Statutes for Maintenance of State Register of Feedingstuffs

Government of the Republic Regulation No. 65 of 6 March 2007

This Regulation is established on the basis of subsection 23 (1) of the Feedingstuffs Act and in conformity with subsection 32 (1) of the Databases Act.

Chapter 1

General Provisions

§ 1. Establishment and official name of register

(1)   The State Register of Feedingstuffs is established by the Government of the Republic Regulation No. 248 of 5 November 1998 "Establishment of State Register of Feedingstuffs".

(2)   The official name of the register is the State Register of Feedingstuffs (hereinafter register).

(3)   The name of the register in English is the State Register of Feedingstuffs.

§ 2. Chief processor and authorised processor of register

(1)   The chief processor of the register is the Ministry of Agriculture.

(2)   The authorised processor of the register is the Veterinary and Food Board.

§ 3. Aim of maintaining register

The aim of maintaining the register is the collection of data and maintenance of records concerning handlers of feedingstuffs whose enterprises are approved or registered, their enterprises and the area of activity thereof, and classification of such data in order to ensure effective and efficient supervision.

§ 4. Legal effect of registry data

Registry data have legal effect to the extent provided by the Feedingstuffs Act.

Chapter 2

Composition and Maintenance of Register, Data Subject to Entry in the Register and Procedure for Processing of Data

§ 5. Manner of maintenance and structure of register

(1)   The register is maintained on paper and digital form as a single-level database and data is processed both in an automated manner and manually.

(2)   The register comprises:

1)   registry files;

2)   digital entry book;

3)   digital database;

4)   registry data in the archives.

§ 6. Protection and cross-usage of registry data

(1)   The authorised processor of the register shall guarantee, by physical, organisational and information technology measures, the integrity, availability and confidentiality of the registry data as well as the maintenance of the register and the processing, protection, preservation and archiving of registry data.

(2)   If such service is registered in the state register of databases, interbase cross-usage of data is carried out with other databases, taking account of the conditions and restrictions determined by the description of the service.

§ 7. Source documents of registry data

(1)   The source documents of entry in the register of data are:

1)   an application for registration or approval of enterprise and documents appended thereto;

2)   decision of approval of enterprise;

3)   decision to suspend decision of approval of enterprise or decision to suspend validity of registration;

4)   decision to revoke decision of approval of enterprise or decision to revoke validity of registration;

5)   documents related to supervision;

6)   other relevant documents.

(2)   A document submitted to the register on paper must set forth the date and the name and signature of the person in charge. A document submitted in digital form shall be accompanied by a digital signature.

§ 8. Information subject to entry in register

(1)   The following data concerning a handler of feedingstuffs whose enterprise is approved, its enterprise and the area of activity thereof shall be entered in the digital database of the register:

1)   the serial number of the handler of feedingstuffs in the register, and the date of submission of the application for approval of the enterprise;

2)   the name or business name of the handler of feedingstuffs, the postal address of the handler of feedingstuffs, the telecommunications numbers and e-mail address, the commercial register code of the handler of feedingstuffs or other register code;

3)   the address of the place of business of the handler of feedingstuffs;

4)   the number of the decision of approval of the enterprise;

5)   the number of approval of the enterprise;

6)   the number of the decision to suspend or revoke the decision of approval of the enterprise;

7)   the area of activity of the enterprise and the code of the area of activity;

8)   the time of exercise of supervision and the results of supervision;

9)   other necessary information.

(2)   The following data concerning a handler of feedingstuffs whose enterprise is registered, its enterprise and the area of activity thereof shall be entered in the digital database of the register:

1)   the serial number of the handler of feedingstuffs in the register, and the date of submission of the application for registration of the enterprise;

2)   the name or business name of the handler of feedingstuffs, the postal address of the handler of feedingstuffs, the telecommunications numbers and e-mail address, the commercial register code of the handler of feedingstuffs or other register code;

3)   the address of the place of business of the handler of feedingstuffs;

4)   the number of the decision to suspend or revoke the registration of the enterprise;

5)   the area of activity of the enterprise and the code of the area of activity;

6)   the time of exercise of supervision and the results of supervision;

7)   other necessary information.

(3)   If the enterprise of a handler of feedingstuffs has been approved or registered, a supervisory official shall enter the area of activity of the enterprise in the register in the form of an alpha-numerical code in the following manner:

1)   A - production;

2)   B - processing;

3)   C - packaging;

4)   D - placing on market;

5)   D - transport;

6)   E - storage;

7)   F - production for own purposes;

8)   G - import;

9)   H - feeding;

10)   1 - additives in feedingstuffs;

11)   2 - certain products used in animal nutrition;

12)   3 - premixtures;

13)   4 - compound feedingstuffs;

14)   5 - medicated feedingstuffs;

15)   6 - feed materials;

16)   7 - meat-bone meal for permitted animal species;

17)   8 - animal proteins under special permission (fishmeal, dicalcium phosphate, tricalcium phosphate, blood products and blood meal).

§ 9. Persons who submit data to register

(1)   The following shall submit data to the register:

1)   handlers of feedingstuffs shall submit the data specified in clauses 8 (1) 2), 3) and 9) and clauses (2) 2), 3) and 7);

2)   the authorised processor of the register shall submit the data specified in clauses 8 (1) 1) and 4) - 9) and clauses (2) 1) and 4) -7).

(2)   A person who submits data to the register shall be responsible for the correctness thereof.

§ 10. Entry of data in register

(1)   An entry concerning a registered enterprise shall be made in the register within three working days after the receipt of the corresponding application.

(2)   An entry concerning an approved enterprise shall be made in the register within three working days after the making of the decision of approval.

§ 11. Change of data entered in register

(1)   Upon becoming aware of a change in the data entered in the register, the submitter of registry data shall immediately submit the new data to the authorised processor of the register. If data has changed, the original information shall be closed until the entry is amended.

(2)   The authorised processor of the register shall amend the entry within five days after the date on which the changed information was submitted to the authorised processor.

§ 12. Correction of inaccurate data

(1)   Upon reasonable doubt concerning the inaccuracy of the data entered in the register, the authorised processor of the register shall close the relevant data until the correctness of the information has been verified or the entry has been corrected.

(2)   The authorised processor of the register shall make an inquiry concerning the inaccurate data to the submitter of the registry data within five working days of the date of discovery of the inaccurate data. The submitter of the registry data is required to submit the data to the authorised processor of the register by the specified due date.

(3)   The authorised processor of the register shall correct the inaccurate data within five working days of the date of receipt of the correct data and store the incorrect data with a notice concerning the time of use thereof together with the accurate data.

(4)   The authorised processor of the register shall correct, on its own initiative, any data in the register not corresponding to the document on the basis of which the entry was made within five working days after the date on which such deficiency becomes evident.

§ 13. Access to information entered in register

(1)   Data entered in the register is public, except for the data which contains business secrets or data whose disclosure is in conflict with the Protection of Personal Data Act.

(2)   Data concerning registry entries shall be disclosed on the website of the authorised processor of the register. Registry data shall be published, by approved or registered enterprise, pursuant to the format set forth in the annex.

§ 14. Acceptance of data in register and release of data from register

(1)   Data is accepted to and released from the register pursuant to the procedure provided by the Databases Act taking account of the differences provided by the Feedingstuffs Act.

(2)   A state fee according to the rate provided by the State Fees Act shall be paid for making officially certified copies of registry data. Digital data shall be released in digital form through a public data communication network or are recorded on the recipient's data carrier free of charge.

(3)   Registry data not subject to disclosure may be released to handlers of feedingstuffs whom such information concerns and to persons or agencies who need such data for the performance of duties prescribed by law.

§ 15. Maintaining records of receipt of data in register and release of data from register

(1)   Records on receipt of data in the register and release of data from the register, and on payment of state fees shall be maintained in the digital entry book.

(2)   Upon receipt of data in the register, the following shall be registered concerning the source documents:

1)   the serial number or code;

2)   the name;

3)   the date of issue;

4)   the issuer;

5)   the date of submission to the supervisory agency of the document which is the basis for release of the source document.

(3)   Upon release of data from the register, the following is registered:

1)   the name of the person receiving the data;

2)   composition of the data;

3)   the time of release of the data.

§ 16. Closing of registry data

(1)   Upon revocation of the decision of approval or registration of the enterprise of a handler of feedingstuffs, the data entered in the register concerning such handler and the handler's enterprise shall be closed.

(2)   The data concerning an enterprise of a handler of feedingstuffs are not closed if a conditional decision of approval is revoked due to permanent approval of the enterprise.

(3)   The authorised processor of the register shall close the relevant registry data within five working days after the authorised processor of the register receives the decision to revoke the decision of approval of the enterprise of the handler of feedingstuffs.

§ 17. Archival processing of registry data

(1)   Arising from the manner of submission of data, registry data shall be entered in the archives on paper or digitally.

(2)   Registry data and source documents shall be entered in the archives within ten working days after the date on which the data ceases to be actual.

(3)   Archived registry data and source documents shall be preserved for five years.

Chapter 3

Supervision, Financing of Maintenance of Register and Liquidation of Register

§ 18. Supervision of maintenance of register

(1)   The chief processor of the register exercises supervision over the maintenance of the register. Data protection supervision of the legality of maintenance of the register shall be exercised by the Data Protection Inspectorate according to its competence.

(2)   Within the limits of their competence, the officials of the Data Protection Inspectorate have the right to inspect, at any time, the compliance of the maintenance of the register with Acts and other legislation and to receive information on the release of data from the register and use of data.

(3)   If deficiencies become evident in the maintenance of the register, the authorised processor of the register is required to eliminate the deficiencies indicated in the precept issued by the person exercising supervision within the designated term.

§ 19. Financing of maintenance of register

The maintenance of the register is financed from the state budget out of the funds allocated from the state budget for such purposes to the authorised processor of the register.

§ 20. Liquidation of register

Liquidation of the register is decided by the Government of the Republic. The register shall be liquidated in accordance with the requirements provided for in the Databases Act and Archives Act.

Chapter 4

Implementing Provisions

§ 21. Registry data

(1)   The data entered in the register of feedingstuffs maintained on the basis of subsection 28 (1) of the Feedingstuffs Act entered into force on 1 July 2002 are deemed to be entered in the register of feedingstuffs maintained on the basis of subsection 23 (1) of the Feedingstuffs Act entered into force on 1 February 2007.

(2)   The Plant Production Inspectorate shall perform the functions of the authorised processor of the State Register of Feedingstuffs until 1 July 2007.

§ 22. Repeal of Regulation

The Government of the Republic Regulation No. 197 of 18 June 2002 "Statutes for Maintenance of State Register of Feedingstuffs" (RT I 2002, 52, 332; 2004, 67, 463) is repealed.

§ 23. Entry into force of Regulation

Subsection 2 (2) of this Regulation enters into force on 1 July 2007.

Appendix to the Government of the Republic Regulation No. 65 of 6 March 2007 "Statutes for Maintenance of State Register of Feedingstuffs"

List of Approved and Registered Enterprises

1	2	3	4	5	6	7
Serial number of handler	Number of approval	Name or business name of handler	Place of business of handler	Postal address of handler and enterprise thereof	Code of area of activity	Comments

[1] RT = *Riigi Teataja* = State Gazette