

**EUROPEAN COMMUNITIES (MARKETING OF FEEDINGSTUFFS)  
(AMENDMENT)  
REGULATIONS 1988**

I, MICHAEL O'KENNEDY, Minister for Agriculture and Food, 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 Council Directives No. 77/101/EEC of 23 November, 1976,(1) No. 79/373/EEC of 2 April, 1979,(2) and No. 86/354/EEC of 21 July, 1986,(3) and Commission Directives No. 82/475/EEC of 23 June 1982(4) No. 87/234/EEC of 31 March 1987(5) and No. 87/235/EEC of 31 March, 1987,(6) hereby make the following Regulations:

**REG 1**

1. (1) These Regulations may be cited as the European Communities (Marketing of Feedingstuffs) (Amendment) Regulations, 1988.

(2) These Regulations shall come into operation on the 1st day of January, 1989.

**REG 2**

2. In these Regulations "the Regulations of 1984" means the European Communities (Marketing of Feedingstuffs) Regulations, 1984 (S.I. No. 200 of 1984).

**REG 3**

3. (1) Regulation 2 (1) of the Regulations of 1984 is hereby amended by the substitution of the following definitions for the definitions of "the Directive of 1976" and "the Directive of 1979", respectively:

"the 'Directive of 1976' means Council Directive No. 77/101/EEC of 23 November, 1976,(1) as amended by Council Directive No. 79/372/EEC of 2 April, 1979,(7) First Commission Directive No. 79/797/EEC of 10 August, 1979,(8) Second Commission Directive No. 80/510/EEC of 2 May, 1980,(9) Third Commission Directive No. 82/937/EEC of 21 December, 1982,(10) Commission Directive No. 83/87/EEC of 21 February, 1983,(11) Council Directive No. 86/354/EEC of 21 July, 1986(12) and Commission Directive No. 87/234/EEC of 31 March, 1987;"<sup>13</sup>

(1)O.J. No. L32, 3.2.77 P.1.

(2)O.J. No. L86, 6.4.79 P. 30.

(3)O.J. No. L212, 2.8.86 P. 27.

(4)O.J. No. L213, 21.7.82. P.27.

(5)O.J. No. L102, 14.4.87 P.31.

(6)O.J. No. L102, 14.4.87 P.34.

(7)O.J. No. L86, 6.4.1979 P.29.

(8)O.J. No. L239, 22.9.1979 P.53.

"the 'Directive of 1979' means Council Directive No. 79/373/EEC of 2 April, 1979(14) as amended by First Commission Directive No.

80/509/EEC of 2 May, 1980,(15) Commission Directive No.80/511/EEC of 2 May, 1980,(16) Second Commission Directive No. 80/695/EEC of 27 June, 1980(17) Commission Directive No. 82/475/EEC of 23 June, 1982,(18) Third Commission Directive No. 82/957/EEC of 22 December, 1982,(19) Council Directive No. 86/354/EEC of 21 July, 1985(12) and Commission Directive No. 87/235/EEC of 31 March, 1987;".(20)

(9)O.J. No. L126, 21.5.1980 P. 12.

(10)O.J. No. L383, 31.12.1982.

(11)O.J. No. L56, 3.3.1983 P.31.

(12)O.J. No. L212, 2.8.1986.

(13)O.J. No. L102, 14.4.1987 P.31.

(14)O.J. No. L86, 6.4.1979 P.30.

(15)O.J. No. L126, 21.5.1980 P.9.

(16)O.J. No. L126, 21.5.1980 P.14.

(17)O.J. No. L188, 22.7.1980 P.23.

(18)O.J. No. L213, 21.7.1982 P.27.

(19)O.J. No. L386, 31.12. 1982 P.42.

(20)O.J. No. L102, 14.4.1987 P.34.

(2) Regulation 2 (1) of the Regulations of 1984 is hereby further amended by the substitution of the following definition for the definition of "straight feedingstuffs".

"'straight feedingstuffs' means the various vegetable or animal products in their natural state, fresh or preserved, and products derived from the industrial processing thereof, as well as various organic or inorganic substances, whether or not containing additives, intended for oral animal feeding;"

#### REG 4

4. Regulation 6 (2) of the Regulations of 1984 is hereby amended by the insertion after subclause (e) of the following:

"( f ) the iron level in milk replacer feeds for calves with a live weight less than or equal to 70 kilograms shall be at least 30 milligrams per kilogram of the complete feedingstuffs at a moisture content of 12 per cent."

#### REG 5

5. (1) Regulation 8 (1) of the Regulations of 1984 is hereby amended by the substitution of the following for paragraphs(b) (i) and (b) (ii):

"(i) where the feedingstuff is a complete feedingstuff—

(I) if it is a complete milk replacer feed, the description 'complete milk replacer feed'

(II) if it is not a complete milk replacer feed, the description 'complete feedingstuff',

(ii) where the feedingstuff is a complementary feedingstuff—

(I) if it is a mineral feedingstuff, the description 'mineral feedingstuff'

(II) if it is a molassed feedingstuff, the description 'molassed

feedingstuff

(III) if it is a complementary milk replacer feed, the description 'complementary milk replacer feed'

(IV) if it is not a mineral feedingstuff, nor a molassed feedingstuff, nor a complementary milk replacer feed, the description 'complementary feedingstuff',".

(2) Regulation 8 (1) (b) of the Regulations of 1984 is hereby amended by the insertion of the following clause after clause (viii):

"(ix) the licence number of the manufacturer issued in accordance with Regulation 13 of the Fertilisers, Feeding Stuffs and Mineral Mixtures Regulations, 1957 (S.I. No. 264 of 1957), or, in case the manufacturer is not licensed under those Regulations, an official code issued by the Minister for Agriculture and Food".

(3) Regulation 8 of the Regulations of 1984 is hereby amended by the insertion after paragraph (3) of the following paragraph:

"(4) Notwithstanding paragraphs (1) (b) (i) and (1) (b) (ii) of this Regulation, in the case of compound feedingstuffs for pet animals, the description 'complete feedingstuff' may be replaced by the description 'complete pet food', and the description 'complementary feedingstuff' may be replaced by the description 'complementary pet food.'".

## REG 6

6. (1) Regulation 9(2) of the Regulations of 1984 is hereby amended by the substitution of the following for clause (c):

"( c ) in the case of compound feedingstuffs for pet animals—

(i) each of the ingredients, in descending order of its proportion by weight, or

(ii) the appropriate category for each ingredient, in descending order of its proportion by weight, in accordance with the following Table:

### TABLE

Categories of ingredients which may be indicated in place of individual ingredients

Description of the category	Definition
1. Meat and animal derivatives	All the fleshy parts of slaughtered warm-blooded land animals, fresh or preserved by appropriate treatment, and all products and derivatives of the processing of the carcase or parts of the carcase of warm-blooded land animals
2. Milk and milk derivatives	All milk products, fresh or preserved by appropriate treatment, and derivatives from the processing thereof
3. Eggs and egg derivatives	All egg products fresh or preserved by appropriate treatment and derivatives from the processing thereof
4. Oils and fats	All animal and vegetable oils and fats
5. Yeasts	All yeasts, the cells of which have been killed and dried
6. Fish and fish derivatives	Fish or parts of fish, fresh or preserved by appropriate treatment, and derivatives from the processing thereof
7. Cereals	All types of cereal, regardless of their

presentation, or products made from the starchy endosperm.<sup>8</sup>

Vegetables All types of vegetables and legumes, fresh or preserved by appropriate treatment<sup>9</sup>. Derivatives of vegetable origin

Derivatives resulting from the treatment of vegetable products, in particular

cereals, vegetables, legumes and oil seeds<sup>10</sup>. Vegetable protein

extracts All products of vegetable origin in which the proteins have been concentrated by an adequate process to contain at least 50% of crude protein, as related to the dry matter, and which may be

restructured (textured)<sup>11</sup>. Minerals All inorganic substances suitable for

animal feed<sup>12</sup>. Various sugars All types of sugar<sup>13</sup>. Fruit All types of

fruit, fresh or preserved by appropriate treatment<sup>14</sup>. Nuts All

kernels from shells<sup>15</sup>. Seeds All types of seeds as such or roughly

crushed<sup>16</sup>. Algae Algae, fresh or preserved by appropriate treatment<sup>17</sup>.

Molluscs and crustaceans All types of molluscs, crustaceans, shellfish,

fresh or preserved by appropriate treatment and their processing

derivatives<sup>18</sup>. Insects All types of insects and their stages of

development<sup>19</sup>. Bakery products All bread, cakes, biscuits and pasta products

(2) Regulation 9 of the Regulations of 1984 is hereby amended by the insertion after paragraph (3) of the following paragraph:

"(4) Without prejudice to the provisions of paragraph (2) (c) of this Regulation, the labelling of compound feedingstuffs for pet animals may draw particular attention to the presence or low content of one or more ingredients that are essential for the characteristics of the feedingstuff, and in such case the minimum or maximum content, expressed in terms of the percentage by weight of the ingredient or ingredients incorporated, shall be clearly indicated either opposite the statement drawing particular attention to it or them or in the list of ingredients or by mentioning it for them and the percentage or percentages by weight concerned opposite the corresponding category of ingredients."

## REG 7

7. Part I of the First Schedule to the Regulations of 1984 is hereby amended—

( a ) by the substitution at reference number 2.4.3 of the following for the matter in the second to the sixth columns, respectively, at that reference number:

23456 Rice Bran (brown) By-product of the first polishing of husked

rice without the use of calcium carbonate. It consists of silvery

skins, particles of the aleurone layer, endosperm and germ Crude

protein Moisture <12% Crude Ash Max. 13% Crude fibre Ash insoluble Crude oil

and fat in HC1 in HC1 Max. 1.7% Crude ash Moisture <sup>3</sup>12%

( b ) by the insertion between reference numbers 2.4.3 and 2.4.4 of the following:

123456'2.4.3a Rice bran (brown), low in calcium carbonate By-product of the first polishing of husked rice. It consists of silvery skins,

particles of the aleurone layer, endosperm and germ; it contains a small quantity of calcium carbonate resulting from the polishing process. Crude protein Moisture <12% Crude ash max. 16% Crude fibre Ash insoluble Ash insoluble Crude oil and fat in HCl max. 1.7% Calcium carbonate Calcium carbonate max. 3% Moisture <sup>3</sup>12% Crude ash

( c ) by the substitution at reference number 2.4.4. of the following for the matter in the second to the sixth columns, respectively, at that reference number:

"23456 Rich bran (white) By-product of the second polishing of husked rice. It consists principally of particles of endosperm, of the aleurone layer and of germ. Crude protein Moisture <12% Crude fibre max. 7% Crude fibre Ash insoluble Crude ash max. 9% Crude oil and fat in HCl Ash insoluble max. 0.6% Crude ash in HCl Moisture <sup>3</sup>12%

( d ) by the substitution at reference number 4.6 of the following for the matter in the second to the sixth columns, respectively, at that reference number:

"23456 Calcium monohydrogen phosphate (dicalcium phosphate) Product consisting of technically pure calcium monohydrogen phosphate (dicalcium phosphate) Total phosphorus Chlorides, expressed in NaCl Calcium Radio >1.15 Ash insoluble max. 2% in HCl and

( e ) by the substitution at reference number 4.9 of the following for the matter in the second to the sixth columns, respectively, at that reference number:

"23456 Calcium bis-(dihydrogen phosphate) (monocalcium phosphate) Product consisting of technically pure calcium bis- (dihydrogen phosphate) (monocalcium phosphate) Total phosphorus Calcium Radio <0.8 Ash insoluble max. 2% in HCl

REG 8

8. The Regulations of 1984 are hereby amended by the substitution for the Second Schedule of the following Schedule:—

"Second Schedule

Fees Referred to in Regulation 11 (2) (b)

IR£ Moisture 5 Crude protein 7 Soluble protein 18 Volatile nitrogenous bases 18 Amino acids: for one amino acid 30 for each additional amino acid 3 Crude oils and fats 7 Acid index 12 Matter insoluble in light petroleum 12 Crude fibre 7 Starch 12 Total sugars 12 Reducing sugars 12 Lactose 12 Glucose 12 Total solids 6 Skim milk powder 18 Crude ash 4 Ash insoluble in HCl 6 Calcium carbonate 12 Chlorides expressed as NaCl 6 Calcium 12 Phosphorus 12 Sodium 12 Potassium 12 Magnesium 12 Bushel Weight 5 Vitamin A 18".

GIVEN under my Official Seal, this 27th day of September, 1988.

MICHAEL O'KENNEDY,

Minister for Agriculture and Food.

EXPLANATORY NOTE.

These Regulations amend the European Communities (Marketing of Feedingstuffs) Regulations, 1984 so as to bring into force amendments made to Council Directives 77/101/EEC and 79/373/EEC through Council Directive 86/354/EEC, Commission Directives 82/475/EEC, 87/234/EEC and 87/235/EEC.