

# Statutory Instrument 2003 No. 1503

## **The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003**

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### STATUTORY INSTRUMENTS

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**2003 No.1503**

### **AGRICULTURE, ENGLAND**

**The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003**

*Made*

*8th June 2003*

*Laid before Parliament*

*13th June 2003*

*Coming into force*

*regulations 1, 2, 3, 4, 5, 7, 8,  
9 and 11 and 13 to 20*

*1st August 2003*

*regulations 6, 10 and 12*

*6th November 2003*

The Secretary of State for Health, in exercise of the powers conferred on him by sections 66(1), 68(1) and (1A), 69(1), 74A, 75(1), 76(1) and 84 of the Agriculture Act 1970<sup>[1]</sup> (as read with regulation 14 of the Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (England and Wales) Regulations 2000<sup>[2]</sup> and articles 2 and 6 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002<sup>[3]</sup>), after consultation as required by section 84(1) of that Act and by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>[4]</sup>, and being a Minister designated<sup>[5]</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>[6]</sup> in relation to measures in the veterinary and phytosanitary fields for the protection of public health, in exercise of the powers conferred on him by that last mentioned section (in so far as these Regulations cannot be made under the powers of the Agriculture Act 1970 specified above), makes the following Regulations:

### **Title, extent and commencement**

**1.** - (1) These Regulations may be cited as the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003 and shall extend to England only.

(2) Regulations 1, 2, 3, 4, 5, 7, 8, 9 and 11 and 13 to 20 shall come into force on 1st August 2003 and regulations 6, 10 and 12 shall come into force on 6th November 2003.

### **Amendments to the Feeding Stuffs Regulations 2000**

**2.** The Feeding Stuffs Regulations 2000<sup>[7]</sup> shall be amended in so far as they extend to England in accordance with regulations 3 to 12.

**3.** In regulation 2 (interpretation) -

(a) in paragraph (1) -

(i) the following definitions shall be deleted -

(aa) any commencing with the expression "EC approved", "EC permitted", "EEA approved", "EEA permitted" "UK approved" or "UK permitted",

(bb) "national list", and

(cc) "third country",

(ii) in each of the definitions of "complementary feeding stuff", "complete feeding stuff" and "feeding stuff", for the expression "regulation 14(10)(a)" there shall be substituted the expression "regulation 14(6)",

(iii) for the definition of "compound feeding stuff" there shall be substituted the following definition -

" "compound feeding stuff" has the same meaning as in the Compound Feeding Stuffs Directive;"

(iv) in the definition of "feed material" the expression ", subject to regulation 14(10)(b)," shall be deleted,

(v) immediately after the definition of "premixture" there shall be inserted the following definition -

" "product intended for animal feed" means any product used or intended for use in feed for pet animals, farmed creatures or animals living freely in the wild;"

(vi) for the definition of "put into circulation" there shall be substituted the following definition -

" "put into circulation" means sell or otherwise transfer, have in possession with a view to selling or otherwise transferring, or offer for sale, in each case to a third party, but in regulation 14 also means import into England from a country which is neither an EEA State nor part of an EEA State;" and

(vii) immediately after the definition of "third country" there shall be inserted the following definition -

" "undesirable substance" means any substance or product, not being a pathogenic agent, which is contained in or is on a product intended for animal feed and -

(a) constitutes a potential danger to animal or human health or the environment; or

(b) could adversely affect livestock production;" and

(b) for paragraph (8) there shall be substituted the following paragraph -

" (8) Any reference in these Regulations to a Community instrument shall be construed as a reference to that instrument as amended on the date the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003 are made."

**4.** For paragraph (1) of regulation 7 (limits of variation) there shall be substituted the following paragraph -

" (1) Section 74(2) shall have effect as if after the words "this Part of this Act" there were inserted the words "or the Feeding Stuffs

Regulations 2000 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (England) Regulations 2001[8], the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001[9], the Feeding Stuffs (Amendment) Regulations 2002[10], the Feeding Stuffs (Amendment) Regulations 2003[11] and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003."

5. For regulation 14 (control of feeding stuffs and feed materials containing undesirable substances) there shall be substituted the following regulation -

**" Control of products intended for animal feed containing undesirable substances**

**14. - (1) No person shall -**

(a) put into circulation any product intended for animal feed which is specified in column 2 of Part I of Schedule 7; or

(b) use any such product for animal feed,

if it contains any undesirable substance specified in column 1 of that Part in excess of the level specified for it in column 3 of that Part.

(2) No person shall put into circulation, or use as a feeding stuff, any complementary feeding stuff if -

(a) having regard to the quantity of it recommended for use in a daily ration, it contains any undesirable substance specified in column 1 of Part I of Schedule 7 in excess of the level specified for it in column 3 of that Part in relation to complete feeding stuffs; and

(b) there is no provision relating to any complementary feeding stuff in the corresponding entry in column 2 of that Part.

(3) No person shall mix any product intended for animal feed which is specified in column 2 of Part I of Schedule 7 and which contains any undesirable substance specified in column 1 of that Part in excess of the level specified for it in column 3 of that Part for the purpose of dilution with any product intended for animal feed.

(4) No person shall put into circulation any product intended for animal feed or use any such product for animal feed unless it is -

(a) sound and genuine; and

(b) of merchantable quality.

(5) For the purposes of paragraph (4) above, a product intended for animal feed which is specified in column 2 of Part I of Schedule 7 is not

sound, genuine and of merchantable quality if it contains any undesirable substance specified in column 1 of that Part in excess of the level specified in relation to it in column 3 of that Part.

(6) For the purposes of paragraph (2) above "feeding stuff" means -

- (a) a product of vegetable origin in its natural state (whether fresh or preserved);
- (b) a product derived from the industrial processing of such a product; or
- (c) an organic or inorganic substance, used singly or in a mixture,

whether or not containing additives, for oral feeding to pet animals, to farmed creatures or to animals living freely in the wild, and "complementary feeding stuff" and "complete feeding stuff" shall be construed accordingly."

6. Immediately after regulation 19 (control of feeding stuffs intended for particular nutritional purposes, and supplementary provisions relating to statutory statement) there shall be inserted the following regulation -

**" Provision of information in relation to compound feeding stuffs for animals other than pet animals**

**19A.** Where a person to whom a compound feeding stuff for animals other than pet animals is supplied so requests, the supplier of that compound feeding stuff shall provide the person making that request with details of the exact percentages by weight of feed materials used in that compound feeding stuff."

7. For paragraph (1) of regulation 25 (modification of section 74A(3) of the Agriculture Act 1970) there shall be substituted the following paragraph -

" (1) For the purposes of the enforcement and administration of the provisions specified in paragraph (2) below section 74A(3) shall have effect as if for the words "regulations under subsection (1) above, or fails to comply with any other provision of the regulations," there were substituted the words "any provision specified in regulation 25(2) of the Feeding Stuffs Regulations 2000 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (England) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001, the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003."

8. In paragraph (2) of regulation 25 for the expression "14(3), (4), (6), (7) and (9), 15(1), 17, 18(1) and 19(1)" there shall be substituted the expression "14(1) to (4), 15(1), 17, 18(1), 19(1) and 19A".

**9.** In Schedule 3 (permitted additives and provisions relating to their use) for the list of European Community Regulations specified in Part IX of the Table (European Community Regulations by which additives are controlled) there shall be substituted the list of European Community Regulations specified in the Schedule to these Regulations.

**10.** In Schedule 4 (contents of the statutory statement or other declaration (except for additives and premixtures not contained in feeding stuffs)) -

(a) paragraph 14(1)(c) shall be deleted;

(b) in paragraph 15 -

(i) the word "and", where it appears at the end of sub-paragraph (b), shall be deleted,

(ii) for sub-paragraph (c) there shall be substituted the following sub-paragraph -

" (c) the batch reference number; and", and

(iii) immediately after sub-paragraph (c) there shall be inserted the following sub-paragraph -

" (d) the approval or registration number allocated in accordance with Article 5 or as the case may be 10 of the Establishments Directive to the establishment which manufactured the compound feeding stuff;"; and

(c) for paragraph 19 there shall be substituted the following paragraph -

" **19.** In the case of any compound feeding stuff for animals other than pet animals -

(a) all the feed materials shall be declared in the statutory statement -

(i) by their specific names, and

(ii) with an indication, in descending order, of the percentage by weight of each feed material contained in the compound feeding stuff, subject to a limit of variation of  $\pm 15\%$  in relation to each declared percentage; and

(b) the statutory statement shall contain the following declaration -

"The exact percentage by weight of feed materials used in this feeding stuff may be obtained from ... (name or trade name, address or registered office, telephone number and email address

of the supplier of the compound feeding stuff)."".

**11. In Schedule 7 (prescribed limits for undesirable substances) -**

(a) in Part I (feeding stuffs) for the headings to columns 1 and 2 there shall be substituted the headings "*Undesirable Substances*" and "*Products intended for animal feed*" respectively; and

(b) Part II (feed materials) shall be deleted.

**12. Part II of Schedule 10 (categories of feed materials for use in relation to compound feeding stuffs for animals other than pets) shall be deleted.**

**Amendments to the Feeding Stuffs (Sampling and Analysis) Regulations 1999**

**13. The Feeding Stuffs (Sampling and Analysis) Regulations 1999[12] shall be amended in so far as they extend to England in accordance with regulations 14 and 15.**

**14. In Part I of Schedule 2 (methods of analysis) in paragraph 3(e)(ii) for the expression "and the Feeding Stuffs (Amendment) Regulations 2002" there shall be substituted the expression ", the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003".**

**15. In Part II of Schedule 3 (form of certificate of analysis) in note (11)(a) for the expression "and the Feeding Stuffs (Amendment) Regulations 2002" there shall be substituted the expression ", the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003".**

**Amendments to the Feeding Stuffs (Enforcement) Regulations 1999**

**16. The Feeding Stuffs (Enforcement) Regulations 1999[13] shall be amended in so far as they extend to England in accordance with regulations 17 to 20.**

**17. In regulation 7 (modification of the Agriculture Act 1970 for certain purposes) -**

(a) for paragraph (2) there shall be substituted the following paragraph -

" (2) The purpose referred to in paragraph (1) is the enforcement and administration of -

(a) the Feeding Stuffs Regulations 2000 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (England) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001, the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003, as read

with Part IV of the Act; and

(b) sections 73 and 73A of the Act."; and

(b) for paragraph (4) there shall be substituted the following paragraph -

" (4) The purpose referred to in paragraph (3) is the enforcement and administration of -

(a) the Feeding Stuffs Regulations 2000 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (England) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001, the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003, as read with Part IV of the Act; and

(b) sections 73 and 73A of the Act.".

**18.** In each of regulations 11, 11A and 11B for the expression "and the Feeding Stuffs (Amendment) Regulations 2003" there shall be substituted the expression ", the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003".

**19.** In the modified version of subsection (8) of section 67 of the Agriculture Act 1970 which is set out in regulation 9 for the expression "and the Feeding Stuffs (Amendment) Regulations 2002" there shall be substituted the expression ", the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003".

**20.** In regulation 10 (modification of section 76 of the Agriculture Act 1970) for the modified version of subsection (17) of section 76 of the Agriculture Act 1970 which is set out in that regulation there shall be substituted the following subsection -

" (17) In this section -

"compound feeding stuff" has the meaning given in regulation 2(1) of the Feeding Stuffs Regulations 2000 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (England) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001, the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003;

"controlled product" means any feeding stuff, substance or product which is subject to any of the controls contained in the Feeding



Stuffs Regulations 2000 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (England) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001, the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003, as read with this Part of this Act, or in sections 73 or 73A of this Act;

"feeding stuff which is intended for a particular nutritional purpose" shall be construed in accordance with the definitions of "feeding stuff intended for a particular nutritional purpose" and "particular nutritional purpose" in regulation 2(1) of the Feeding Stuffs Regulations 2000 as amended by the Feeding Stuffs (Sampling and Analysis) (Amendment) (England) Regulations 2001, the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001, the Feeding Stuffs (Amendment) Regulations 2002, the Feeding Stuffs (Amendment) Regulations 2003 and the Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003;

"premises" include any land, vehicle, vessel, aircraft or hovercraft; and

"put into circulation" means sell or otherwise supply, or have in possession with a view to selling or otherwise supplying."

Signed by authority of the Secretary of State for Health

*Hazel Blears*  
Parliamentary Under Secretary of State,, Department of Health

8th June 2003

SCHEDULE

Regulation 9

LIST OF EUROPEAN COMMUNITY REGULATIONS SUBSTITUTED  
FOR THE LIST OF EUROPEAN COMMUNITY REGULATIONS  
SPECIFIED IN PART IX OF THE TABLE TO SCHEDULE 3 TO THE  
FEEDING STUFFS REGULATIONS 2000

Commission Regulation (EC) No. 2316/98 concerning authorisation of new additives and amending the conditions for authorisation of a number of additives already authorised in feedingstuffs(2).

Commission Regulation (EC) No. 1594/1999 amending the conditions for the authorisation of an additive in feedingstuffs(3).

Commission Regulation (EC) No. 2439/1999 on the conditions for authorisation of additives belonging to the group "binders, anti-caking agents and coagulants" in feedingstuffs(4).

Commission Regulation (EC) No. 1353/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives, new additive uses and new preparations in feedingstuffs(5).

Commission Regulation (EC) No. 2437/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives in feedingstuffs(6).

Commission Regulation (EC) No. 2013/2001 concerning the provisional authorisation of a new additive use and the permanent authorisation of an additive in feedingstuffs(7).

Commission Regulation (EC) No. 2200/2001 concerning provisional authorisation of additives in feedingstuffs(8).

Commission Regulation (EC) No. 256/2002 concerning the provisional authorisation of new additives, the prolongation of provisional authorisation of an additive and the permanent authorisation of an additive in feedingstuffs(9).

Commission Regulation (EC) No. 1252/2002 concerning the provisional authorisation of a new additive in feedingstuffs(10).

Commission Regulation (EC) No. 1876/2002 concerning the provisional authorisation of a new use of an additive in feedingstuffs(11).

Commission Regulation (EC) No. 2188/2002 concerning the provisional authorisation of new uses of additives in feedingstuffs(12).

Commission Regulation (EC) No. 261/2003 concerning the provisional authorisation of new uses of additives in feedingstuffs(13).

Commission Regulation (EC) No. 316/2003 concerning the permanent authorisation of an additive in feedingstuffs and the provisional authorisation of an additive already authorised in feedingstuffs(14).

Commission Regulation (EC) No. 666/2003 provisionally authorising the use of certain micro - organisms in feedingstuffs(15).

Commission Regulation (EC) No. 668/2003 concerning the permanent authorisation of an additive in feedingstuffs(16).

(1) Certain of the above Regulations relate to additive categories which include additives controlled by the Additives Directive, and which are listed in the relevant Part(s) of Parts I to VIII of the Table to this Schedule (e.g. the preservative formic acid is covered by Regulation (EC) No. 1594/1999, but certain other preservatives are covered by Part VII of the Table).

(2) OJ No. L289, 28.10.98, p.4.

(3) OJ No. L188, 21.7.1999, p.35.

(4) OJ No. L297, 18.11.1999, p.8. The Annex to this Regulation is now replaced by the Annex to Regulation (EC) No. 739/2000 (OJ No. L87,

8.4.2000, p.14).

(5) OJ No. L155, 28.6.2000, p.15.

(6) OJ No. L280, 4.11.2000, p.28.

(7) OJ No. L272, 13.10.2001, p.24.

(8) OJ No. L299, 15.11.2001, p.1.

(9) OJ No. L41, 13.2.2002, p.6.

(10) OJ No. L183, 12.7.2002, p.10.

(11) OJ No. L284, 22.10.2002, p.7.

(12) OJ No. L333, 10.12.2002, p.5.

(13) OJ No. L37, 13.2.2003, p.12.

(14) OJ No. L46, 20.2.2003, p.15.

(15) OJ No. L96, 12.4.2003, p.11.

(16) OJ No. L96, 12.4.2003, p.14.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

**1.** These Regulations amend in relation to England only the Feeding Stuffs Regulations 2000 (S.I. 2000/2481, as already amended), which extend largely to England only, the Feeding Stuffs (Sampling and Analysis) Regulations 1999 (S.I. 1999/1663, as already amended), which extend to the whole of Great Britain and the Feeding Stuffs (Enforcement) Regulations 1999 (S.I. 1999/2325, as already amended), which extend to the whole of the United Kingdom.

**2.** These Regulations implement -

(a) Directive 2002/2/EC of the European Parliament and of the Council amending Council Directive 79/373/EEC on the circulation of compound feedingstuffs and repealing Commission Directive 91/357/EEC (OJ No. L63, 6.3.2002, p.23); and

(b) Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed (OJ No. L140, 30.5.2002, p.10).

**3.** These Regulations also provide for the enforcement of the following Community Regulations -

(a) Commission Regulation (EC) No. 261/2003 concerning the provisional authorisation of new uses of additives in feedingstuffs (OJ

No. L37, 13.2.2003, p.12);

(b) Commission Regulation (EC) No. 316/2003 concerning the permanent authorisation of an additive in feedingstuffs and the provisional authorisation of an additive already authorised in feedingstuffs (OJ No. L46, 20.2.2003, p.15);

(c) Commission Regulation (EC) No. 666/2003 provisionally authorising the use of certain micro - organisms in feedingstuffs (OJ No. L96, 12.4.2003, p.11); and

(d) Commission Regulation (EC) No. 668/2003 concerning the permanent authorisation of an additive in feedingstuffs (OJ No. L96, 12.4.2003, p.14).

#### 4. These Regulations -

(a) amend the Feeding Stuffs Regulations 2000 ("the 2000 Regulations") by -

(i) in regulation 2(1) (interpretation), deleting the definitions of the terms "national list" and "third country" and any definitions commencing with specified expressions, modifying the definitions of the terms "complementary feeding stuff", "complete feeding stuff", "feeding stuff", "feed material" and "put into circulation", substituting a new definition of the term "compound feeding stuff" and adding new definitions of the terms "product intended for animal feed" and "undesirable substance" (*regulation 3(a)*),

(ii) substituting a revised version of regulation 2(8) (which prescribes how references in the 2000 Regulations to Community instruments are to be construed) (*regulation 3(b)*),

(iii) making consequential amendments to regulations 7(1), 25(1) and 25(2) (*regulations 4, 7 and 8*),

(iv) substituting for regulation 14 (control of feeding stuffs and feed materials containing undesirable substances), a new and re-titled regulation, which -

(aa) omits the provisions contained in the previous regulation which regulated the putting into circulation of feed materials containing undesirable substances above prescribed levels, required those possessing non-compliant products in the course of a business to notify the Food Standards Agency and the enforcement authorities of that fact and defined feed material for the purposes of regulation 14, and

(bb) re-enacts the remaining provisions of the previous regulation 14 with modifications, in particular by replacing the references to the terms "feeding stuff" and "feed material" with references to the term "product intended for animal feed" (*regulation 5*);

(v) inserting a new regulation, regulation 19A (provision of information in relation to compound feeding stuffs for animals other than pet animals), which requires suppliers of compound feeding stuffs to provide specified information relating to the feeding stuffs if requested to do so by those to whom they are supplied (*regulation 6*),

(vi) adding four new Commission Regulations to the list of Commission Regulations under which authorisation for the marketing of feed additives has been granted which is contained in Part IX of the Table to Schedule 3 (*regulation 9 and the Schedule*),

(vii) in Schedule 4 (contents of the statutory statement or other declaration (except for additives and premixtures not contained in feeding stuffs)) modifying the matters relating to compound feeding stuffs which are required to be contained in the statutory statement prescribed by regulation 5 or otherwise declared (*regulation 10*),

(viii) in Schedule 7 (prescribed limits for undesirable substances), modifying the headings to columns 1 and 2 of Part I (feeding stuffs) and deleting Part II (feed materials) (*regulation 11*), and

(ix) deleting Part II of Schedule 10 (containing the names of the categories of feed materials for use in relation to compound feeding stuffs for animals other than pets by which, prior to the coming into force of these Regulations, it was permissible to declare those compound feeding stuffs in the statement prescribed by regulation 5 (*regulation 12*); and

(b) make consequential amendments to the Feeding Stuffs (Sampling and Analysis) Regulations 1999 and the Feeding Stuffs (Enforcement) Regulations 1999 (*regulations 13 to 20*).

5. A regulatory impact assessment has been prepared for these Regulations and has been placed in the library of each House of Parliament, together with a transposition note setting out how the main elements of Directives 2002/2/EC and 2002/32/EC have been transposed into domestic law by these Regulations. Copies may be obtained from the Animal Feed Unit of the Food Standards Agency, Aviation House, 125 Kingsway, London WC2B 6NH.

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*Notes:*

[1] 1970 c. 40. Section 66(1) contains definitions of the expressions "the Ministers", "prescribed" and "regulations"; the definition of "the Ministers" was amended by the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272), Schedule 5, paragraph 1. Functions of "the Ministers", so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672. Those functions, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (1998 c. 46). By virtue of S.I. 1999/3141, functions of the Secretaries of State for Wales and Scotland previously exercisable in relation to England ceased to be so exercisable and were transferred to the Minister of Agriculture, Fisheries and Food. Section 68(1A) was inserted by the

Agriculture Act 1970 Amendment Regulations 1982 (S.I. 1982/980) and section 74A was inserted by the European Communities Act 1972 (1972 c. 68), Schedule 4, paragraph 6.[back](#)

[2] S.I. 2000/656.[back](#)

[3] S.I. 2002/794.[back](#)

[4] OJ No. L31, 1.2.2002, p.1. Under Article 3 of the EC Regulation "food law" extends to feed produced for, or fed to, food producing animals.[back](#)

[5] S.I. 1999/2027.[back](#)

[6] S.I. 1972 c. 68.[back](#)

[7] S.I. 2000/2481, amended by S.I. 2001/541, S.I. 2001/3389, S.I. 2002/892 and S.I. 2003/1026.[back](#)

[8] S.I. 2001/541.[back](#)

[9] S.I. 2001/3389.[back](#)

[10] S.I. 2002/892.[back](#)

[11] S.I. 2003/1026.[back](#)

[12] S.I. 1999/1663, amended by S.I. 1999/1871, S.I. 2001/541, S.I. 2002/892 and S.I. 2003/1296.[back](#)

[13] S.I. 1999/2325, amended by S.I. 2000/656, S.I. 2000/2481, S.I. 2001/541, S.I. 2001/3389, S.I. 2002/892, S.I. 2003/1026 and S.I. 2003/1296.[back](#)

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