

2008 No. 1523

AGRICULTURE, ENGLAND

The Feeding Stuffs (England) (Amendment) Regulations 2008

<i>Made</i> - - - -	<i>11th June 2008</i>
<i>Laid before Parliament</i>	<i>18th June 2008</i>
<i>Coming into force</i> - -	<i>30th July 2008</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred on him by sections 66(1), 68(1), 74A and 84 of the Agriculture Act 1970(a), as read with regulation 14 of the Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (England and Wales) Regulations 2000(b) and with Articles 2 and 6 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002(c).

There has been consultation during the preparation of these Regulations in accordance with the requirements of Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(d) 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.

Title and Commencement

1. These Regulations may be cited as the Feeding Stuffs (England) (Amendment) Regulations 2008 and come into force on 30th July 2008.

Amendment of the Feeding Stuffs (England) Regulations 2005

2.—(1) The Feeding Stuffs (England) Regulations 2005(e) are amended in accordance with paragraph (2).

(2) In Chapter A of Schedule 7 (permitted feeding stuffs intended for particular nutritional purposes and provisions relating to their use), for the entries relating to reduction of the risk of milk fever, substitute the entries set out in the Schedule to these Regulations.

(a) 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 and thereafter transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (2006 c.32). 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 74A was inserted by the European Communities Act 1972 (1972 c. 68), Schedule 4, paragraph 6.

(b) S.I. 2000/656.

(c) S.I. 2002/794.

(d) OJ No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 575/2006 (OJ No. L100, 8.4.2006, p.3).

(e) S.I. 2005/3281, as amended by S.I. 2006/113, S.I. 2006/2808, S.I. 2006/3120 and S.I. 2007/3008.

Signed by authority of the Secretary of State for Health.

11th June 2008

Dawn Primarolo
Minister of State,
Department of Health

SCHEDULE

Regulation 2(2)

Entries to be substituted in Schedule 7 to the Feeding Stuffs (England) Regulations 2005

<i>Particular nutritional purpose</i>	<i>Essential nutritional characteristics</i>	<i>Species or category of animal</i>	<i>Labelling declarations</i>	<i>Recommended length of time for use</i>	<i>Other provisions</i>
Reduction of the risk of milk fever	<ul style="list-style-type: none"> – Low level of calcium <p style="text-align: center;">and/or</p> <ul style="list-style-type: none"> – Low cations/anions ratio <p style="text-align: center;">or</p> <ul style="list-style-type: none"> – High level of zeolite (synthetic sodium aluminium silicate) <p style="text-align: center;">or</p> <ul style="list-style-type: none"> – High level of calcium in the form of highly available calcium salts 	Dairy cows	<ul style="list-style-type: none"> – Calcium – Phosphorus – Magnesium <ul style="list-style-type: none"> – Calcium – Phosphorus – Sodium – Potassium – Chlorides – Sulphur Content of synthetic sodium aluminium silicate	1 to 4 weeks before calving 1 to 4 weeks before calving	Indicate in the instructions for use: “Stop feeding after calving” Indicate in the instructions for use: “Stop feeding after calving”
			Content of synthetic sodium aluminium silicate	The 2 weeks before calving	Indicate in the instructions for use: – “The amount of feed shall be restricted to ensure that a daily intake of 500 g sodium aluminium silicate per animal is not exceeded” – “Stop feeding after calving”
			Total calcium content, sources and respective quantity of calcium	From first signs of parturition to 2 days after parturition	Indicate on the package, container or label: – The instructions for use, i.e. the number of applications and the

						time before and after calving; – The text “It is recommended that a nutritional expert’s opinion be sought before use”
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EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Feeding Stuffs (England) Regulations 2005 (SI 2005/3281 as already amended by S.I. 2006/113, S.I. 2006/2808, S.I. 2006/3120 and S.I. 2007/3008) (“the Feeding Stuffs Regulations”).

2. These Regulations provide for the implementation of Commission Directive 2008/4/EC amending Directive 94/39/EC as regards feedingstuffs intended for the reduction of the risk of milk fever (OJ No. L6, 10.1.2008, p.4).

3. The Regulations amend the table in Schedule 7 (permitted feeding stuffs intended for particular nutritional purposes and provisions relating to their use) to the Feeding Stuffs Regulations, by replacing the existing entries relating to the reduction of the risk of milk fever with the revised entries contained in Commission Directive 2008/4/EC. This Directive permits, subject to specified labelling requirements, two additional types of dietetic feed to be marketed for the reduction of milk fever in dairy cows.

4. A full impact assessment has not been prepared for these Regulations because no impact on the private or voluntary sectors is foreseen.

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