

**EUROPEAN COMMUNITIES (FEEDING STUFFS)(ADDITIVES) (AMENDMENT)
REGULATIONS
1985**

I, AUSTIN DEASY, Minister for Agriculture, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Commission Directive No. 84/547/EEC of 26th October, 1984, Commission Directive No. 85/157/EEC of 6th February, 1985 and Commission Directive No. 85/312/EEC of 31st May, 1985, hereby make the following regulations:

REG 1

1. (1) These Regulations may be cited as the European Communities (Feeding Stuffs) (Additives) (Amendment) Regulations, 1985.
- (2) The European Communities (Feeding Stuffs) (Additives) Regulations, 1974 to 1984, and these Regulations may be cited together as the European Communities (Feeding Stuffs) (Additives) Regulations, 1974 to 1985.

REG 2

2. These Regulations shall come into operation on the 7th day of October, 1985.

REG 3

3. In these Regulations—
"the Regulations of 1974" means the European Communities (Feeding Stuffs) (Additives) Regulations, 1974 (S.I. No. 302 of 1974).

REG 4

4. (1) Regulation 2 of the Regulations of 1974 (as amended by the Regulations specified in paragraph (2) of this Regulation) shall be construed and have effect as if the reference in the definition of "the Council Directive" to the Ninth Commission Directive No. 74/421/EEC of 23 July, 1974,⁴ included a reference to the Forty-Seventh Commission Directive No. 84/547/EEC of 26th October 1984,¹ the Forty-Eighth Commission Directive No. 85/157/EEC of 6th February, 1985 and the Forty-Ninth Commission Directive No. 85/312/EEC of 31st May 1985.
10.J. No. L297/40 15th November, 1984.
20.J. No. L59/27 27th February, 1985.
30.J. No. L165/21 25th June, 1985.
40.J. No. L221/29 12th August, 1974.
- (2) The Regulations referred to in paragraph (1) of this Regulation are—
 - (a) Regulation 3(1) of the Regulations of 1984, and
 - (b) the Regulations referred to in Regulation 3(2) of the Regulations of 1984.

REG 5

5. The Regulations of 1974 are hereby amended by—

(a) the insertion of the following definition in Regulation 2—

" 'raw material' means any substance intended for use as an ingredient in the manufacture of supplementary feeding-stuffs or complete feeding stuffs, it being presumed until the contrary is shown, that a substance is intended for such use;"

(b) the insertion of the following Regulation for Regulation 6—

"6. An authorised officer may at all reasonable times enter—

(a) any premises in which he has reasonable grounds for believing that raw materials, feeding-stuffs or additives are being either prepared for sale or export or offered or exposed for sale or kept for export, or

(b) any railway wagon, vehicle, ship, vessel or aircraft in which he has reasonable grounds for believing that raw materials, feeding-stuffs or additives are being either transported for sale or export or kept for the purposes of such transport, and there or at any other place—

(i) make such examination, tests and inspections, and

(ii) take such reasonable samples of any feeding-stuffs, raw materials or additives which he finds in the course of his inspection,

as he may consider appropriate for the purposes of these Regulations and the Council Directive",

(c) the insertion of the following Regulations after Regulation 10—

"11. (1) Where a sample of a raw material, additive or feeding-stuff is taken pursuant to these Regulations by an authorised person and is found on official examination not to comply with a requirement of these Regulations, the Minister may require that the raw material, additive or feeding-stuff shall be destroyed or otherwise disposed of in such manner as the Minister shall determine.

(2) In case the Minister makes a requirement under this Regulation the following provisions shall apply:

(a) he shall inform in writing of the requirement the person who is in possession or control of the raw material, additive or feeding-stuff to which the requirement relates;

(b) where such person is so informed, pending the disposal of such raw material additive or feeding-stuff in accordance with the requirement, the raw material, additive or feeding-stuff shall be moved only with the consent of an authorised person; and

(c) the person in such possession or control shall dispose of the raw material, additive or feeding-stuff or cause or permit it to be disposed of, only in accordance with the requirement.

12. Where a sample of a raw material, additive or feeding-stuff is taken pursuant to these Regulations by an authorised person, a person shall not move the raw material, additive or feeding-stuff, as the case may be, during the period of seven days immediately following the day on which the sample is taken, without the consent of an authorised person and, where a consent under this Regulation is given, a person shall not move the raw material, additive or feeding stuff concerned other than in accordance with the terms and

conditions of the consent."

GIVEN under my Official Seal, this 23rd day of September, 1985.

AUSTIN DEASY,
Minister for Agriculture.

EXPLANATORY NOTE

These Regulations amend the European Communities (Feeding Stuffs) (Additives) Regulations, 1974 to 1984, so as to bring into force amendments made to Council Directive 70/524/EEC through Commission Directives 84/547/EEC, 85/157/EEC and 85/312/EEC.