

Welsh Statutory Instrument 2004 No. 2734 (W.241)

The Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2004

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STATUTORY INSTRUMENTS

2004 No. 2734 (W.241)

AGRICULTURE, WALES

**The Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales)
Regulations 2004**

Made

19 October 2004

Coming into force

5 November 2004

The National Assembly for Wales, in exercise of the powers conferred by

sections 66(1), 77(4), 78(6) and 84 of the Agriculture Act 1970^[1], 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^[2], and being designated^[3] for the purposes of section 2(2) of the European Communities Act 1972^[4] in relation to measures relating to feed produced for or fed to food-producing animals, in exercise of the powers conferred 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, application and commencement

1. - (1) These Regulations may be cited as the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2004.

(2) These Regulations apply in relation to Wales only and come into force on 5 November 2004.

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

2. - (1) The Feeding Stuffs (Sampling and Analysis) Regulations 1999^[5] are amended, insofar as they apply in relation to Wales, in accordance with paragraph (2).

(2) For paragraph (3)(b)(ii) of regulation 6 (application of methods of analysis) substitute the following provision -

" (ii) the procedure set out in Commission Directive 2003/126/EC on the analytical method for the determination of constituents of animal origin for the official control of feedingstuffs^[6] shall be used."

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998^[7]

D.Elis-Thomas
The Presiding Officer of the National Assembly

19 October 2004

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations, which apply in relation to Wales only, further amend the Feeding Stuffs (Sampling and Analysis) Regulations 1999 (S.I. 1999/1663, as already amended) which apply to the whole of Great Britain.

2. These Regulations implement Commission Directive 2003/126/EC on the

analytical method for the determination of constituents of animal origin for the official control of feedingstuffs (OJ No. L339, 24.12.2003, p.78).

3. These Regulations revise the Feeding Stuffs (Sampling and Analysis) Regulations 1999 by providing that where a microscopic examination is carried out for specified purposes, the procedure set out in Commission Directive 2003/126/EC shall be used (regulation 2(2)).

4. A regulatory appraisal of the effect that this instrument will have on the costs of business has been prepared and placed in the Library of the National Assembly for Wales together with a Transposition Note setting out how the main elements of Commission Directive 2003/126/EC is transposed into domestic law by these Regulations. Copies may be obtained from the Animal Feed Unit of the Food Standards Agency, 11th Floor, Southgate House, Cardiff, CF10 1EN.

Notes:

[1] 1970 c. 40. Functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).[back](#)

[2] 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](#)

[3] S.I. 2003/2901.[back](#)

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

[5] S.I. 1999/1663, as amended by S.I. 1999/1871; S.I. 2001/2253 (W.163); S.I. 2002/1797 (W.172); S.I. 2003/1677 (W.180); S.I. 2003/1850 (W.200) and S.I. 2003/3119 (W.297).[back](#)

[6] OJ No. L339, 24.12.2003, p.78.[back](#)

[7] 1998 c.38.[back](#)

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ISBN 0 11091010 9

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