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## EXPLANATORY NOTE

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

1. These Regulations come into operation on 15th January 1996, revoke and replace the Feeding Stuffs Regulations (Northern Ireland) 1992 as amended, and implement as respects Northern Ireland the European Community directives listed at the end of this note.

2. The Regulations apply to -feeding stuffs for animals of the kinds specified in regulation 3 and for pet animals. Those feeding stuffs (with the exception of straight feeding stuffs intended for use as pet foods) are prescribed in regulation 4 for the purposes of sections 68(1) and 69(1) of the Agriculture Act 1970 (“the Act”), which require sellers of prescribed materials to give “statutory statements” as to the composition of those materials and information or instructions as to their storage, handling and use, and to mark them with that information. The contents of statutory statements and other declarations are prescribed by regulation 5 and Schedules 1, 6, 8 Part I and 9, and their form by regulation 6. Further provisions relating to statutory statements are contained in regulations 7, 8 and 11. Permitted limits of variation in mis-statements in statutory statements are prescribed (regulation 10 and Schedule 3).

3. The Regulations—

- (a) control the labelling or marking of pre-mixtures of additives (regulation 9 and Schedule 8 Part II);
- (b) provide for the manner of packaging and sealing compound feeding stuffs, additives and pre-mixtures (regulation 12);
- (c) provide for the meaning of names for the purposes of Section 70 of the Act (which creates an implied warranty that material described by a name to which a meaning has been assigned pursuant to that section accords with that meaning), (regulation 13(1) and Schedule 2);
- (d) regulate the marketing and use of feeding stuffs containing additives and additives intended to be incorporated in feeding stuffs (regulation 14 and Schedule 4);
- (e) restrict or prohibit the marketing and use of feeding stuffs containing certain undesirable substances and the marketing, supply, importation and mixing of ingredients containing such substances (regulation 15 and Schedule 5);
- (f) restrict the marketing and use of certain protein sources and non-protein nitrogenous compounds in feeding stuffs (regulation 16 and Schedule 7);
- (g) make special provision as to the iron content of milk replacer feeds (regulation 17);
- (h) prohibit the marketing of compound feeding stuffs in which the level of ash insoluble in hydrochloric acid exceeds specified levels (regulation 18);
- (i) provide inspectors appointed under section 67 of the Act with powers to inspect manufacturers' records relating to compound feeding stuffs (regulation 22).

4. The Regulations modify section 66(1) of the Act so as to provide a new definition of “feeding stuff”; and modify section 66(2), which specifies the circumstances in which material is to be treated for the purposes of the Act as imported or sold for use as a feeding stuff or as used as a feeding stuff. They modify section 69 of the Act in its application to imported feeding stuffs. They also modify section 82 (which provides for defences to prosecutions brought under the Act) by applying it to additional sections of Part IV of the Act (regulations 20 and 21).

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5. In addition to minor and drafting amendments, the Regulations make changes in the previous law to give effect to the following Community legislation—

Council Directive [93/74/EEC](#) (O.J. No. L237, 22.9.93, p. 23) on feeding stuffs intended for particular nutritional purposes;

Commission Directive [94/39/EC](#) (O.J. No. L207, 10.8.94, p. 20) establishing a list of intended uses of animal feeding stuffs for particular nutritional purposes;

Commission Directive [94/41/EC](#) (O.J. No. L209, 12.8.94, p. 18) amending the Annexes to Council Directive [70/524/EEC](#) (O.J. No. L270, 14.12.70, p. 1) (O.J.B.E. Vol. 18, p. 4) concerning additives in feeding stuffs;

Commission Directive [95/9/EC](#) (O.J. No. L91, 22.4.95, p. 35) amending Directive [94/39/EC](#) (O.J. No. L207, 10.8.94, p. 20) establishing a list of uses of animal feeding stuffs intended for particular nutritional purposes;

Commission Directive [95/10/EC](#) (O.J. No. L91, 22.4.95, p. 39) fixing the method of calculating the energy value of dog and cat food intended for particular nutritional purposes.

The principal changes are contained in—

- (a) regulation 3 — in which the list of animals prescribed for the purposes of the definition of feeding stuff in section 66(1) of the Act is extended to include piglets and foals;
- (b) regulation 19 — which regulates the marketing of feeding stuffs intended for particular nutritional purposes by reference to Schedule 10 -in which are set out the conditions which must be satisfied if such feeding stuffs are to be marketed, including a requirement that the particular nutritional purpose in question be one of those specified in that Schedule;
- (c) Schedule 1 — in paragraphs 17-19 and 21 of which labelling requirements are specified for feeding stuffs intended for particular nutritional purposes;
- (d) Schedule 9 — in which an official method of calculating the energy value of feeding stuffs intended for particular nutritional purposes for cats and dogs is added. The method is referred to in paragraph 18(1)(e) of Schedule 1 and in Schedule 3 Part E.

## LIST OF DIRECTIVES

1. Council Directive [70/524/EEC](#) (O.J. No. L270, 14.12.70, p. 11 (O.J./S.E. Vol. 18, p. 4) concerning additives in feeding stuffs, as amended by—

Commission Directive [91/248/EEC](#) (O.J. No. L124, 185.91, p. 1)

Commission Directive [91/249/EEC](#) (O.J. No. L124, 185.91, p. 43)

Commission Directive [91/336/EEC](#) (O.J. No. L18.5, 11.7.91, p. 31)

Commission Directive [91/508/EEC](#) (O.J. No. L271, 27.9.91, p. 67)

Commission Directive [92/64/EEC](#) (O.J. No. L221, 6.8.92, p. 51)

Commission Directive [92/113/EEC](#) (O.J. No. L16, 25.1.93, p. 2)

Commission Directive [93/27/EEC](#) (O.J. No. L179, 22.7.93, p. 5)

Commission Directive [93/55/EEC](#) (O.J. No. L206, 18.8.93, p. 11)

Council Directive [93/113/EC](#) (O.J. No. L334, 31.12.93, p. 17)

Council Directive [93/114/EC](#) (O.J. No. L334, 31.12.93, p. 24)

Commission Directive [94/17/EC](#) (O.J. No. L105, 26.4.94, p. 19)

Commission Directive [94/41/EC](#) (O.J. No. L209, 12.8.94, p. 18).

2. Council Directive [74/63/EEC](#) (O.J. No. L38, 11.2.74, p. 31) on undesirable substances and products in animal nutrition, as amended by—

Commission Directive [76/934/EEC](#) (O.J. No. L364, 31.12.76, p. 20)  
Council Directive [80/502/EEC](#) (O.J. No. L124, 20.5.80, p. 17)  
Commission Directive [83/381/EEC](#) (O.J. No. L222, 13.8.83, p. 31)  
Council Directive [85/3768/EEC](#) (O.J. No. L362, 31.12.85, p. 8)  
Commission Directive [86/299/EEC](#) (O.J. No. L189, 11.7.86, p. 40)  
Council Directive [86/354/EEC](#) (O.J. No. L212, 2.8.86, p. 27)  
Commission Directive [87/238/EEC](#) (O.J. No. L110, 25.4.87, p. 25)  
Commission Directive [91/126/EEC](#) (O.J. No. L60, 7.3.91, p. 16)  
Council Directive [91/132/EEC](#) (O.J. No. L66, 13.3.91, p. 16)  
Commission Directive [92/63/EEC](#) (O.J. No. L221, 6.8.92, p. 49)  
Council Directive [92/88/EEC](#) (O.J. No. L321, 6.11.92, p. 24)  
Commission Directive [94/16/EC](#) (O.J. No. L104, 23.4.94, p. 32).

**3.** Council Directive [77/101/EEC](#) (O.J. No. L32, 3.2.77, p. 1) on the marketing of straight feeding stuffs, as amended by—

Council Directive [79/372/EEC](#) (O.J. No. L86, 6.4.79, p. 29)  
Commission Directive [79/797/EEC](#) (O.J. No. L239, 22.9.79, p. 53)  
Commission Directive [80/510/EEC](#) (O.J. No. L126, 215.80, p. 12)  
Commission Directive [82/937/EEC](#) (O.J. No. L383, 31.12.82, p. 11)  
Council Regulation [85/3768/EEC](#) (O.J. No. L362, 31.12.85, p. 8)  
Council Directive [86/354/EEC](#) (O.J. No. L212, 2.8.86, p. 27)  
Commission Directive [87/234/EEC](#) (O.J. No. L102, 14.4.87, p. 31)

**4.** Council Directive [79/373/EEC](#) (O.J. No. L86, 6.4.79, p. 30) on the marketing of compound feeding stuffs, as amended or supplemented by—

Commission Directive [80/509/EEC](#) (O.J. No. L126, 21.5.80, p. 9)  
Commission Directive [80/695/EEC](#) (O.J. No. L188, 22.7.80, p. 23)  
Commission Directive [82/475/EEC](#) (O.J. No. L213, 21.7.82, p. 27)  
Commission Directive [82/957/EEC](#) (O.J. No. L386, 31.12.82, p. 42)  
Council Regulation [85/3768/EEC](#) (O.J. No. L362, 31.12.85, p. 8)  
Commission Directive [86/174/EEC](#) (O.J. No. L130, 16.5.86, p. 53)  
Council Directive [86/354/EEC](#) (O.J. No. L212, 2.3.86, p. 27)  
Commission Directive [87/235/EEC](#) (O.J. No. L102, 14.4.87, p. 34)  
Council Directive [90/44/EEC](#) (O.J. No. L27, 31.1.90, p. 35)  
Commission Directive [91/334/EEC](#) (O.J. No. L134, 6.6.91, p. 27)  
Commission Directive [91/357/EEC](#) (O.J. No. L93, 17.7.91, p. 34)  
Commission Directive [91/516/EEC](#) (O.J. No. L281, 9.10.91, p. 23)  
Commission Directive [92/87/EEC](#) (O.J. No. L319, 4.11.92, p. 19)  
Commission Directive [92/508/EEC](#) (O.J. No. L312, 29.10.92, p. 36)  
Council Directive [93/74/EEC](#) (O.J. No. L237, 22.9.93, p. 23)  
Commission Directive [94/39/EC](#) (O.J. No. L207, 10.8.94, p. 20)  
Commission Directive [95/9/EC](#) (O.J. No. L91, 22.4.95, p. 35)

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Commission Directive 95/10/EC (O.J. No. L91, 22.4.95, p. 39).

5. Commission Directive [80/511/EEC](#) (O.J. No. L125, 21.5.80, p. 14) authorising, in certain cases, the marketing of compound feeding stuffs in unsealed packages or containers.

6. Council Directive [82/471/EEC](#) (O.J. No. L213, 21.7.82, p. 8)

Concerning certain products used in animal nutrition, as amended by—

Council Directive [85/509/EEC](#) (O.J. No. L314, 23.11.85, p. 25)

Council Regulation 85/3768/EEC (O.J. No. L362, 31.12.85, p. 8)

Commission Directive [86/530/EEC](#) (O.J. No. L312, 7.11.86, p. 39)

Commission Directive [88/485/EEC](#) (O.J. No. L239, 30.8.88, p. 36)

Commission Directive [89/520/EEC](#) (O.J. No. L270, 19.9.89, p. 13)

Commission Directive [90/439/EEC](#) (O.J. No. L227, 21.8.90, p. 33)

Commission Directive [93/26/EEC](#) (O.J. No. L179, 22.7.93, p. 2)

Commission Directive [93/56/EEC](#) (O.J. No. L206, 18.8.93, p. 13).