and a favorable effect on animals and livestock products.

(2) The provisions of the Administrative Procedure Act are applied to the administrative procedure provided for in the legislation of the European Union and in this Act, taking into account Regulation (EU) 2017/625 of the European Parliament and of the Council, which

deals with official control and other official actions, which are carried out with the aim of ensuring compliance with legal regulations on food and feed and animal health and the application of legal regulations on animal welfare, plant health and plant protection products, which amend European Parliament and Council Regulations (EC) No. 999/2001, (EC) No. 396/2005, (EC) No. 1069/2009, (EC) No. 1107/2009, (EU) No. 1151/2012, (EU) No. 652/2014, (EU) 2016/429 and (EU) 2016/2031, Council Regulations (EC) No. 1/2005 and (EC) No. 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC and repealing European Parliament and Council Regulations (EC) No. 854/2004 and (EC) No. 882/2004, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (official control regulation) (OJ L 95, 07.04.2017, p. 1–142), other legislation of the European Union and specifics of this law.
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(3) The minister responsible for the field may, within the limits of his competence, establish legislation for the application of feed-related measures in matters which, according to the legislation of the European Union, a member state has the right to decide.

§ 2. Feed

(1) For the purposes of this Act, feed is Regulation (EC) No. 178/2002 of the European Parliament and of the Council, which lays down the general principles and requirements of food law, establishes the European Food Safety Authority and establishes procedures related to food safety (OJ L 31, 01.02.2002, p. 1–24), the substance or product provided for in Article 3, paragraph 4.

(2) For the purposes of this Act, a feed additive is a feed additive provided for in Article 2(2)(a) of Regulation (EC) No. 1831/2003 of the European Parliament and of the Council on feed additives used in animal feed (OJ L 268, 18.10.2003, pages 29–43).

(3) For the purposes of this Act, a premix is a premix provided for in Article 2(2)(e) of Regulation (EC) No. 1831/2003 of the European Parliament and of the Council.

(4) Feed material within the meaning of this Act is Regulation (EC) No. 767/2009 of the European Parliament and Council on the marketing and use of feed, which amends Regulation (EC) No. 1831/2003 of the European Parliament and Council and repeals Council Directives 79/373/EEC, 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC, Commission Directive 80/511/EEC and Commission Decision 2004/217/EC (OJ L 229, 01.09.2009, pages 1–28), the substance or product provided for in Article 3(2)(g).

(5) Mixed feed within the meaning of this Act is the feed provided for in Article 3(2)(h) of Regulation (EC) No. 767/2009 of the European Parliament and of the Council.

(6) Complete feed within the meaning of this Act is mixed feed provided for in Article 3(2)(i) of Regulation (EC) No. 767/2009 of the European Parliament and of the Council.

(7) Supplementary feed for the purposes of this Act is mixed feed provided for in Article 3(2)(j) of Regulation (EC) No. 767/2009 of the European Parliament and of the Council.

(8) Mineral feed for the purposes of this Act is supplementary feed provided for in Article 3(2)(k) of Regulation (EC) No. 767/2009 of the European Parliament and of the Council.

(9) Special feed for the purposes of this Act is the feed specified in Article 3(2)(o) of Regulation (EC) No. 767/2009 of the European Parliament and of the Council.

(10) Medicated feed within the meaning of this Act is the Regulation (EU) 2019/4 of the European Parliament and the Council, which deals with the production, marketing and use of medicated feed, which amends Regulation (EC) No. 183/2005 of the European Parliament and the Council and repeals Council Directive 90/167/EEC (OJ L 4, 07.01.2019, pages 1–23), the feed provided for in Article 3(2)(a).

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

(11) An intermediate product within the meaning of this Act is the feed specified in Article 3(2)(b) of Regulation (EU) 2019/4 of the European Parliament and of the Council.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

§ 3. Evaluation of the guide to good practices

(1) The conformity of the guide to good practices developed by the Association of Entrepreneurs with the requirements set out in Article 21(2) of Regulation (EC) No. 183/2005 of the European Parliament and of the Council establishing feed hygiene requirements (OJ L 35, 08.02.2005, pp. 1–22) is assessed by Agriculture - and the Food Board.

(2) The Board of Agriculture and Food refuses to approve a guide to good practices if the guide does not meet the requirements set forth in Article 21, subsection 2 of Regulation (EC) No. 183/2005 of the European Parliament and of the Council.

(3) The Agricultural and Food Board submits the guidelines assessed as meeting the requirements set forth in Article 21, subsection 2 of Regulation (EC) No. 183/2005 of the European Parliament and of the Council to the Ministry of Regional Affairs and Agriculture, which forwards it to the European Commission.

[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

Chapter 2 FEED REQUIREMENTS

§ 4. Compliance and safety of feed

(1) Feed must meet the requirements set forth in the relevant legislation of the European Union, this Act and the legislation established on its basis.

(2) The feed must be safe for human and animal health and the environment (hereinafter *safe*) and meet the purpose of use.

(3) The feed must not contain a prohibited ingredient. For the purposes of this law, a prohibited ingredient is the material specified in Chapter 1 of Annex III of Regulation (EC) No. 767/2009 of the European Parliament and of the Council.

[RT I 2010, 72, 542 - entry into force. 15.10.2010]

(4) The feed must not contain an unwanted substance to a greater extent than permitted. For the purposes of this Act, an undesirable substance is a harmful substance or product contained in feed, which has been added, formed or entered during the production of feed or due to environmental pollution, and whose higher than permitted content in feed is dangerous to human or animal health or the environment, or deteriorates the properties of the animal husbandry product. A disease-causing agent is not considered an unwanted substance.

(5) Feed containing an unwanted substance to a greater extent than permitted may not be mixed with the same or other feed to reduce the content of the unwanted substance.

(6) The minister responsible for the field shall establish the list of undesirable substances and the permitted limits for the content of these substances in feed .

(7) If there is a reasoned suspicion that feed may be dangerous to human or animal health or the environment or contains a prohibited ingredient (hereinafter *dangerous*), the person who discovers such feed shall immediately notify the Agriculture and Food Board. The most accurate data enabling the start of monitoring operations must also be reported, in particular the location and origin of the suspected dangerous feed and the name of the feed handler.

§ 5. Labeling of feed

(1) Feed is labeled in accordance with the requirements of Regulation (EC) No. 767/2009 of the European Parliament and of the Council.

(2) [Repealed - RT I, 03.12.2020, 2 - entry into force. 25/12/2020]

(3) On the labeling of mixed feed intended for pets, the name of the feed material contained in the mixed feed may be replaced by the name of the group of this feed material.

(4) The names of the groups of feed materials to be published on the label of mixed pet feed and the descriptions of these groups shall be established by the minister responsible for the field .

(5) Feed containing, consisting of, or produced from genetically modified organisms shall be labeled in Article 25 of Regulation (EC) No. 1829/2003 of the European Parliament and of the Council on genetically modified food and feed (OJ L 268, 18.10.2003, pp. 1–23) and Regulation (EC) No. 1830/2003 of the European Parliament and of the Council on the traceability and labeling of genetically modified organisms and the traceability of food and feed produced from genetically modified organisms (OJ L 268, 18.10.2003, pp. 24–28), provided for in Articles 4 and 5 according to the requirements.

[RT I 2010, 72, 542 - entry into force. 15.10.2010]

Chapter 3 FEED HANDLING AND USE REQUIREMENTS

§ 6. Feed handling and use

(1) When handling and using fodder, the requirements set forth in the relevant legislation of the European Union, this Act and the legislation established on its basis shall be followed.

(2) For the purposes of this Act, feed handling is a feed-related activity in the stages of handling provided for in Article 3(16) of Regulation (EC) No. 178/2002 of the European Parliament and of the Council.

(3) For the purposes of this Act, the feed handler is the person specified in point b of Article 3 of Regulation (EC) No. 183/2005 of the European Parliament and of the Council.

1

(3) The legal representative of a feed handler who is a legal entity organizes the fulfillment of the obligations arising from this law for a legal entity.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

(4) Premix and feed additive may be transferred or transferred for other purposes only to a feed handler who has an activity license for handling this premix or feed additive or who has submitted an economic activity notification regarding their handling.

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

(5) If feed is used to feed an animal kept to obtain animal food intended for marketing, the requirements of Annex III of Regulation (EC) No. 183/2005 of the European Parliament and of the Council shall be met.

1

(5) Animal by-products are handled as feed, including feed material, pet food and fur animal feed, on the basis and according to the procedure provided for in the Veterinary Act.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

2

(5) Animal by-product within the meaning of this Act is Regulation (EC) No. 1069/2009 of the European Parliament and Council, which lays down the health regulations for animal by-products and products derived from them intended for purposes other than human consumption and repeals Regulation (EC) No. 1774/2002 (OJ L 300, 14.11.2009, pp. 1–33), the product provided for in Article 3, point 1.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(6) Animal protein and feed containing it are handled and used in Regulation (EC) No. 999/2001 of the European Parliament and of the Council, which lays down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147, 31.05.2001, pp. 1–40), according to the stipulated requirements.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(7) Animal protein within the meaning of this Act is the product specified in Chapter I, point b, subparagraphs i–iv and Chapter II, point a, subparagraphs i–iii of Annex IV of Regulation (EC) No. 999/2001 of the European Parliament and of the Council, as well as collagen

and gelatin obtained from ruminants.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(8) Production and feeding of feed containing processed animal protein, dicalcium phosphate, tricalcium phosphate or blood products may be carried out with the permission of the Agriculture and Food Board. The Agriculture and Food Board refuses to issue a permit if the company cannot ensure compliance with the requirements set forth in Regulation (EC) No. 999/2001 of the European Parliament and the Council.

[RT I, 04.07.2013, 1 - enters into force. 14.07.2013]

(9) The content and form requirements of the permit application specified in subsection 8 of this section and the procedure for processing the application shall be established by the minister responsible for the field .

(10) The minister responsible for the field establishes the requirements for small quantities of the primary production of feed and their marketing .

§ 7. Self-control

(1) A feed handler, whose company carries out the activities specified in Article 5, paragraph 2 of Regulation (EC) No. 183/2005 of the European Parliament and of the Council, checks the adequacy of the feed and its handling (hereinafter *self-inspection*) and implements measures to ensure the adequacy of the feed.

(2) For self-inspection, a self-inspection plan is prepared in the company, which is in accordance with the requirements set forth in Article 6(2), Article 7 and Annex II of Regulation (EC) No. 183/2005 of the European Parliament and of the Council.

(3) The self-control plan and the measures implemented to ensure the correctness of feed and its handling form a self-control system. Data from the self-checking system is documented and stored for at least 18 months.

§ 8. Marketing of feed material

[Repealed - RT I 2010, 72, 542 - entered into force. 15.10.2010]

§ 9. Handling and use of feed additive

The feed additive and the premix containing it may be handled or used for feeding animals in accordance with the requirements set forth in Regulation (EC) No. 1831/2003 of the European Parliament and of the Council.

§ 10. Handling of mixed feed

[Repealed - RT I 2010, 72, 542 - entry into force. 15.10.2010]

§ 11. Use of special feed

The list of purposes of use of special feed and the methods of use necessary to achieve them is provided in Commission Regulation (EU) 2020/354, which establishes the list of purposes of use of special feed and repeals Directive 2008/38/EC (OJ L 67, 05.03.2020, pp. 1–26).

[RT I, 03.12.2020, 2 - enters into force. 25/12/2020]

§ 12. Handling and use of special feed material

[Repealed - RT I 2010, 72, 542 - entry into force. 15.10.2010]

§ 13. Handling and use of medicated feed

[Repealed - RT I, 15.06.2022, 2 - entered into force. 01.07.2022]

1

§ 13 . Handling and use of medicated feed and intermediate product

(1) The requirements for the handling and use of medicated feed and intermediate products are set out in Chapters II–IV of Regulation (EU) 2019/4 of the European Parliament and of the Council.

(2) Unused or expired medicated feed and intermediate products are handled in accordance with the requirements set forth in the Waste Act on hazardous waste.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

2

§ 13 . Prescribing medicated feed

(1) Medicated feed may be prescribed by a veterinarian who has been granted a veterinarian's professional activity permit for the provision of veterinary services on the basis of the Veterinary Act (hereinafter referred to as "*veterinarian*").

(2) When prescribing medicated feed, the veterinarian shall comply with the requirements set forth in Article 16 of Regulation (EU) 2019/4 of the European Parliament and of the Council.

(3) More precise requirements for the prescription of medicated feed, including the content and form requirements of the veterinary prescription for the medicated feed used for prescription, the procedure for issuing the said veterinary prescription form and the requirements for keeping records of the forms shall be established by a regulation of the minister responsible for the field .

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

§ 14. Handling and use of genetically modified feed

(1) Genetically modified feed and genetically modified organisms used as feed may be placed on the market in accordance with the requirements set forth in Regulation (EC) No. 1829/2003 of the European Parliament and of the Council.

1

(1) The competent authority within the meaning of Article 17(2) of Regulation (EC) No. 1829/2003 of the European Parliament and the Council is the Agriculture and Food Board.

[RT I 2010, 72, 542 - entry into force. 15.10.2010]

2

(1) [Repealed - RT I, 10.11.2017, 2 - entered into force. 01.01.2018]

(2) [Repealed - RT I, 10.11.2017, 2 - entered into force. 01.01.2018]

§ 15. Use of fodder for research activities

(1) A research and development institution may, with the written consent of the Agriculture and Food Board, deliver to Estonia and, taking into account the requirements set out in Article 3(2) of Regulation (EC) No. 1831/2003 of the European Parliament and Council, use for research activities, including experiments, a feed additive that is not included in the European to the Community register of feed additives specified in Article 17 of Regulation (EC) No. 1831/2003 of the Parliament and of the Council.

[RT I 2010, 72, 542 - entry into force. 15.10.2010]

(2) The Agriculture and Food Board refuses to grant the consent provided for in subsection 1 of this section if the research and development institution is unable to ensure compliance with the requirements set forth in subsection 2 of Article 3 of Regulation (EC) No. 1831/2003 of the European Parliament and of the Council or the safety of the feed.

(3) The content and form requirements of the application to obtain written consent for the delivery of the fodder specified in subsection 1 of this section to Estonia and its use for research activities, as well as the procedure for processing the application, shall be established by the minister responsible for the field .

§ 16. Delivery of feed to Estonia from a country outside the Union

(1) Delivery of feed to Estonia from a country or territory located outside the customs territory of the European Union (hereinafter referred to as a *non-EU country*) for the purposes of this Act is the activity provided for in Article 3, Clause 40 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

1

(1) Feed is allowed to be delivered to Estonia from a non-Union country through a border point open to international traffic on the basis of the State Border Act.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(2) The feed mentioned in the list established on the basis of Article 47(2)(a) of Regulation (EU) 2017/625 of the European Parliament and of the Council may be delivered to Estonia from a country outside the Union on the basis and according to the procedure provided for in the Veterinary Act.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(3) [Repealed - RT I 2010, 72, 542 - entry into force. 15.10.2010]

(4) [Repealed - RT I 2010, 72, 542 - entry into force. 15.10.2010]

(5) If feed not mentioned in the list referred to in subsection 2 of this section (hereafter *non-animal feed*) is delivered to Estonia from a non-Union country, due to the relevant legislation of the European Union, its compliance must be checked at a border point or at the place of official inspection of imported non-animal feed, it is allowed to deliver such feed to Estonia from a non-Union country only Agriculture - and through the border point or place of official inspection designated by the Food Board, and the delivery of such feed from a non-Union country to Estonia is notified to the Agriculture and Food Board at least one working day before the feed is submitted for official inspection.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(6) [Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

(7) [Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

(8) [Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

(9) [Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

(10) [Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

1

§ 16 . Border point and place of official control over imported non-animal feed

[Repealed - RT I, 04.12.2019, 2 - entered into force. 14.12.2019]

2

§ 16 . Border point

(1) Based on the request of the owner or occupier of a border point open to international traffic on the basis of the National Border Act, the Agriculture and Food Board designates the border point through which non-animal feed is allowed to be delivered to Estonia from a country outside the Union (hereinafter *border point*), if the right to designate a border point is held by a member state according to the relevant legislation of the European Union.

(2) The list of border points is published on the website of the Agriculture and Food Board in accordance with the requirements set forth in Article 60 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) The Agriculture and Food Board submits a notification in accordance with Article 59(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council regarding the intention to designate a border point to the European Commission.

(4) After receiving the notification provided for in Article 59, subsections 3-5 of Regulation (EU) 2017/625 of the European Parliament and of the Council from the European Commission, the Agriculture and Food Board shall immediately make an appropriate decision.

(5) In the case provided for in Article 62(1) and Article 63(1) and (4) of Regulation (EU) 2017/625 of the European Parliament and of the Council, the Agriculture and Food Board shall make a relevant decision and change the list of border points and inform the European Commission and other member states of this in accordance with Article 62 of the said regulation and according to 63.

(6) The requirements for the content of the application for the designation of a border point as provided in subsection 1 of this section and the procedure for processing the application shall be established by a regulation of the minister responsible for the field .
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

3

§ 16 . Place of official inspection of imported non-animal feed

(1) The Agriculture and Food Board determines the place of official inspection of imported non-animal feed on the basis of a person's request, if the right to determine it is held by a member state in accordance with the relevant legislation of the European Union. The place of official inspection is located in a place accepted by the Tax and Customs Board.

(2) The list of places of official inspection of imported non-animal feed shall be published on the website of the Agriculture and Food Board in accordance with the requirements referred to in Article 53(2) of Regulation (EU) 2017/625 of the European Parliament and of the Council.

(3) If the place of official inspection meets the requirements referred to in Article 53(1)(a) of Regulation (EU) 2017/625 of the European Parliament and of the Council, the Agriculture and Food Board makes a decision on the designation of the place of official inspection of imported non-animal feed.

(4) If the place of official inspection does not meet the requirements referred to in Article 53(1)(a) of Regulation (EU) 2017/625 of the European Parliament and of the Council, the Agriculture and Food Board makes a decision to refuse to designate the place of official inspection of imported non-animal feed.

(5) The Agriculture and Food Board shall make the decision provided for in subsections 3 or 4 of this section within 30 working days from the date of receipt of the request for designation of the place of official inspection of imported non-animal feed.

(6) In the case provided for in Article 62(1) and Article 63(1) and (4) of Regulation (EU) 2017/625 of the European Parliament and of the Council, and taking into account Article 53(2), the Agriculture and Food Board shall make an appropriate decision and change the list of places of official inspection of imported non-animal feed, and informs the European Commission and other member states of this in accordance with Articles 62 and 63 of the said regulation.

(7) The requirements for the content of the application for the designation of the place of official inspection of imported non-animal feed provided in subsection 1 of this section and the procedure for processing the application shall be established by a regulation of the minister responsible for the field .

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

§ 17. Export of feed

(1) Feed may be exported in accordance with the requirements set forth in Article 12 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council.

[RT I 2010, 72, 542 - entry into force. 15.10.2010]

(2) In case of export of fodder, the Agricultural and Food Board issues an official certificate (hereinafter *certificate*) if its presentation is required in a non-Union country.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(3) The Agriculture and Food Board publishes the type and form of the certificate and the relevant information on the certificate about feed on its website, based on the requirements of a country outside the Union.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(4) In order to obtain a certificate, a written application is submitted to the Agriculture and Food Board at least 48 hours before the feed is exported.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(5) The application referred to in subsection 4 of this section must contain relevant information that enables an official inspection to be carried out and the certificate form to be filled out. The Board of Agriculture and Food may require that the applicant submit the necessary data also in the language of the destination country.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(6) The certificate shall not be issued if the Agriculture and Food Board has determined at least one of the following circumstances:

- 1) the feed does not meet the relevant requirements;
- 2) the application has not been submitted in accordance with the requirements set forth in subsections 4 and 5 of this section;
- 3) false information is provided in the application.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

Chapter 4 NOTICE and PERMIT OBLIGATION

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 18. Obligation to notify

(1) In order to operate in the field of activity specified in Article 9(2)(a) of Regulation (EC) No. 183/2005 of the European Parliament and of the Council or to retail medicated pet feed or to feed medicated feed to animals kept as fur animals, an economic activity

notification must be submitted to the Agriculture and Food Board.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

(2) The minister responsible for the field establishes a detailed list of the fields of activity and substances used in handling, for which an economic activity notification must be submitted.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

(3) The entrepreneur shall not pay a state fee for entering the data contained in the economic activity notification specified in subsection 1 of this section into the state register of food and feed handlers.

[RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

§ 19. Licensing obligation

(1) The feed handler must have an activity permit in the case specified in Article 10 of Regulation (EC) No. 183/2005 of the European Parliament and the Council or an activity permit for the handling of medicated feed or an intermediate product, except in the case provided for in Article 13(2) of Regulation (EU) 2019/4 of the European Parliament and Council .

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

(2) An activity license gives the feed handler the right to start and carry out economic activity only in the enterprise or part of the enterprise specified in the activity permit.

(3) The minister responsible for the field establishes a specified list of the areas of activity and substances used in handling, for which the feed handler must have an activity permit.

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 20. Application for an activity permit

(1) The application for an activity license is resolved by the Agriculture and Food Board by granting or refusing to grant an activity license within 90 days from the submission of the application for an activity license.

(2) In addition to the data provided in the Act on the General Part of the Code of Economic Activities, the application for an activity license shall submit the self-control plan specified in subsection 2 of § 7 of this Act and, depending on the nature of the activity, the following documents shall be included in it:

1) documents certifying the hazard analysis and critical control point system (*Hazard Analysis and Critical Control Point System* , compliance with *HACCP* principles;

2) documents certifying the suitability of buildings and equipment for the purpose of use;

3) cleaning and disinfection plan, which contains data on the measures and substances used for the cleaning and disinfection of equipment and premises;

4) a pest control plan, which contains data on measures to be implemented for pest control;

5) technological diagram of the handling process with parameters important from the point of view of feed safety and a brief description of the technology.

(3) The Agriculture and Food Board forwards the list of entrepreneurs who have received operating licenses and data on changes to operating licenses to the European Commission.

(4) An entrepreneur does not have to pay a state fee when resolving an application for an activity permit.

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

1

§ 20 . Activity license inspection subject

A feed handler is granted an activity license if his company meets the requirements of European Union legislation and this law.

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 21. Specifics of suspending and banning economic activity and suspending and revoking an activity license

(1) The Agriculture and Food Board suspends the economic activity of a feed handler or declares the activity license partially or completely invalid in the cases provided for in Article 14 of Regulation (EC) No. 183/2005 of the European Parliament and of the Council.

(2) The Agriculture and Food Board prohibits the economic activity of an entrepreneur or partially or completely invalidates the business license in the cases provided for in Article 15 of Regulation (EC) No. 183/2005 of the European Parliament and of the Council.

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 22. Revocation of recognition decision and registration

[Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

1

§ 22 . Obligation to submit data on feed handling

[Repealed - RT I, 04.12.2019, 2 - entered into force. 01.01.2020]

Chapter 5

STATE REGISTER OF FOOD AND FEED HANDLERS

[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 23. State register of food and feed handlers

[RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

(1) The purpose of the state register of food and feed handlers (hereinafter also *the register*

) is to keep records of: 1) food and feed handlers who have an activity license to ensure effective official control ;

- 2) about food and feed handlers who have submitted an economic activity notification for handling food or feed;
3) about entrepreneurs who have submitted an economic activity notification for the manufacture, processing and marketing of materials and objects that come into contact with food.
[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

1

(1) The data specified in subsection 1 of § 51 of the Act on the General Part of the Code of Economic Activities shall be entered in the register regarding the person and his activities.
[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

2

(1) The register is established and its statutes are established by a regulation of the minister responsible for the field .
[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

(2) The responsible processor of the register is the Ministry of Regional Affairs and Agriculture, and the authorized processor is designated in the statute of the register.
[RT I, 30.06.2023, 1 - enters into force. 01.07.2023]

(3) The submitter is responsible for the correctness of the data entered in the register. If the data entered in the register changes, an application to change the data is submitted immediately.

(4) Data entered in the register are public, with the exception of data for which access restrictions have been established. For making an officially approved extract from the register data, a state fee is paid according to the rate stipulated in the State Fees Act.

(5) The provisions of the General Part of the Code of Economic Activities Act regarding the register shall apply to the register, taking into account the specifics provided in this Act.
[RT I, 25.03.2011, 1 - enters into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

Chapter 6 OFFICIAL INSPECTION AND OTHER OFFICIAL ACTIONS

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

§ 24. Performing official inspection and other official actions

[RT I, 04.12.2019, 2 - entered into force. 14.12.2019]

The Agriculture and Food Board carries out official control over the fulfillment of the requirements established by the relevant legislation of the European Union, this Act and the legislation established on the basis of feed, feed handling and feeding, and carries out relevant other official actions.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

§ 25. Authorized veterinarian

[Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

§ 26. Special measures of state supervision

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

The law enforcement body may apply the special measures of state supervision provided for in §§ 30, 31, 32, 49, 50 and 51 of the Law Enforcement Act on the basis and according to the procedure provided for in the Law Enforcement Act to carry out the state supervision provided for in this Act.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

1

§ 26 . Peculiarities of state supervision

(1) A trade secret may be disclosed if keeping it threatens human or animal health or the environment. The following are not considered trade secrets:

- 1) the name and composition of the feed;
- 2) physicochemical and biological properties of feed;
- 3) pharmacological and toxicological properties of feed and their impact on the environment;
- 4) analysis methods.

(2) If the residential premises are also used as business premises, the law enforcement body may inspect it during working hours or when it is open without the permission of the administrative court provided for in § 51 subsection 2 of the Law Enforcement Act.

[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

§ 27. Injunction

[Repealed - RT I, 25.03.2011, 1 - entered into force. 01.07.2014 (enforcement amended - RT I, 22.12.2013, 1)]

§ 28. Organization of official inspection

[RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) The official control of feed, feed handling and feeding is organized based on the control plan drawn up in accordance with Article 109 of Regulation (EU) 2017/625 of the European Parliament and of the Council. According to Article 111 of the said regulation, the control plan is published on the website of the Agriculture and Food Board.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(2) The data provided for in Article 11(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council regarding the results of official inspections are published on the website of the Agriculture and Food Board.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(3) [Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

(4) [Repealed - RT I, 04.12.2019, 2 - entry into force. 01.01.2020]

(5) The Agriculture and Food Board is the contact authority for supervisory cooperation within the meaning of Article 103(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council.
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(6) [Repealed - RT I, 04.12.2019, 2 - entry into force. 01.01.2020]

(7) The authority coordinating the preparation of the contingency plan referred to in Article 115 of Regulation (EU) 2017/625 of the European Parliament and of the Council and the authority responsible for the multi-year control plan referred to in Article 109(2) is the Agriculture and Food Board. The Agriculture and Food Board submits a multi-year inspection plan and a report on its implementation to the European Commission in accordance with Article 113 of the aforementioned regulation.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(8) The Government of the Republic may, by regulation, establish a procedure for cooperation between law enforcement agencies for the development of the contingency plan and multi-year control plan specified in subsection 7 of this section.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(9) Another law enforcement body, administrative body or government institution shall notify the Agriculture and Food Board without delay if the following possible violation of requirements occurs in relation to feed, feed handling and feeding:

1) a violation that may pose a threat to animal or human health, animal well-being or the environment;

2) a violation committed by knowingly creating an incorrect perception of the actual circumstances.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

§ 29. Measures in case of detection of non-compliant feed

(1) The Agriculture and Food Board shall apply the measures provided for in Article 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council in case of detection of the following violations:

1) improper feed;

2) improper handling of feed;

3) improper feeding of feed.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(2) In the event of non-compliant feed being delivered to Estonia from a country outside the Union, the Agriculture and Food Board shall apply the measures provided for in Article 66 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(3) Feed intended for destruction shall be handled in accordance with the requirements set forth in the Waste Act.

(4) The measures specified in subsections 1 and 2 of this section are applied at the expense of the feed handler and in a manner that is safe for human and animal health and the environment.

(5) The Agriculture and Food Board informs the European Commission about feed that is dangerous from the point of view of food safety through the rapid warning system specified in Article 50 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council.

1

6 . chapter

FEED MONITORING FEE

[RT I, 04.12.2019, 2 - enters into force. 01.01.2020]

1

§ 29 . Feed supervision fee

(1) The feed supervision fee (hereinafter *the supervision fee*) is the amount payable at the rate established on the basis of this Act for the official control of the appropriateness of feed and feed handling and other official actions (hereinafter *the feed supervision operation*) of the enterprise with the notification or permit obligation and which has fulfilled this obligation.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(2) The supervision fee is received to the settlement account of the Ministry of Finance, which is part of the group account of the State Treasury of the Ministry of Agriculture and Food.

(3) The supervision fee is paid for the performance of a feed supervision operation, except for the performance of a supervision operation related to the assessment of the adequacy of a company handling feed containing animal by-products provided for in § 87 (3) point 2 of the Veterinary Act, and the feed provided for in Chapter I of Annex IV of Regulation (EU) 2017/625 of the European Parliament and of the Council for performing a supervisory action.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(4) The supervision fee shall not be paid for the operations specified in Article 5, paragraph 1 of Regulation (EC) No. 183/2005 of the European Parliament and the Council and for the performance of supervision operations related to the primary production of plant feed material and the drying of this primary production to bring it to the market.

[RT I, 04.12.2019, 2 - enters into force. 01.01.2020]

2

§ 29 . The person obliged to pay the supervision fee

(1) The person obliged to pay the supervision fee (hereinafter *the obliged person*) is the person in respect of whom a feed supervision operation has been carried out.

(2) Several obliged persons are jointly and severally liable for the performance of a joint feed supervision operation upon payment of the supervision fee.

[RT I, 04.12.2019, 2 - enters into force. 01.01.2020]

3

§ 29 . Principles of determining the supervision fee

(1) The calculation of the supervision fee rate is based on the costs stipulated in Article 81 of Regulation (EU) 2017/625 of the European Parliament and of the Council, which are related to the performance of feed supervision activities of the Agriculture and Food Board.

(2) The supervision fee is charged as an hourly fee for the performance of feed supervision operations, except for the performance of additional laboratory tests provided for in subsection 9 of this section.

(3) The obliged person pays an hourly fee for the time spent on the feed supervision operation, but not more than eight hours per supervision operation. The time spent on the monitoring operation is calculated to the nearest half hour. The time taken to travel to the place where the supervision action is performed is not taken into account.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(4) The calculation of the hourly rate shall be based on the costs provided for in Article 81 of Regulation (EU) 2017/625 of the European Parliament and of the Council, which are related to the performance of feed supervision operations by the Agriculture and Food Board. The calculation of wages and economic costs related to feed supervision operations, including the cost of laboratory analyzes and studies, is based on the actual cost in the calendar year preceding the operation. The total cost related to feed supervision operations in the mentioned period is divided by the working hours spent on performing supervision operations, except for laboratory analyzes and research, in the same period.

(5) The cost of additional laboratory tests specified in subsection 9 shall not be taken into account when calculating the economic cost related to the feed supervision operations specified in subsection 4 of this section.

(6) The rate of the hourly fee charged for the performance of the feed supervision operation for each year shall be established by a regulation of the minister responsible for the field .

1

(6) In the case of such feed, which due to the relevant legislation of the European Union, must be officially checked at a border point or at the place of official control of imported non-animal feed, the obliged person shall pay a monitoring fee as an hourly fee for performing monitoring operations for all tariff classifications on one customs declaration.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(7) In the course of the feed supervision operation, the Agriculture and Food Board has the right to charge an additional fee for the waiting time of a delayed shipment as follows:

1) during working hours as an hourly fee per official in accordance with subsection 3 of this section;

2) outside of working hours and at the request of a person for supervision performed outside of working hours as a double hourly fee per official in accordance with paragraph 3 of this section.

4

(8) The procedure provided for in § 29 of this Act applies to the bonus paid on the basis of subsection 7 of this section .

(9) In the case provided for in Article 79(2)(c) of the Regulation (EU) 2017/625 of the European Parliament and of the Council, the obliged person shall pay the supervision fee as an hourly fee for the additional operations of feed supervision in accordance with subsection 3 of this section. If it is necessary to carry out additional laboratory tests in connection with the violation of the identified requirements, the obligated person shall pay the supervision fee to the extent of the total cost of these tests.

[RT I, 04.12.2019, 2 - enters into force. 01.01.2020]

4

§ 29 . Payment of supervision fee

(1) The Agriculture and Food Board makes a decision to collect the supervision fee for feed supervision operations performed during the previous calendar month by the seventh day of each calendar month.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(2) The decision to collect the supervision fee shall be notified to the obligated person by electronic delivery within five working days from the day of the decision, if the person has given his consent.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

1

(2) In the case provided for in subsection 2 of this section, the decision to collect the supervision fee is deemed to have been delivered to the obliged person not named in points 3 and 4 of § 27 (2) of the Administrative Procedure Act, if the decision or an extract of the decision has been sent to the e-mail address of the obliged person.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

2

(2) If the obliged person has not given his consent that the decision to collect the supervision fee is notified to him by electronic delivery, the Agricultural and Food Board shall notify the person of the said decision by delivering a paper transcript or extract of the decision to him directly or by post within five working days from the day of making the decision thinking.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(3) The obligated person transfers the supervision fee to the bank account indicated in the decision within 28 days from the day of receiving the decision to collect the supervision fee.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

1

(3) If the obliged person does not pay the supervision fee within the term specified in subsection 3 of this section, the Agricultural and Food Board has the right to issue a decision to collect the supervision fee for enforcement in accordance with the procedure provided for in the enforcement procedure code.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(4) In case of delivery of fodder from a non-Union country to Estonia, the obliged person shall pay the supervision fee before sending the goods to the customs procedure in the amount specified in the decision to collect the supervision fee submitted by the Agriculture and Food Board.

(5) The Agricultural and Food Board may, in case of delivery of feed from a non-Union country to Estonia, exempt the obliged person from paying the supervision fee before sending the goods to the customs procedure, if both of the following conditions are met:

- 1) the obliged person has submitted a sufficient guarantee;
- 2) the obliged person has previously paid the supervision fee in the right amount and at the right time.

(6) The procedure for payment of the supervision fee, acceptance in cash and control of payment shall be established by a regulation of the minister responsible for the field .

[RT I, 04.12.2019, 2 - enters into force. 01.01.2020]

5

§ 29 . Refund of overpaid supervision fee

(1) The Agriculture and Food Board makes a decision on the return of the overpaid supervision fee and returns to the obliged person the supervision fee paid in an amount greater than the prescribed amount (hereinafter *the overpaid supervision fee*) as soon as possible, but no later than two months after the date of making the decision to collect the supervision fee.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(2) The obligated person has the right to apply for the refund of the overpaid supervision fee within two years from the date of payment of the supervision fee, if the overpaid supervision fee has not been returned in accordance with subsection 1 of this section.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(3) In order to request the refund of the overpaid supervision fee, the obliged person submits a written request to the Agriculture and Food Board and a document certifying the payment of the supervision fee.

(4) In the case provided for in subsection 3 of this section, the Agricultural and Food Board makes a decision to return or refuse the overpaid supervision fee within ten working days of receiving the request.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(5) The overpaid supervision fee shall not be returned if it is not possible to determine the person who paid the supervision fee or the person for whom the fee has been paid, or if the person has no right to a refund.

(6) The procedure for returning the overpaid supervision fee shall be established by a regulation of the minister responsible for the field .

[RT I, 04.12.2019, 2 - enters into force. 01.01.2020]

6

§ 29 . Collection of the supervision fee

[Repealed - RT I, 17.11.2021, 1 - entered into force. 01.12.2021]

2

6 . chapter

SAMPLING AND ANALYSIS AND LABORATORIES

[RT I, 04.12.2019, 2 - enters into force. 01.01.2020]

§ 30. Taking samples during official control or other official actions

[RT I, 04.12.2019, 2 - entered into force. 14.12.2019]

(1) During an official inspection or other official actions, samples may be taken at the person's expense during the inspection of movable property. If the inspected movable property cannot be used normally after the inspection, the person will not be compensated for the movable property or the cost of restoring the movable property to normal use.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(2) The procedure for taking samples of fodder during official inspection or other official actions shall be established by the minister responsible for the field .

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(3) Batches of fodder, from which a sample has been taken during official inspection or other official operations, are allowed to be used or handed over after obtaining a permit to that effect from the Agriculture and Food Board.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(4) The feed handler may submit a request that, in addition to the sample specified in subsection 1 of this section, an additional sample is taken at the handler's expense under the same conditions, which remains at his disposal.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

§ 31. Analyzing samples

(1) [Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

(2) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

(3) Samples taken in the course of official inspection and other official actions are analyzed for relevant analytes in an official laboratory authorized by the Agriculture and Food Board (hereinafter *the authorized laboratory*), which complies with Article 37, paragraphs 4 and 5 of Regulation (EU) 2017/625 of the European Parliament and of the Council to the stipulated requirements.
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

1

(3) A non-accredited laboratory may also be authorized to operate as an authorized laboratory in the cases provided for in Articles 40 and 42 of Regulation (EU) 2017/625 of the European Parliament and of the Council.
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(4) Data on the laboratory, where the samples taken during the official inspection are analysed, are published on the website of the Agriculture and Food Board.
[RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(5) In the event of a dispute between the Agricultural and Food Board and the feed handler arising from the second expert opinion provided for in Article 35 of Regulation (EU) 2017/625 of the European Parliament and of the Council, the handler may, at his own expense, request a review of the original analysis documents and, if necessary, have the documents specified in § 30 subsection 4 of this Act try to analyze at your own expense in another laboratory provided for in paragraph 1 of Article 37 of the said regulation.
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(6) Regardless of the request for a second expert opinion, the Agriculture and Food Board implements the necessary measures provided for in Article 66 or Article 138 of Regulation (EU) 2017/625 of the European Parliament and of the Council.
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(7) [Repealed - RT I, 04.12.2019, 2 - entry into force. 14.12.2019]

(8) [Repealed - RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

§ 32. Reference laboratory

(1) A national reference laboratory (hereinafter referred to as *the reference laboratory*) is authorized for each feed reference laboratory of the European Union referred to in Article 93(1) of Regulation (EU) 2017/625 of the European Parliament and of the Council. A laboratory that meets the requirements set out in Article 100, paragraphs 2 and 3 of Regulation (EU) 2017/625 of the European Parliament and of the Council can be authorized as a reference laboratory.
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(2) The authority of the reference laboratory is given to the laboratory by the directive of the minister responsible for the field, which describes the scope of the authority.

(3) The procedure for requesting and granting the reference laboratory's authorization shall be established by a regulation of the minister responsible for the field.
[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

(4) If the reference laboratory does not perform its tasks properly or does not meet the requirements set forth in § 31 subsection 3 of this Act, the minister responsible for the field sets a deadline for eliminating the deficiencies and may partially or completely suspend the validity of the directive specified in subsection 2 of this section.

(5) If the deficiencies are not eliminated within the specified time limit, the minister responsible for the field declares the directive specified in subsection 2 of this section partially or completely invalid.

1

§ 32 . Signing a civil law contract to perform the tasks of the reference laboratory

(1) The minister responsible for the field or a person authorized by him may enter into a civil contract with a laboratory located in a contracting state of the European Economic Area for the performance of the tasks of a reference laboratory in Estonia in the field of fodder.

(2) In order to fulfill the tasks of the reference laboratory, when deciding to enter into a civil contract and determining the terms of the contract, the provisions of Articles 100 and 101 of Regulation (EU) 2017/625 of the European Parliament and of the Council and other relevant circumstances are taken into account.

[RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

Chapter 7 RESPONSIBILITY

§ 33. Violation of requirements for feed

(1) Violation of feed requirements in a way that endangers human or animal health or the environment - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 32,000 euros.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

§ 34. Violation of feed labeling requirements

(1) Violation of feed labeling requirements or forgery of feed - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 32,000 euros.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

§ 35. Violation of feed handling and feeding requirements

(1) Violation of feed handling or feeding requirements, including non-fulfillment of accounting obligations - shall be punished with a fine of up to 300 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 32,000 euros.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

§ 36. Failure to report the delivery of feed to Estonia from a non-Union country

(1) Failure to notify the Agriculture and Food Board of the delivery of feed from a non-Union country to Estonia, if notification is required on the basis of this Act, -

shall be punished with a fine of up to 150 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 10,000 euros.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

1

§ 36 . Violation of notification obligation

(1) Violation of the reporting obligation provided for in § 18 of this Act - shall be punished with a fine of up to 150 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 10,000 euros.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

§ 37. Failure to report the amount of feed

[Repealed - RT I, 04.12.2019, 2 - entered into force. 14.12.2019]

1

§ 37 . Violation of requirements for prescription of medicated feed

Violation of the requirements for prescribing medicated feed - is punishable by a fine of up to 200 fine units.

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]

§ 38. Procedure

(1) The out-of-court procedure for misdemeanors provided for in this chapter is the Agriculture and Food Board.

(2) The court or the extrajudicial investigator of the misdemeanor specified in subsection 1 of this section may apply the confiscation of the substance or product that was the direct object of the misdemeanor provided in § 33 of this Act in accordance with § 83 of the Penal Code.

[RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

Chapter 8 IMPLEMENTATION PROVISIONS

§ 39. Repeal of the Feed Act

The Feed Act (RT I 2002, 18, 97; 2006, 21, 162) is declared invalid.

§ 40. Reorganization of state supervision

(1) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

(2) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

(3) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

(4) When performing state supervision over the fulfillment of the requirements set forth in §§ 13 and 15 of this Act, the supervisory officers of the Veterinary and Food Board shall perform the duties of the supervisory officer provided for in this Act and have all the rights of the supervisory officer from the entry into force of this Act.

(5) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

(6) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

(7) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

§ 41. Reorganization of the performance of administrative tasks

[Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

§ 42. Other transitional provisions

(1) An enterprise recognized or registered on the basis of § 23 (4) of the previously valid Feed Act may continue to operate until the recognition or registration decision made on the basis of the previously valid Feed Act is revoked or changed.

(2) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

(3) The state feed register specified in § 23 of this Act shall be deemed to be the state feed register established on the basis of § 28 of the previously valid Feed Act.

(4) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

(5) [Repealed - RT I 2009, 48, 321 - entry into force. 23.10.2009]

1

§ 42 . Before October 15, 2010, the border point and place of supervision included in the list of border points and places of supervision of imported non-animal feed

Before October 15, 2010, the border point and the place of supervision entered into the list of border points and places of supervision of imported non-animal feed on the website of the Veterinary and Food Board are mentioned in the list until the decision of the Veterinary and Food Board to exclude the border post or the place of supervision from the said list.

[RT I 2010, 72, 542 - entry into force. 15.10.2020]

2

§ 42 . Places of official control

Places of supervision entered in the list of places of supervision of border points and imported feed shall be considered places of official control.

[RT I, 29.06.2014, 2 - enters into force. 01.07.2014]

3

§ 42 . National register of food and feed handlers

The state register of food and feed handlers specified in § 23 of this Act is considered to be the state register of food and feed handlers, which was established on the basis of § 23 (1) of this Act in the version valid on July 1, 2014.

[RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

4

§ 42 . Submission of data on feed handling

A feed handler who operates in the last quarter of 2019 in a company engaged in the production or processing of feed in which the requirements set out in Article 5, paragraph 2 of Regulation (EC) No. 183/2005 of the European Parliament and of the Council must be followed, shall submit by January 10, 2020 Data for the Veterinary and Food Board in the last quarter of 2019:

- 1) on the type and quantity of feed produced and marketed;
- 2) on the amount of processed and marketed feed material;
- 3) on the amount of mixed feed produced and used for the production of livestock products intended for marketing.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

5

§ 42 . Payment of state fee

(1) The feed handler shall pay a state fee by January 10, 2020 for the performance of official inspections, including supervisory operations, for each company engaged in the activities referred to in Article 5(2) of Regulation (EC) No. 183/2005 of the European Parliament and of the Council in the last quarter of 2019. according to the rate stipulated in the State Fee Act. The state fee does not have to be paid for such a company, which deals only with the sale of packaged feed in the manner of retail trade.

(2) When the feed is sent into free circulation, the state fee shall be paid by January 10, 2020 for those feeds for which a tariff classification has been established on the basis of § 28 (4) of the version of this Act valid until December 31, 2019.

[RT I, 04.12.2019, 2 - enters into force. 14.12.2019]

§ 43. – § 46. [Omitted from this text.]

§ 47. Entry into force of the law

(1) This Act enters into force on February 1, 2007.

(2) § 44 of this Act enters into force on July 1, 2007.

1

Commission Directive 82/475/EEC laying down the categories of ingredients that are permitted to be used in the labeling of compound food for pets (OJ L 213, 21.07.1982, pp. 27-28), amended by Directives 91/334/EEC (OJ L 184, 10.07.1991, p. 27) and 98/67/EC (OJ L 261, 24.09.1998, p. 10-31); Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed (OJ L 140, 30.05.2002, pp. 10-22), amended by Directives 2003/57/EC (OJ L 151, 19.06.2003, pp. 38-41), 2003/100/EC (OJ L 285, 01.11.2003, pp. 33-37), 2005/8/EC (OJ L 27, 29.01.2005, pp. 44-45), 2005/86/EC (OJ L 318, 06.12.2005, pp. 16-18), 2005/87/EC (OJ L 318, 06.12.2005, pp. 19-24), 2006/13/EC (OJ L 32, 04.02.2006, pp. 44-53), 2006/77/EC (OJ L 271, 30.09.2006, pp. 53-55), 2008/76/EC (OJ L 198, 26.07.2008, pp. 37-40), 2009/8/EC (OJ L 40, 11.02.2009, pp. 19-25), 2009/124/EC (OJ L 254, 26.09.2009, pp. 100-103), 2009/141/EC (OJ L 308, 24.11.2009, pp. 20-23) and 2010/6/EU (OJ L 37, 10.02.2010, pp. 29-32) and with regulations (EC) No. 219/2009 (OJ L 87, 31.03.2009, pp. 109-154), (EU) No. 574 /2011 (OJ L 159, 17.06.2011, pp. 7-24), (EU) No. 277/2012 (OJ L 91, 29.03.2012, pp. 1-7), (EU) No. 744/2012 (OJ L 219, 17.08.2012, pp. 5-12), (EU) No. 107/2013 (OJ L 35, 06.02.2013, pp. 1-2), (EU) No. 1275/2013 (OJ L 328, 07.12.2013, p. 86-92), (EU) 2015/186 (OJ L 31, 07.02.2015, pp. 11-17), (EU) 2017/2229 (OJ L 319, 05.12.2017, pp. 6-9), (EU) 2019/1243 (OJ L 198, 25.07.2019, pp. 241-344) and (EU) 2019/1869 (OJ L 289, 08.11.2019, pp. 32-36); Commission Directive 2003/7/EC amending the conditions for the authorization of canthaxanthin in animal feed in accordance with Council Directive 70/524/EEC (OJ L 22, 25.01.2003, pp. 28-30).

[RT I, 15.06.2022, 2 - enters into force. 01.07.2022]