

**S.I. 289 of 1999**  
**European Communities (Feedingstuffs)**  
**(Methods of Sampling and Analysis)**  
**Regulations, 1999**

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**S.I. No. 289 of 1999**

**EUROPEAN COMMUNITIES**  
**(FEEDINGSTUFFS) (METHODS OF SAMPLING AND ANALYSIS)**  
**REGULATIONS, 1999**

I, Joe Walsh, 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), for the purpose of giving effect to Council Directive No. 70/373/EEC of 20 July 1970<sup>1</sup>, Commission Directive 71/250/EEC of 15 June 1971<sup>2</sup>, Commission Directive 71/393/EEC of 18 November 1971<sup>3</sup>, Commission Directive 72/199/EEC of 27 April 1972<sup>4</sup>, Commission Directive 73/46/EEC of 5 December 1972<sup>5</sup>, Commission Directive 73/47/EEC of 5 December 1972<sup>6</sup>, Commission Directive 76/371/EEC of 1 March 1976<sup>7</sup>, Commission Directive 78/633/EEC of 15 June 1978<sup>8</sup>, Commission Directive 81/680/EEC of 30 July 1981<sup>9</sup>, Commission Directive 81/715/EEC of 31 July 1981<sup>10</sup>, Commission Directive 84/4/EEC of 20 December 1983<sup>11</sup>, Commission Directive 84/425/EEC of 25 July 1984<sup>12</sup>, Commission Directive 92/89/EEC of 3 November 1992<sup>13</sup>, Commission Directive 92/95/EEC of 9 November 1992<sup>14</sup>, Commission Directive 93/28/EEC of 4 June 1993<sup>15</sup>, Commission Directive 93/70/EEC of 28 July 1993<sup>16</sup>, Commission Directive 93/117/EC of 17 December

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<sup>1</sup> O.J. No L.170, 3.8.1970, p. 2

<sup>2</sup> O.J. No L.155, 12.7.1971, p.13

<sup>3</sup> O.J. No L.279, 20.12.71, p. 7

<sup>4</sup> O.J. No L.123, 29.5.72, p. 6

<sup>5</sup> O.J. No L.83, 30.3.73, p. 21

<sup>6</sup> O.J. No L.83, 30.3.73, p. 35

<sup>7</sup> O.J. No L. 102, 15.4.76, p. 1

<sup>8</sup> O.J. No L.206, 29.7.78, p. 43

<sup>9</sup> O.J. No L.246, 29.8.81, p. 32

<sup>10</sup> O.J. No L.257, 10.9.81, p. 38

<sup>11</sup> O.J. No L.15, 18.1.84, p. 28

<sup>12</sup> O.J. No L.238, 6.9.84, p. 34

<sup>13</sup> O.J. No L.344, 26.11.92, p. 35

<sup>14</sup> O.J. No L.327, 13.11.92, p. 54

<sup>15</sup> O.J. No L.179, 22.7.93, p. 8

<sup>16</sup> O.J. No L.234, 17.9.93, p. 17

1993<sup>17</sup>, Commission Directive 94/14/EC of 29 March 1994<sup>18</sup>, Commission Directive 98/54/EC of 16 July 1998<sup>19</sup>, Commission Directive 98/64/EC of 3 September 1998<sup>20</sup>, Commission Directive 98/88/EC of 13 November 1998<sup>21</sup>, Commission Directive 99/27/EC of 20 April 1999<sup>22</sup>, Commission Directive 99/76/EC of 23 July 1999<sup>23</sup> and Commission Directive 99/79/EC of 27 July 1999<sup>24</sup> hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Feedingstuffs) (Methods of Sampling and Analysis) Regulations, 1999.

2. (1) In these Regulations -

“the Minister” means the Minister for Agriculture and Food;

“prescribed method of analysis” means a method of analysis which is established as a Community method of analysis for the official control of feedingstuffs in accordance with : -

Council Directive 70/373/EEC of 20 July 1970, Commission Directive 71/250/EEC of 15 June 1971, Commission Directive 71/393/EEC of 18 November 1971, Commission Directive 72/199/EEC of 27 April 1972, Commission Directive 73/46/EEC of 5 December 1972, Commission Directive 73/47/EEC of 5 December 1972, Commission Directive 78/633/EEC of 15 June 1978, Commission Directive 81/680/EEC of 30 July 1981, Commission Directive 81/715/EEC of 31 July 1981, Commission Directive 84/4/EEC of 21 December 1983, Commission Directive 84/425/EEC of 25 July 1984, Commission Directive 92/89/EEC of 3 November 1992, Commission Directive 92/95/EEC of 9 November 1992, Commission Directive 93/28/EEC of 4 June 1993, Commission Directive 93/70/EEC of 28 July 1993, Commission Directive 93/117/EC of 17 December 1993, Commission Directive 94/14/EC of 29 March 1994, Commission Directive 98/54/EC of 16 July 1998, Commission Directive 98/64/EC of 3 September 1998, Commission Directive 98/88/EC of 13 November 1998, Commission Directive 99/27/EC of 20 April 1999, Commission Directive 99/76/EC of 23 July 1999 and Commission Directive 99/79/EC of 27 July 1999.

“Schedule” means the Schedule to these Regulations;

“State Chemist” means the head of the State Laboratory or a person authorised by him or her in writing to perform the functions assigned to the State Chemist in these Regulations.

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<sup>17</sup> O.J. No L.329, 30.12.93, p. 54

<sup>18</sup> O.J. No L.94, 13.4.94, p. 30

<sup>19</sup> O.J. No L.208, 24.7.98, p. 49

<sup>20</sup> O.J. No L.257, 19.9.98, p. 14

<sup>21</sup> O.J. No L.318, 27.11.98, p. 45

<sup>22</sup> O.J. No L.118, 6.5.99, p. 36

<sup>23</sup> O.J. No L. 207, 6.8.99, p. 13

<sup>24</sup> O.J. No L. 209, 7.8.99, p. 23

(2) A word or expression that is used in these Regulations and is also used in the Directives specified in paragraph 1 shall, unless the contrary intention applies, have in these Regulations the same meaning that it has in the Directive.

3.

(1) Where a sample is taken for the official control of feedingstuffs pursuant to the provisions of : -

- a) European Communities (Marketing of Compound Feedingstuffs) Regulations, 1999
- b) European Communities (Putting into Circulation of Feed Materials) Regulations, 1999
- c) European Communities (Additives in Feedingstuffs) Regulations, 1999
- d) European Communities (Feedingstuffs) (Tolerances of Undesirable Substances and Products) Regulations, 1998,
- e) European Communities (Feedingstuffs Intended for Particular Nutritional Purposes) Regulations, 1996,
- f) European Communities (Protein Feedingstuffs) Regulations, 1986.

the feedingstuff shall be sampled in accordance with the methods described in the Annex to Commission Directive 76/371/EEC.

(2) Where the State Chemist receives a sample taken pursuant to paragraph 1 of this Regulation, he or she shall comply with such prescribed method of analysis as apply in the particular case.

4. In any legal proceedings, the production of a certificate in the form specified in the Schedule to these Regulations and purporting to be signed by the State Chemist shall, without proof of any signature on the certificate or that the signatory was the proper person to sign it, be sufficient evidence of the facts stated in the certificate and of the analysis to which it relates having been carried out in accordance with these Regulations, unless the contrary is proved.

4. The following Regulations are hereby revoked.

- (a) Fertilisers, Feeding Stuffs and Mineral Mixtures (Methods of Analysis) Regulations, 1978 (S.I. No 249 of 1978)
- (b) European Communities (Feeding Stuffs) (Methods of Analysis) Regulations, 1978 (S.I. No 250 of 1978)
- (c) Feeding Stuffs and Mineral Mixtures (Methods of Sampling) and Fertilisers, Feeding Stuffs and Mineral Mixtures (Methods of Analysis (Amendment)) Regulations, 1980 (S.I. No 13 of 1980)
- (d) European Communities (Feeding stuffs) (Methods of Analysis) (Amendment and Methods of Sampling) Regulations, 1980 (S.I. No 14 of 1980)
- (e) European Communities (Feeding Stuffs) (Methods of Analysis) (Amendment) Regulations, 1982 (S.I. No 261 of 1982)
- (f) European Communities (Feeding Stuffs) (Methods of Analysis) (Amendment) Regulations, 1985 (S.I. No 16 of 1985)

- (g) European Communities (Feedingstuffs) (Methods of Analysis) (Amendment) Regulations, 1993 (S.I. No 370 of 1993)
- (h) European Communities (Marketing of Feedingstuffs) (Amendment) Regulations, 1994 (S.I. No 143 of 1994)
- (i) European Communities (Feeding Stuffs) (Methods of Analysis) (Amendment) Regulations, 1994 (S.I. No 269 of 1994)

given under my Official Seal  
this 8th day of September, 1999.

L.S.

Joe Walsh

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Minister for Agriculture and Food

## SCHEDULE

### CERTIFICATE OF RESULT OF ANALYSIS

Laboratory Ref. No .....

Sample of .....

received by the State Chemist on .....

from

.....

taken at the premises of .....

Method of analysis used where  
two or more methods are applicable .....

This is to certify that the above mentioned sample, which was duly fastened and sealed, has been analysed under the direction of the State Chemist and that the result of the analysis is as follows: -

.....  
.....  
.....  
.....  
.....  
.....  
.....

This certificate is given under : -

- a) European Communities (Marketing of Compound Feedingstuffs) Regulations, 1999
- b) European Communities (Putting into Circulation of Feed Materials) Regulations, 1999
- c) European Communities (Additives in Feedingstuffs) Regulations, 1999
- d) European Communities (Feedingstuffs) (Tolerances of Undesirable Substances and Products) Regulations, 1998,
- e) European Communities (Feedingstuffs Intended for Particular Nutritional Purposes) Regulations, 1996,
- f) European Communities (Protein Feedingstuffs) Regulations, 1986.

Date ..... Signed .....

State Chemist

## EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

The purpose of the Regulations is to consolidate existing legislation on the methods of analysis in the feedingstuffs sector and to give legal effect to Commission Directives 98/54/EC of 16 July 1998, 98/64/EC of 3 September 1998, 98/88/EC of 13 November 1998, 99/27/EC of 20 April 1999, 99/76/EC of 23 July 1999<sup>25</sup> and 99/79/EC of 27 July 1999.

The Regulations should be read in conjunction with the Commission Directives.

Directive No	Method
70/373/EEC	Basic Directive
71/250/EEC	Hydrocyanic acid
	Calcium
	Carbonates
	Crude Ash
	Ash insoluble in HCl
	Chlorine from chlorides
	Lactose
	Potassium
	Sodium
	Sugars
	Urea
	Urease activity
71/373/EEC	Moisture
	Volatile nitrogenous bases
	Phosphorus (total)
72/199/EEC	Starch
	Protein soluble in pepsin & HCl
	Pepsin activity
	Gossypol
	Tylosin
73/46/EEC	Moisture (fats)
	Magnesium

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<sup>25</sup> O.J. No L. 207, 6.8.99, p. 13

73/47/EEC	Moisture (amends 71/373/EEC)
76/371/EEC	Sampling of Feedingstuffs
78/633/EEC	Flavophospholipol
	Iron
	Copper
	Manganese
	Zinc
81/680/EEC	General provisions
81/715/EC	Avoparcin
	Monensin sodium
84/4/EEC	Virginiamycin
	Zinc bacitracin
84/425/EEC	Spiramycin
92/89/EEC	Crude fibre
92/95/EEC	Aflatoxin B <sub>1</sub>
93/28/EEC	Crude protein
93/70/EEC	Halofuginone
93/117/EC	Robenidine
	Methyl benzoquate
94/14/EC	Aflatoxin B <sub>1</sub>
98/64EC	Amino acids
	Crude oils & fats
	Olaquinox
98/88/EC	Constituents of animal origin
99/27/EC	Amprolium
	Diclazuril
	Carbadox
99/76/EC	Lasalocid Sodium
99/79/EC	Starch (Amends 72/119/EEC)

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