

Feedingstuffs Act

Passed 23 January 2002

(RT¹ I 2002, 18, 97),

entered into force 1 July 2002,

amended by the following Acts:

11.06.2003 entered into force 28.06.2003 - RT I 2003, 48, 340;

19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387.

Chapter 1

General Provisions

§ 1. Scope of application of Act

(1) This Act provides the requirements for feedingstuffs, and for the manufacture and intermediation of feedingstuffs in order to ensure the harmlessess thereof in terms of human and animal health and to the environment, and the favourable effect thereof on animals and livestock products (hereinafter livestock products).

(2) This Act does not apply to the export and import of feedingstuffs under the customs procedure "transit" as defined in the Customs Code (RT I 2001, 88, 531; 2002, 44, 284; 61, 375; 63, 387; 92, 528; 2003, 2, 17; 26, 156) unless otherwise provided by international agreements.

§ 2. Feedingstuffs

(1) For the purposes of this Act, feedingstuffs are feed materials, additives in feedingstuffs, premixtures, compound feedingstuffs, medicated feedingstuffs and certain products used in animal nutrition.

(2) For the purposes of this Act, feed materials are various products of vegetable or animal origin, in their natural state, fresh or preserved, and products derived from the industrial processing thereof, and organic or inorganic substances, whether or not containing additives, which are intended for use in oral animal feeding, either directly as such or after processing, in the preparation of compound feedingstuffs or as carriers of premixtures.

(3) For the purposes of this Act, additives in feedingstuffs are substances or products prescribed for feeding animals which improve the characteristics of feedingstuffs or livestock products, which satisfy the nutritional needs of animals by improving the metabolism of a feedingstuff or by stimulating digestion, which promote an increase in the manufacture of livestock products, or which improve the status of the environment.

(4) For the purposes of this Act, premixtures are mixtures of additives, or mixtures containing one or several additives and another substance, intended for the manufacture of compound feedingstuffs.

(5) For the purposes of this Act, compound feedingstuffs are mixtures of feed materials, whether or not containing additives, which are intended for animal feeding.

(6) For the purposes of this Act, complete feedingstuffs are compound feedingstuffs which, by reason of their composition, are sufficient for a daily ration. For the purposes of this Act, a daily ration is the average total quantity of feedingstuffs, calculated on a moisture content of 12 %, required daily by an animal of a given species, age category and yield, to satisfy all its needs.

(7) For the purposes of this Act, complementary feedingstuffs are compound feedingstuffs which have a high content of a certain substance or certain substances and which, by reason of their composition, are sufficient for a daily ration only if they are used in combination with other feedingstuffs. The content of additives in complementary feedingstuffs may be up to five times higher than the maximum quantity permitted for compound feedingstuffs.

(8) For the purposes of this Act, feedingstuffs intended for particular nutritional purposes are compound feedingstuffs which differ from other compound feedingstuffs or medicated feedingstuffs by their composition, purpose or production technology, and which are fed to animals to satisfy their particular nutritional needs.

(9) For the purposes of this Act, medicated feedingstuffs are feedingstuffs which contain veterinary medicinal products and which, because of their therapeutic and preventive characteristics are fed to animals without additional processing.

(10) For the purpose of this Act, certain products used in animal nutrition are artificial products which are used as separate feedingstuffs or as components of other feedingstuffs which act as direct or indirect protein sources.

Chapter 2

Requirements for Feedingstuffs

§ 3. General requirements for feedingstuffs

(1) A feedingstuff shall be:

- 1) harmless in terms of human and animal health and to the environment (hereinafter harmless);
- 2) labelled according to the requirements;
- 3) in compliance with the information presented concerning such feedingstuff;
- 4) in compliance with its intended purpose.

(2) Altering a feedingstuff without making corresponding alterations to the information presented concerning such feedingstuff is, for the purposes of this Act, deemed to be adulteration of feedingstuffs.

§ 4. Undesirable substance

(1) Feedingstuffs intended for feeding to animals shall not contain undesirable substances in higher quantities than permitted.

(2) For the purposes of this Act, an undesirable is a substance or product contained in a feedingstuff which is added, created or is present in a feedingstuff as a result of the manufacture process or as a result of environmental pollution, and the presence of which in feedingstuffs in quantities larger than permitted may be harmful in terms of animal or human health or to the environment, or may harm the properties of livestock products.

(3) The Minister of Agriculture shall establish, by a regulation, a list of undesirable substances and the maximum allowed quantities for the content thereof in feedingstuffs, and the procedure for the use of feed materials containing undesirable substances in quantities which exceed the maximum allowed quantities for the manufacture of feedingstuffs.

§ 5. Prohibited ingredient

(1) Feedingstuffs shall not contain prohibited ingredients.

(2) For the purposes of this Act, prohibited ingredients are substances or products which harm the properties of livestock products or which are harmful in terms of human or animal health or to the environment.

(3) The Minister of Agriculture shall establish, by a regulation, a list of prohibited ingredients in feedingstuffs.

§ 6. Feed materials and compound feedingstuffs

(1) Only those feed materials specified in the list of feed materials may be manufactured, intermediated or used.

(2) The Minister of Agriculture shall establish, by a regulation, a list of feed materials, and the requirements for the information presented in their labelling. The regulation shall also prescribe a description for the categorisation of feed materials, and a description of feed materials.

(3) Only compound feedingstuffs which are in compliance with the requirements and are manufactured from the feed materials specified in the list of feed materials may be manufactured, intermediated and used.

(4) The Minister of Agriculture shall establish, by a regulation, the requirements for compound feedingstuffs, their use and the information presented in their labelling. The regulation shall also

prescribe, by animal species, the requirements regarding the use of compound feedingstuffs depending on the age category and yield of the animals.

§ 7. Certain products used in animal nutrition, additives in feedingstuffs and premixtures

(1) Only those products used in animal nutrition and additives specified in the list of products used in animal nutrition and additives may be manufactured, intermediated or used.

(2) The Minister of Agriculture shall establish, by a regulation, a list of certain products used in animal nutrition, and the requirements for the use of the products used in animal nutrition and for the information presented in their labelling. The regulation shall also prescribe, by animal species, the requirements regarding the use of certain products used in animal nutrition depending on the age category of the animals, and the description of the products used in animal nutrition and of their contents.

(3) The Minister of Agriculture shall establish, by a regulation, a list of additives in feedingstuffs, and the requirements for their use in compound feedingstuffs and premixtures, and also for the information presented in the labelling of additives in feedingstuffs and premixtures. The regulation shall also prescribe, by animal species, the requirements regarding the use of additives in compound feedingstuffs depending on the age category of the animals. Additives which in the case of incorrect use may be harmful in terms of human or animal health or to the environment may be used only in those premixtures which have been specified in the regulation. Information concerning the manufacturer of such premixtures shall be included in the regulation. Only those premixtures which are produced by the manufacturers included in the regulation may be intermediated or used.

(4) A person who wishes to commence the manufacture of a certain product used in animal nutrition or an additive in feedingstuffs which has not been specified in the lists established on the basis of subsections (2) and (3) of this section, shall submit, prior to the commencement of manufacture, an application to the Plant Production Inspectorate for determination of the harmlessness and conformity of the product used in animal nutrition or the additive in feedingstuffs. The harmlessness and conformity of certain products used in animal nutrition and additives in feedingstuffs shall be determined on the basis of documents. If necessary, expert assessment may also be performed to determine harmlessness and conformity. The costs of the expert assessment organised for determination of the harmlessness and conformity of certain products used in animal nutrition or additives in feedingstuffs shall be covered by the applicant.

(5) The Minister of Agriculture shall establish, by a regulation, the formal and substantive requirements for applications submitted for commencement of the manufacture of certain products used in animal nutrition or additives in feedingstuffs, and the procedure for submission and processing of applications, the procedure for organisation of the determination of conformity and the procedure for payment of expert assessment costs.

§ 8. Feedingstuffs intended for particular nutritional purposes

(1) Feedingstuffs intended for particular nutritional purposes shall fulfil their purpose and be adequate for fulfilling a particular nutritional need of an animal. The purpose of a feedingstuff intended for particular nutritional purposes depends on the age category and animal species.

(2) The Minister of Agriculture shall establish, by a regulation, a list of purposes for feedingstuffs intended for particular nutritional purposes and of methods needed for fulfilling such purposes, and the requirements for the information presented in the labelling of feedingstuffs intended for particular nutritional purposes. The regulation shall also prescribe, by animal species, the purposes and methods for the use of feedingstuffs intended for particular nutritional purposes depending on the age category of the animals.

§ 9. Medicated feedingstuffs

(1) Medicated feedingstuffs may only be manufactured from those pre-mixes for medicated feedingstuffs which have been registered at the Agency of Medicines as veterinary medicinal products.

(2) For the purposes of this Act, pre-mixes for medicated feedingstuffs are veterinary medicinal products which are manufactured for production of medicated feedingstuffs.

(3) The medicated feedingstuffs specified in subsection (1) of this section may be manufactured on the basis of prescriptions for medicated feedingstuffs issued by veterinarians. Medicated feedingstuffs shall conform to the corresponding prescription and shall be fed to animals according to the instructions by veterinarians without any additional processing.

§ 10. Requirements for feedingstuffs containing animal proteins

(1) It is prohibited to use animal proteins which are harmful to the health of animals, and feedingstuffs containing such proteins, for feeding to animals.

(2) The Minister of Agriculture shall establish, by a regulation, a list, by animal species, of animal proteins and feedingstuffs containing such proteins, the feeding of which to animals is prohibited.

(3) The requirements for enterprises engaged in the manufacture of feedingstuffs containing animal proteins and in the intermediation and storage of animal proteins and feedingstuffs containing such proteins shall be established by a regulation of the Minister of Agriculture.

(11.06.2003 entered into force 28.06.2003 - RT I 2003, 48, 340)

§ 11. Requirements for use of genetically modified organisms in feedingstuffs

Feedingstuffs containing genetically modified organisms may be manufactured, intermediated and used pursuant to the Deliberate Release of Genetically Modified Organisms into the Environment Act (RT I 1999, 10, 151; 2001, 23, 130; 97, 603; 2002, 63, 387) provided that the

feedingstuffs do not contain reproductive genetically modified organisms and are harmless for use.

§ 12. Requirements for feedingstuffs used in research

(1) Certain products used in animal nutrition, additives in feedingstuffs, and premixtures and compound feedingstuffs containing them, not specified in the lists established on the basis of subsections 7 (2) and (3) of this Act may be imported and used for research, including for the performance of tests, with the written permission of the Plant Production Inspectorate and the Veterinary and Food Board on the basis of applications submitted by the corresponding research and development agencies.

(2) The Minister of Agriculture shall establish, by a regulation, the requirements for the import and use of certain products used in animal nutrition, additives in feedingstuffs, and premixtures and compound feedingstuffs containing them specified in subsection (1) of this section, and for the processing of applications submitted for obtaining written permission for their import.

§ 13. Notification obligation

If there is reason to believe that a feedingstuff might be harmful in terms of human or animal health or to the environment (hereinafter harmful), the person who discovered such feedingstuff is required to immediately notify the Plant Production Inspectorate thereof. Forwarded information shall be as accurate as possible and enable expeditious commencement of inspection operations, setting out, for example, the location, origin, manufacturer or intermediary of the feedingstuff, or other such.

Chapter 3

Manufacture and Intermediation of Feedingstuffs

§ 14. Manufacture and intermediation of feedingstuffs

(1) For the purposes of this Act, manufacture of feedingstuffs is the production or processing, and also the packaging of feedingstuffs.

(2) For the purposes of this Act, intermediation is the offer for sale, sale, and transfer in any other manner, without charge or for a charge, of feedingstuffs. Import of feedingstuffs and provision of storage services is also deemed to be intermediation.

(3) For the purposes of this Act, a manufacturer is a person who is engaged in the manufacture of feedingstuffs for putting into circulation, or for the manufacture of livestock products for putting into circulation.

(4) For the purposes of this Act, an intermediary is a person who intermediates feedingstuffs in the manner specified in subsection (2) of this section.

(5) Feedingstuffs manufactured or intermediated by manufacturers and intermediaries shall comply with the requirements of this Act and legislation established on the basis thereof.

§ 15. Attestation of conformity

(1) The manufacturer is required, at the request of a person, to attest the conformity of a feedingstuff by a declaration of conformity. A conformity declaration is a written document issued by the manufacturer of a feedingstuff which certifies the conformity of a feedingstuff with the requirements of legislation, and if necessary, also provides any information concerning the feedingstuff requested by the person.

(2) A declaration of conformity shall set out:

- 1) the name and address of the issuer and serial number of the declaration of conformity;
- 2) the name and quantity of the feedingstuff and other information describing the feedingstuff;
- 3) the requirements to which conformity is certified;
- 4) the date of issue and the name, signature and official title of the person who issued the declaration of conformity.

(3) A conformity declaration shall be issued concerning a certain batch of feedingstuffs and it shall remain valid until the use by date or date of minimum durability of the batch of feedingstuffs.

§ 16. Batch of feedingstuffs

(1) For the purposes of this Act, a batch of feedingstuffs is a quantity of feedingstuffs manufactured or intermediated in conformity with uniform requirements, under the same name and with similar characteristics, concerning which accompanying documents have been issued, and labelled in conformity with the requirements.

(2) A batch of feedingstuffs shall be labelled in a manner which enables it to be distinguished from other batches of feedingstuffs.

§ 17. Labelling of feedingstuffs

(1) Feedingstuffs shall be labelled. In labelling of feedingstuffs, information concerning the feedingstuffs shall be in Estonian and shall:

- 1) be clearly visible, legible and indelible;
- 2) describe the feedingstuff and its contents, conditions of use and purpose, and be unambiguous;
- 3) enable inspection operations.

(2) Information concerning feedingstuffs presented in labelling shall be on the packaging of the feedingstuffs, and in the case of feedingstuffs which are not packaged, be set out on a separate document accompanying the feedingstuffs.

(3) Information presented concerning a feedingstuff shall not mislead the consumer or attribute such characteristics to the feedingstuff which the feedingstuff does not possess.

(4) The labelling shall also contain information specified in subsection 20 (2) of the Deliberate Release of Genetically Modified Organisms into the Environment Act if the feedingstuff contains genetically modified organisms.

§ 18. Packaging and transport of feedingstuffs

(1) For the packaging of feedingstuffs, a packaging shall be used which causes no deterioration of the properties of feedingstuffs, does not pollute the environment and is in compliance with the Packaging Act (RT I 1995, 47, 739; 1997, 53, 836; 2002, 53, 336; 61, 375; 63, 387). Feedingstuffs shall not be packaged in reusable packaging.

(2) During the transport of feedingstuffs, preservation of their properties shall be ensured.

(3) The Minister of Agriculture shall establish, by a regulation, the requirements for transport of feedingstuffs.

Chapter 4

Approval, Registration and Notification of Activities

§ 19. Approval, registration and notification of activities of enterprises of manufacturers and intermediaries

(1) In order to reduce possible risks arising from the manufacture and intermediation of feedingstuffs, and to ensure adequate inspection thereof, manufacturers and intermediaries who are engaged in the manufacture or intermediation of feedingstuffs, the manufacture, intermediation or use of which presents a high risk in terms of human or animal health or to the environment, shall obtain approval concerning their enterprise or parts thereof (hereinafter enterprise). An enterprise of a manufacturer or intermediary must be approved if it engages in:

- 1) manufacture or intermediation of certain products used in animal nutrition;
- 2) manufacture or intermediation of high-risk additives in feedingstuffs;
- 3) manufacture or intermediation of premixtures containing high-risk additives in feedingstuffs;
- 4) manufacture of compound feedingstuffs containing high-risk additives in feedingstuffs;

5) manufacture of compound feedingstuffs from feed materials containing undesirable substances in quantities which exceed the maximum allowed quantities;

6) (Repealed - 11.06.2003 entered into force 28.06.2003 - RT I 2003, 48, 340)

7) manufacture of medicated feedingstuffs.

(2) In order to reduce possible risks arising from the manufacture and intermediation of feedingstuffs and to ensure adequate inspection thereof, manufacturers and intermediaries who are engaged in the manufacture or intermediation of feedingstuffs, the manufacture, intermediation or use of which presents a lower risk in terms of human or animal health or to the environment, shall have their enterprise registered. An enterprise of a manufacturer or intermediary shall be registered if it engages in:

1) manufacture or intermediation of low-risk additives in feedingstuffs;

2) manufacture or intermediation of premixtures containing low-risk additives in feedingstuffs;

3) manufacture of compound feedingstuffs containing low-risk additives in feedingstuffs.

(3) The Minister of Agriculture shall establish, by a regulation, the procedure for the approval and registration of enterprises. Such procedure shall also establish the formal and substantive requirements for applications submitted for the approval or registration of enterprises and entry of enterprises in the state register of feedingstuffs, and a list of documents to be annexed thereto.

(4) In order to ensure the conformity of feedingstuffs and adequate inspection thereof, producers and manufacturers whose enterprise is not subject to approval or registration shall notify the Plant Production Inspectorate of their activities.

(5) The Minister of Agriculture shall establish, by a regulation, the procedure for notification of the activities of enterprises and the formal and substantive requirements for the notification of activities.

(6) Premixtures, certain products used in animal nutrition and additives in feedingstuffs shall be intermediated only to manufacturers and intermediaries whose enterprise has been approved or registered for such purposes.

(7) If the conformity of an enterprise with the requirements has been certified and approval has been granted concerning the enterprise for manufacture of certain products used in animal nutrition, premixtures or compound feedingstuffs, then for the registration of the enterprise, the producer need not certify the conformity of the enterprise with the same requirements. If the conformity of an enterprise with the requirements has been certified and approval has been granted concerning the enterprise for intermediation of certain products used in animal nutrition, premixtures or compound feedingstuffs, then for the registration of the enterprise, the intermediary need not certify the conformity of the enterprise with the same requirements.

(8) Manufacturers and intermediaries whose enterprise must be approved or registered pursuant to this Act shall pay a state fee for inspection operations on the basis of the State Fees Act (RT I 1997, 80, 1344; 2001, 55, 331; 56, 332; 64, 367; 65, 377; 85, 512; 88, 531; 91, 543; 93, 565; 2002, 1, 1; 9, 45; 13, 78; 79; 81; 18, 97; 23, 131; 24, 135; 27, 151; 153; 30, 178; 35, 214; 44, 281; 47, 297; 51, 316; 57, 358; 58, 361; 61, 375; 62, 377; 82, 477; 90, 519; 102, 599; 105, 610; 2003, 4, 20; 13, 68; 15, 84; 85; 20, 118; 21, 128; 23, 146; 25, 153; 154; 26, 156; 160).

§ 20. Self-checking

(1) The manufacturers and intermediaries specified in subsections 19 (1) and (2) of this Act shall perform checks of the conformity of feedingstuffs, including quality and safety checks of feedingstuffs (hereinafter self-checking). Self-checking ensures the manufacture and intermediation of conforming and harmless feedingstuffs.

(2) For the conduct of self-checking, a self-check plan shall be prepared in an enterprise. A self-check plan shall include a description of all the production stages of the feedingstuffs, and set out any critical moments which are essential for the conformity and harmlessness of the feedingstuffs, and shall also list the measures applied to ensure the conformity and harmlessness of the feedingstuffs during manufacture or intermediation. The self-check plan and applied measures form a system of self-checking. The data of a system of self-checking shall be documented and preserved for 18 months.

§ 21. Approval of enterprises of manufacturers and intermediaries

(1) Persons who wish to obtain approval for an enterprise shall submit a standard application to the Plant Production Inspectorate. Approval is a procedure during which, on the basis of a standard application submitted by a person, or also on site in an enterprise, the Plant Production Inspectorate assesses the compliance of the person's enterprise with the requirements of this Act with regard to the additive in feedingstuffs, premixture, compound feedingstuff, certain product used in animal nutrition or medicated feedingstuff the manufacture or intermediation of which the person wishes to commence. Approval shall be granted to an enterprise before the person commences the manufacture or intermediation of the feedingstuffs.

(2) The Minister of Agriculture shall establish, by a regulation, a list of feedingstuffs for the manufacture or intermediation of which an enterprise must have approval, and also the requirements for such enterprise. The regulation shall prescribe, based on the manufactured or intermediated feedingstuffs, the requirements for the buildings, personnel, the manufacture and storage of the feedingstuffs, the self-checking and keeping account of the manufactured or intermediated feedingstuffs, and the requirements and procedure for withdrawal from the circulation of non-conforming feedingstuffs.

(3) In addition to the requirements provided for in subsection (2) of this section, the Minister of Agriculture shall establish, by a separate regulation, the requirements for enterprises engaged in the manufacture or intermediation of medicated feedingstuffs.

§ 22. Registration of enterprises of manufacturers and intermediaries

(1) Persons who wish to obtain registration for an enterprise shall submit a standard application to the Plant Production Inspectorate. Registration is a procedure during which, on the basis of a standard application submitted by a person, the Plant Production Inspectorate assesses the compliance of the person's enterprise with the requirements of this Act with regard to the additive in feedingstuffs, premixture, compound feedingstuff, certain product used in animal nutrition or medicated feedingstuff the manufacture or intermediation of which a person wishes to commence. An enterprise shall be registered before the person commences the manufacture or intermediation of the feedingstuffs.

(2) The Minister of Agriculture shall establish, by a regulation, a list of feedingstuffs for the manufacture or intermediation of which an enterprise must be registered, and also the requirements for such enterprise. The regulation shall prescribe, based on the manufactured or intermediated feedingstuffs, the requirements and procedure for the buildings, personnel, the manufacture and storage of the feedingstuffs, the self-checking and keeping account of the manufactured or intermediated feedingstuffs.

§ 23. Approval or registration and refusal to approve or register

(1) The Plant Production Inspectorate shall organise the approval or registration of an enterprise based on a standard application.

(2) An official of the inspection authority shall make a proposal to the Director General of the Plant Production Inspectorate to approve or register an enterprise which has been declared to be conforming.

(3) If based on assessment results, an enterprise is not conforming, an official of the inspection authority shall make a proposal to the Director General of the Plant Production Inspectorate to refuse to approve or register the enterprise.

(4) The Director General of the Plant Production Inspectorate shall make a decision to register or approve an enterprise, or to refuse to approve or register an enterprise within three months after receipt of the application and all documents necessary for making the decision. A decision to refuse approval or registration of an enterprise shall be reasoned. The decision shall be communicated to the applicant in writing or by electronic means without delay, but not later than on the fifth working day after the date on which the decision was made.

(5) An enterprise is deemed to be approved or registered as of the date on which the corresponding information is entered in the state register of feedingstuffs.

§ 24. Suspension of decision on approval or registration in part or in full

(1) A decision on approval or registration shall be suspended, depending on the circumstances, in part or in full, until

1) the circumstances of the violation of this Act are clarified;

2) the state fee prescribed by the State Fees Act is paid;

3) the precept issued by an official of the inspection authority is complied with, if in the opinion of the official of the inspection authority, the harmlessness or conformity of the feedingstuffs manufactured or intermediated by the enterprise cannot be ensured due to the circumstances temporarily prevailing in the enterprise.

(2) The inspection official who inspects an enterprise shall make a proposal for suspension, in part or in full, of a decision on approval or registration to the Director General of the Plant Production Inspectorate who, in the cases prescribed in subsection (1) of this section, has the right to suspend the decision in part or in full. A decision on approval or registration is suspended as of the making of a decision to this effect. The suspension of a decision on approval or registration shall be communicated to the manufacturer or intermediary in writing or by electronic means without delay, but not later than on the fifth working day after the date on which the decision was made.

(3) After becoming aware of suspension, in part or in full, of the decision on approval or registration of the enterprise, the manufacturer or intermediary is required to suspend the manufacture or intermediation of the feedingstuffs to the extent determined by such decision.

(4) After elimination of the circumstances which were the basis for suspension, in part or in full, of a decision on approval or registration of an enterprise, the inspection official who inspects the enterprise shall make a proposal to the Director General of the Plant Production Inspectorate for revocation of the decision on suspension, in part or in full, of the decision on approval or registration.

§ 25. Revocation of decision on approval or registration in part or in full

(1) A decision on approval or registration shall be revoked in part or in full if the manufacturer or intermediary

1) has submitted a corresponding application;

2) has terminated its activities;

3) has knowingly submitted false information to an official of the inspection authority;

4) has repeatedly failed to eliminate, by the date specified in the precept, any deficiencies discovered in the course of inspection;

5) is not able, due to permanent circumstances prevailing in the enterprise, to comply with all the requirements of this Act and legislation established on the basis thereof.

(2) The inspection official who inspects an enterprise shall make a proposal for revocation, in part or in full, of a decision on approval or registration to the Director General of the Plant Production Inspectorate who, in the cases prescribed in subsection (1) of this section, has the

right to revoke the decision in part or in full. A decision on revocation, in part or in full, of a decision on approval or registration shall be communicated to the manufacturer or intermediary in writing or by electronic means without delay, but not later than on the fifth working day after the date on which the decision was made.

§ 26. Notification of activities of enterprises of manufacturers and intermediaries

(1) A manufacturer or intermediary, whose enterprise is not subject to approval pursuant to § 21 or subject to registration pursuant to § 22 of this Act and who wishes to notify of the activities of its enterprise, shall submit a standard application to the Plant Production Inspectorate to notify of the commencement, change or termination of its activities. The application shall be submitted at least thirty days before the manufacture or intermediation of feedingstuffs is commenced, changed or terminated.

(2) The Minister of Agriculture shall establish, by a regulation, a list of feedingstuffs and activities in the case of which manufacturers and intermediaries are required to notify of the commencement, change or termination of manufacture or intermediation. Notice need not be given of the commencement, change or termination of the manufacture or intermediation of hay, silage, straw or other feedingstuffs of plant origin not specified in the list.

(3) Information pertaining to the manufacturers and intermediaries specified in subsection (1) of this section, and concerning their enterprise and fields of activities shall be published on the website of the Plant Production Inspectorate.

(4) The manufacturers specified in subsection (1) of this section who manufacture feedingstuffs for putting into circulation shall keep account of the quantity of raw materials used for the production of feedingstuffs, and of the quantities of manufactured feedingstuffs.

§ 27. Consequences of revocation of decision on approval or registration and application for new approval or registration of enterprise

(1) After becoming aware of revocation, in part or in full, of the decision on approval or registration of the enterprise, the manufacturer or intermediary is required to terminate the manufacture or intermediation of the feedingstuffs to the extent determined by such decision.

(2) The manufacturer or intermediary may apply for new approval or registration of the enterprise if the circumstances which were the basis for the revocation, in part or in full, of the decision on approval or registration of the enterprise, and for the deletion of the corresponding information from the register have been eliminated.

Chapter 5

State Register of Feedingstuffs

§ 28. State register of feedingstuffs

(1) The state register of feedingstuffs (hereinafter register) is a national register established by the Government of the Republic on the proposal of the Minister of Agriculture. The statutes for maintenance of the register are approved by a regulation of the Government of the Republic.

(2) The chief processor of the register is the Ministry of Agriculture and the authorised processor of the register is the Plant Production Inspectorate.

(3) Data concerning manufacturers and intermediaries whose enterprise has been approved or registered, and information concerning such enterprise and area of activities thereof shall be entered in the register. Such data shall be entered in the register on the basis of the decisions on approval or registration of enterprises of manufacturers and intermediaries, and on the basis of information submitted in applications for approval or registration.

(4) The submitter of the data specified in subsection (3) of this section is responsible for the correctness of such data. If data entered in the register change, the submitter thereof shall immediately apply for amendments in the register.

§ 29. Access to registry data

Registry data shall be public. Registry data shall be published on the website of the authorised processor of the register and in addition, such data may be also published on paper.

§ 30. Bases for deletion from register

(1) If a decision on approval or registration of an enterprise of a manufacturer or intermediary is revoked in full, the authorised processor of the register shall delete the data concerning the manufacturer or intermediary, its enterprise or area of activity from the register.

(2) If a decision on approval or registration of an enterprise of a manufacturer or intermediary is revoked in part, the authorised processor of the register shall delete the data concerning the manufacturer or intermediary, its enterprise or area of activity from the register to the extent determined by the decision on revocation.

Chapter 6

Import and Export of Feedingstuffs

§ 31. Certification of conformity of feedingstuffs in import and export thereof

(1) Imported feedingstuffs shall conform to the requirements of this Act and legislation established on the basis thereof.

(2) Feedingstuffs may be imported from states whose manufacture and intermediation requirements and system of inspection are in compliance with the requirements established in this Act, and only if the batch of feedingstuffs is accompanied by a document issued by an authorised inspection authority certifying inspection of the manufacturer.

(3) In the case of export of feedingstuffs, the Plant Production Inspectorate or the Veterinary and Food Board shall issue, on the basis of an application by the manufacturer or intermediary, a document certifying inspection of the manufacturer or intermediary of the feedingstuffs.

(4) In the case of the export of an additive in feedingstuffs, the manufacturer or intermediary of the feedingstuffs is not required to hold an activity licence for the import of raw material for food or for the import of food, if the additive is also a food supplement.

(5) An intermediary of feedingstuffs shall notify the Plant Production Inspectorate or the Veterinary and Food Board of the import of feedingstuffs in writing at least twenty-four hours before the planned time of arrival of the feedingstuffs at the border.

(6) The customs procedures "inward processing" and "processing under customs control" within the meaning of the Customs Code may be applied in the import of feedingstuffs only if the feedingstuffs are processed in an enterprise which has been approved or registered on the basis of this Act.

§ 32. Procedure for import and export of feedingstuffs

(1) The import and export of feedingstuffs is permitted only through the border checkpoints prescribed by subsection 22 (2) of the Plant Protection Act (RT I 2000, 29, 169; 2001, 88, 531; 2002, 53, 336; 61, 375; 63, 387) and subsection 23 (2) of the Infectious Animal Disease Control Act (RT I 1999, 57, 598; 2002, 13, 80; 78; 61, 375; 63, 387).

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(2) If in the case of import of feedingstuffs for free circulation, the destination of a batch of feedingstuffs has been declared in a customs document, the documents and their conformity, and the compliance of the feedingstuffs with the description set out in the documents shall be checked at the border. The compliance of the feedingstuffs with the requirements established by legislation may be checked at the border or at the destination of a batch of feedingstuffs.

(3) The customs procedure "release for free circulation" within the meaning of the Customs Code may be applied only with the permission of an official of the inspection authority after the conduct of an inspection operation and payment of the state fee for such operation. It is prohibited to use a batch of feedingstuffs or a part thereof before obtaining permission for such purpose from an official of the inspection authority.

(4) The import and export of feedingstuffs of animal origin, and the harmlessness and conformity of the import and export shall be inspected pursuant to the provisions of this Act and in compliance with the Infectious Animal Disease Control Act.

(5) The Minister of Agriculture shall establish, by a regulation, the formal and substantive requirements for the information presented for notification of the import of feedingstuffs, and the procedure for inspection conducted during the import and export of feedingstuffs. The regulation shall also prescribe the formal and substantive requirements for the documents certifying the

conformity of feedingstuffs and documents certifying inspection of the manufacturers and intermediaries of feedingstuffs.

Chapter 7

Inspection

§ 33. Inspection authority

(1) State inspection over compliance with the requirements of this Act and legislation established on the basis thereof shall be conducted by the Plant Production Inspectorate.

(2) State inspection over compliance with the requirements established on the basis of subsection 12 (2) and 21 (3) of this Act shall also be conducted by the Veterinary and Food Board.

(3) The agencies specified in subsections (1) and (2) of this section (hereinafter inspection authorities) shall co-operate with the Police Board, Customs Board and other agencies of executive power within the limits of their competence.

§ 34. Official of inspection authority and conduct of inspection

(1) An inspection official is an official of the inspection authority who conducts, within the limits of his or her authority, state inspection over compliance with this Act and legislation established on the basis thereof. Inspection operations are generally conducted without giving prior notice thereof to the manufacturer or intermediary.

(2) An official of the inspection authority shall present his or her identification before the conduct of an inspection operation.

(3) An official of the inspection authority has the right to inspect, unhindered, compliance with the requirements of this Act and legislation established on the basis thereof on the territory and in the premises of an enterprise in the presence of the manufacturer, intermediary or representative thereof.

(4) An official of the inspection authority has the right to request necessary information, and copies or extracts of relevant documents from the manufacturer or intermediary and, with the knowledge of the manufacturer or intermediary, to record the situation at the time of the inspection with the aid of technical equipment, take control samples without charge, order expert analyses and perform other necessary acts.

(5) Officials of the inspection authority are required to maintain business secrets which they become aware of during inspection. A business secret may be disclosed if maintaining it would endanger human or animal health or the environment. The following data are not deemed to be information subject to business secrecy:

1) name and composition of feedingstuffs;

2) physicochemical and biological characteristics of feedingstuffs;

3) pharmacological and toxicological characteristics of feedingstuffs, and their effect on the environment;

4) methods of analysis.

(6) Expenses which an official of the inspection authority causes to a manufacturer or intermediaries during an inspection operation shall not be compensated, except for the expenses caused by the unlawful activities of an official of the inspection authority which shall be compensated pursuant to the provisions of the State Liability Act (RT I 2001, 47, 260; 2002, 62, 377; 2003, 15, 86).

§ 35. Precept of official of inspection authority

(1) Upon detection of an offence, an official of the inspection authority shall issue a precept in which he or she shall:

1) call attention to the offence;

2) require termination of the offence;

3) require the conduct of operations necessary for the termination of the offence and the prevention of future offences;

4) set the term for compliance with the precept.

(2) If an official of the inspection authority has discovered the harmful effect of a feedingstuff, or a direct danger caused by a feedingstuff to human or animal health or the environment, he or she shall issue a precept to the manufacturer or intermediary in which he or she shall demand the withdrawal of the feedingstuff from circulation, and at the same time shall make the proposal specified in subsection 24 (2) or 25 (2) of this Act to the head of the inspection authority. Manufacturers and intermediaries shall withdraw feedingstuffs from the circulation at their own expense.

(3) A precept shall be issued in written form and it shall set out the reason for the precept. An official of the inspection authority shall communicate the precept to the relevant person or the person's representative against a signature on site, or within three days after the commencement of the inspection operation, by sending the precept to the person by registered mail, or by electronic means. If the person or the person's representative refuses to receive the precept, a corresponding notation shall be made on the precept and the precept shall be sent by registered mail within three working days after refusal to receive the precept.

§ 36. Contestation of precept of official of inspection authority

(1) If a manufacturer or intermediary does not agree with a precept issued by an official of the inspection authority, the manufacturer or intermediary has the right to contest the precept in court on the basis of and pursuant to the procedure provided by law.

(2) Contestation of a precept does not release the person from compliance with the precept.

(3) The inspection authority has the right to apply coercive measures pursuant to the Substitutive Enforcement and Penalty Payment Act (RT I 2001, 50, 283; 94, 580) in order to ensure compliance with precepts. The upper limit of penalty payment is 10 000 kroons.

§ 37. Taking of control samples

(1) An official of the inspection authority has the right to take control samples during inspection activities at the expense of the manufacturer or intermediary to check compliance with the requirements of this Act and legislation established on the basis thereof.

(2) The Minister of Agriculture shall establish, by a regulation, the procedure for taking of control samples from feedingstuffs.

(3) If the owner of a feedingstuff does not agree with the results of an analysis of a control sample, the owner has the right to select a laboratory which uses methods of analysis accredited or recognised internationally or on the basis of the requirements established in the Republic of Estonia, and order, at the owner's own expense, a new analysis to be performed by such laboratory of a control sample taken under similar conditions.

(4) A batch of feedingstuffs or parts thereof may be used or transferred only after the results of the analysis of a control sample performed for attestation of the conformity of the batch of feedingstuffs become clear, and permission to this effect has been obtained from an official of the inspection authority.

§ 38. Analysis of control samples taken during inspection

(1) Methods of analysis accredited or recognised internationally or on the basis of the requirements established in the Republic of Estonia shall be used for the analysis of control samples in order to check the harmlessness of feedingstuffs and compliance of feedingstuffs with other requirements. Analyses necessary for state inspection shall be performed by laboratories accredited or recognised for such purposes.

(2) The expenses of analysing control samples taken by officials of the inspection authority during inspection shall be covered from the state budget.

§ 39. Inspection and publication of results of monitoring

(1) The inspection authority shall organise monitoring in order to verify the risks of using feedingstuffs. The expenditure of the monitoring shall be covered from the state budget.

(2) The results of monitoring and inspection, except for business secrets shall be published on the website of the inspection authority and in addition, such data may be also published on paper.

(3) By 31 December each year, the inspection authority shall forward to the European Commission a list of manufacturers and intermediaries whose enterprise has been approved or registered by 30 November of the same year. Every fifth year, the inspection authority shall submit a list of all manufacturers and intermediaries whose enterprise has been approved or registered.

(4) By 31 December each year, the inspection authority shall inform the Member States of the European Union of those manufacturers and intermediaries whose enterprise has been approved or registered during the same year for the manufacture of additives in feedingstuffs, premixtures or certain products used in animal nutrition. At the request of a Member State of the European Union, the inspection authority shall forward to such Member State a list of manufacturers and intermediaries whose enterprise has been approved for the manufacture of compound feedingstuffs.

(5) At the request of a Member State of the European Union, the inspection authority shall forward a list of all manufacturers and intermediaries, or a list of manufacturers and intermediaries whose enterprise has been registered during a particular year.

§ 40. Non-conforming feedingstuffs

(1) It is prohibited to repackage feedingstuffs if the use by date or date of minimum durability is indicated on the sales packaging of the feedingstuffs. The dates on the sales packaging shall not be altered and the feedingstuffs shall not be put into circulation after the use by date has passed. If feedingstuffs are intermediated after the date of minimum durability, the consumers shall be informed thereof.

(2) On the basis of a precept issued by an official of the inspection authority, non-conforming feedingstuffs shall be withdrawn from circulation for reprocessing or destruction. Feedingstuffs which cannot be rendered harmless by reprocessing shall be handled in compliance with the requirements of the Waste Act (RT I 1998, 57, 861; 1999, 10, 155; 23, 353; 95, 843; 2001, 16, 72; 24, 133; 43, 239; 50, 283; 56, 340; 93, 565; 2002, 61, 375; 63, 387).

(3) An official of the inspection authority shall prohibit the import of a non-conforming batch of feedingstuffs or, depending on the harmfulness of such feedingstuffs, designate the feedingstuffs for return to the country of origin, or for destruction, taking into account the wishes of the owner of the batch of feedingstuffs if possible.

(4) If an official of the inspection authority decides on the prohibition of the import of feedingstuffs, or on the designation of feedingstuffs for reprocessing or destruction, he or she shall make a relevant notice in the accompanying documents. The corresponding acts shall be performed at the expense of the owner or possessor of the feedingstuffs.

(5) If the owner of the feedingstuffs cannot be ascertained, the feedingstuffs shall be destroyed at the expense of the state. A statement concerning destruction shall be prepared which shall be approved by the head of the inspection authority.

§ 41. Prohibition on manufacture, intermediation or use of feedingstuffs

(1) If there is reason to believe that a feedingstuff may be harmful, and the measures prescribed by this Act are not sufficient for the protection of human or animal life or the environment, the head of the inspection authority shall make a decision to prohibit the manufacture, intermediation or use of such feedingstuff (hereinafter restriction). The decision shall indicate the name of the feedingstuff and where necessary, information concerning the batch of feedingstuffs, and the area where the manufacture, intermediation or use of the feedingstuff must be terminated, and if possible, the term of the restriction, obligations of the inspection authority and persons, and the manner of elimination of the danger. The head of the inspection authority shall immediately inform the public and the manufacturer or intermediary of the feedingstuff of the decision, and the information shall be published on the website of the inspection authority.

(2) The head of the inspection authority shall immediately forward the decision specified in subsection (1) of this section to the Minister of Agriculture.

(3) During the time the restriction is in force, the inspection authority shall check performance of the obligations specified in subsection (1) of this section.

(4) The head of the inspection authority shall make a decision for the termination of the restriction in the cases where specifying a term for the restriction in advance was impossible and therefore, such term was not set, and the danger has been eliminated or if, based on the results of test samples, the feedingstuff proves to be harmless.

Chapter 8

Liability

§ 42. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 43. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 44. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 45. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 46. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 47. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 48. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 49. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 50. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 51. (Repealed - 19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 51¹. Violation of requirements for feedingstuffs

(1) Violation of the requirements for feedingstuffs in a manner which endangers human or animal health or the environment is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 50 000 kroons.

(19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 51². Violation of requirements for packaging, transport or labelling of feedingstuffs

(1) Violation of the requirements for the packaging, transport or labelling of feedingstuffs, or adulteration of feedingstuffs is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 50 000 kroons.

(19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 51³. Violation of requirements for manufacture or intermediation of feedingstuffs

(1) Violation of the requirements for the manufacture or intermediation of feedingstuffs, including failure to comply with the recording requirement is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 50 000 kroons.

(19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 51⁴. Operation without approval or registration

(1) Engaging in the manufacture or intermediation of feedingstuffs through an enterprise which has not been approved or registered is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 50 000 kroons.

(19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 51⁵. Failure to notify of import

(1) Failure to notify the inspection authority of the import of feedingstuffs is punishable by a fine of up to 20 fine units per each declaration of goods of which notice was not given.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 5000 kroons per each declaration of goods of which notice was not given.

(19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 51⁶. Failure to notify of activities

(1) Failure to notify of the activities of an enterprise is punishable by a fine of up to 20 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 5000 kroons.

(19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

§ 51⁷. Proceedings

(1) The provisions of the General Part of the Penal Code (RT I 2001, 61, 364; 2002, 86, 504; 105, 612; 2003, 4, 22) and of the Code of Misdemeanour Procedure (RT I 2002, 50, 313; 110, 654) apply to the misdemeanours provided for in §§ 51¹–51⁶ of this Act.

(2) The Plant Production Inspectorate or a court may, pursuant to § 83 of the Penal Code, apply confiscation of the substance which was the direct object of the commission of a misdemeanour provided for in § 51¹ of this Act.

(3) The Plant Production Inspectorate is the extra-judicial body which conducts proceedings in matters of misdemeanours provided for in §§ 51¹–51⁶ of this Act.

(19.06.2002 entered into force 01.09.2002 - RT I 2002, 63, 387)

Chapter 9

Implementing Provisions

§ 52. Application of Act

(1) Manufacturers, processors, distributors and importers of feedingstuffs operating on the basis of the Feedingstuffs Act (RT I 1998, 64/65, 1004; 1999, 58, 608; 97, 861; 2000, 88, 577), and persons who manufacture feedingstuffs for the manufacture of livestock products for putting into circulation and whose enterprise must be approved or registered pursuant to this Act shall submit a notice concerning their operation to the inspection authority within two months after the entry into force of this Act.

(2) Persons who operate at the time of entry into force of this Act and who, on the basis of the Medicinal Products Act (RT I 1996, 3, 56; 49, 954; 1997, 93, 1564; 1998, 36/37, 554; 1999, 58,

608; 2001, 53, 308; 2002, 13, 79; 18, 97; 53, 336; 62, 377; 63, 387; 82, 480; 2003, 26, 156) have the right to import feedingstuffs registered as veterinary medicinal products which after the entry into force of this Act are not subject to registration as veterinary medicinal products, and whose enterprise must be approved or registered pursuant to this Act shall submit a notice concerning their operation to the inspection authority within two months after the entry into force of this Act. Information concerning such feedingstuffs contained in the register of veterinary medicinal products shall be transferred to the Plant Production Inspectorate within one month after the entry into force of this Act pursuant to the procedure established by the Government of the Republic.

(3) Persons who operate at the time of entry into force of this Act and who, pursuant to § 26 of this Act are required to notify of the commencement of activities of their enterprise, shall submit a notice concerning their operation to the Plant Production Inspectorate within two months after the entry into force of this Act.

(4) The formal and substantive requirements for the notice specified in subsections (1)-(3) of this section shall be established by a regulation of the Minister of Agriculture.

(5) If the persons specified in subsection (1) and (2) of this section have submitted a notice concerning their operation on time, and wish to continue manufacture or intermediation, the persons shall submit to the Plant Production Inspectorate, by 1 October 2002 at the latest, a scheme of measures for bringing their enterprise into compliance with the requirements of this Act. The Plant Production Inspectorate shall monitor the performance of the obligations assumed by the schemes of measures. Enterprises engaged in the intermediation of feedingstuffs shall be brought into compliance with the requirements of this Act, and must be approved or registered by 1 July 2003. Enterprises engaged in the manufacture of feedingstuffs shall be brought into compliance with the requirements of this Act, and must be approved or registered by 1 November 2003.

(11.06.2003 entered into force 28.06.2003 - RT I 2003, 48, 340)

(6) If the persons specified in subsections (1) and (2) of this section have not given notification of the operation of their enterprises, or if their enterprises are not approved or registered by 1 July 2003, the activity of such enterprises shall be terminated by 1 October 2002 or 1 July 2003, correspondingly. If an enterprise specified in subsection (1) or (2) of this section which is engaged in the manufacture of feedingstuffs is not approved or registered by 1 November 2003, the manufacture of feedingstuffs in the enterprise shall be terminated as of the specified date.

(11.06.2003 entered into force 28.06.2003 - RT I 2003, 48, 340)

(7) Until 1 July 2003 or until 1 November 2003, premixtures, certain products used in animal nutrition and additives in feedingstuffs may be intermediated to persons specified in subsections (1) and (2) of this section, and feedingstuffs may be processed in their enterprise for the application of the customs procedures specified in subsection 31 (6) of this section, provided that the persons have performed the obligations specified in subsection (5) of this section.

(11.06.2003 entered into force 28.06.2003 - RT I 2003, 48, 340)

(8) The state feedingstuffs register established on the basis of subsection 23 (1) of the Feedingstuffs Act (RT I 1998, 64/65, 1004; 1999, 58, 608; 97, 861; 2000, 88, 577) is deemed to be the state feedingstuffs register specified in § 28 of this Act.

§ 53. Amendment of Consumer Protection Act

Clause 5¹ is added to subsection 11 (2) of the Consumer Protection Act (RT I 1994, 2, 13; 1999, 35, 450; 102, 907; 2000, 40, 252; 59, 379; 2001, 50, 283; 289; 56, 332; 2002, 13, 81; 18, 97; 35, 214; 53, 336; 61, 375; 63, 387) worded as follows:

“5¹) the Plant Production Inspectorate – with respect to supervision over compliance with the requirements established in the Feedingstuffs Act;”.

§ 54. Amendment of Medicinal Products Act

The Medicinal Products Act (RT I 1996, 3, 56; 49, 954; 1997, 93, 1564; 1998, 36/37, 554; 1999, 58, 608; 2001, 53, 308; 2002, 13, 79; 18, 97; 53, 336; 62, 377; 63, 387; 82, 480; 2003, 26, 156) is amended as follows:

(1) In section 2:

1) subsection (1²) is added worded as follows:

“(1²) Additives in feedingstuffs which are used mixed in feedingstuffs are not veterinary medicinal products.”;

2) subsection (4¹) is repealed;

3) subsection (4²) is added worded as follows:

“(4²) For the purposes of this Act, pre-mixes for medicated feedingstuffs are veterinary medicinal products which are manufactured for production of medicated feedingstuffs.”

(2) Clause 5 (5²) 3) is repealed.

§ 55. Amendment of State Fees Act

The following amendments are made to the State Fees Act (RT I 1997, 80, 1344; 2001, 55, 331; 56, 332; 64, 367; 65, 377; 85, 512; 88, 531; 91, 543; 93, 565; 2002, 1, 1; 9, 45; 13, 78; 79; 81; 18, 97; 23, 131; 24, 135; 27, 151; 153; 30, 178; 35, 214; 44, 281; 47, 297; 51, 316; 57, 358; 58, 361; 61, 375; 62, 377; 82, 477; 90, 519; 102, 599; 105, 610; 2003, 4, 20; 13, 68; 15, 84; 85; 20, 118; 21, 128; 23, 146; 25, 153; 154; 26, 156; 160):

1) clause 3 (2) 12¹) is amended and worded as follows:

“12¹) acts performed pursuant to the Feedingstuffs Act;”;

2) section 89¹ is amended and worded as follows:

“§ 89¹. Register of feedingstuffs acts and inspection operations

(1) A state fee of 15 kroons for each A4-format page is paid for making certified extracts from data of the register of feedingstuffs.

(2) Manufacturers of feedingstuffs whose enterprise must be approved or registered shall pay, by the tenth date of the first month of each quarter, a state fee for inspection operations according to the quantity of feedingstuffs manufactured and put into circulation by them during the preceding quarter in the following amounts:

- 1) additives in feedingstuffs – 0.01 kroons per kilogram;
- 2) premixtures – 0.01 kroons per kilogram;
- 3) complementary feedingstuffs – 0.01 kroons per kilogram;
- 4) compound feedingstuffs – 0.005 kroons per kilogram.

(3) Manufacturers of feedingstuffs who manufacture compound feedingstuffs for the production of livestock products for putting into circulation, and whose enterprise must be approved or registered shall pay, by the tenth date of the first month of each quarter, a state fee of 0.005 kroons per kilogram of compound feedingstuffs for inspection operations according to the quantity of compound feedingstuffs manufactured and used by them during the preceding quarter.

(4) Intermediaries of feedingstuffs whose enterprise must be approved or registered, except for the intermediaries specified in subsections (5) and (6) of this section, shall pay, by January 20 of each year, a state fee for inspection operations in the following amounts:

- 1) 4000 kroons in the case of an enterprise which has been approved, or approved and registered;
- 2) 2000 kroons in the case of an enterprise which has been registered.

(5) Intermediaries of feedingstuffs engaging in the import of feedingstuffs of non-animal origin under the customs procedure "release for free circulation", shall pay, by the tenth date of the first month of each quarter, a state fee for inspection operations according to the quantity of feedingstuffs of non-animal origin imported by them for free circulation during the preceding quarter in the following amounts per each numerical code of goods on one declaration of goods:

- 1) feed material – 0.005 kroons per kilogram;
- 2) additives in feedingstuffs – 0.07 kroons per kilogram;

3) premixtures – 0.05 kroons per kilogram;

4) complementary feedingstuffs – 0.03 kroons per kilogram;

5) compound feedingstuffs – 0.02 kroons per kilogram.

(6) Intermediaries of feedingstuffs engaging in the import of feedingstuffs of animal origin under the customs procedure "release for free circulation", shall pay a state fee pursuant to § 88¹ of this Act.

(7) The Minister of Agriculture shall determine the numerical codes of the goods of the Estonian Nomenclature of Commodities for the inspection of which state fees are paid according to the rates set out in subsection 89¹ (5) of this Act.

(8) If, for the import under the customs procedure "release for free circulation" of a batch of feedingstuffs which may also be used for purposes other than animal feeding and which, regardless of their purpose, have the same numerical code of goods, payment of state fee is prescribed on the basis of subsection 88¹ (1) of this Act, the person shall pay the state fee on the basis of the section mentioned above, or on the basis of this section.”;

3) clause 190 (1) 2) is amended and worded as follows:

“2) if the area of the land exceeds ten hectares, 200 kroons plus an additional 5 kroons for each hectare which exceeds ten hectares, but not more than a total of 8000 kroons.”

§ 56. Amendment of Veterinary Activities Organisation Act

The Veterinary Activities Organisation Act (RT I 1999, 58, 608; 2002, 13, 79; 78; 18, 97; 61, 375; 63, 387; 96, 566) is amended as follows:

1) clause 4 4) is amended and worded as follows:

“4) organise laboratory research for the diagnosis of animal disease and the assessment of the properties of animal products, feedingstuffs of animal origin, hay, straw, medicated feedingstuffs and drinking water;”;

2) clause 5 (4) 1) is amended and worded as follows:

“1) animals, animal products, feedingstuffs of animal origin, hay, straw, and medicated feedingstuffs;”.

§ 57. Amendments to Organic Agriculture Act

The Organic Agriculture Act (RT I 2001, 42, 235; 2002, 18, 97; 61, 375; 63, 387) is amended as follows:

1) subsection 7 (1) is amended and worded as follows:

“(1) The conversion period to organic plant production in the case of agricultural land being used is two years as of the obtaining of approval for the enterprise, and in the case of agricultural land being used for the growing of perennial crops, except grasslands, the duration of the conversion period is three years after the obtaining of approval for the enterprise. The conversion period to organic plant production in the case of grasslands is two years after the obtaining of approval for the enterprise.”;

2) clause 9 (3) 3) is amended and worded as follows:

“(3) requirements for the origin, transportation, feedingstuffs and feeding of animals, husbandry management practices, disease prevention and veterinary treatment, and for the feedingstuffs permitted in organic livestock production, and a list of the substances permitted for the cleaning and disinfection of livestock buildings and farm equipment;”;

3) the word “microbes” in subsections 10 (1) and (3) is substituted by the word “microbial preparations” in the appropriate case form;

4) subsection 13 (7) is amended and worded as follows:

“(7) Upon a transfer of ownership or possession of an approved enterprise, a transferee or recipient of possession who wishes to continue organic production or handling shall inform the inspection authority of the continuation of organic production or handling not later than on the date of transfer of ownership or possession.”;

5) the first sentence of subsection 24 (6) is amended and worded as follows:

“Regardless of a decision made pursuant to subsection (5) of this section, a manufacturer or handler has the right of recourse to an administrative court.”

§ 58. Repeal of Feedingstuffs Act

The Feedingstuffs Act (RT I 1998, 64/65, 1004; 1999, 58, 608; 97, 861; 2000, 88, 577) is repealed.

§ 59. Entry into force of Act

This Act enters into force on 1 July 2002, except for subsections 39 (3)–(5) which shall be brought into force by a separate Act.

¹ RT = *Riigi Teataja* = *State Gazette*