

SCHEDULE 1

CONTENTS OF THE STATUTORY STATEMENT

PART I

1.—(1) In the case of any material sold for use as a feeding stuff, the name or trade name and address or registered office of the person responsible for the accuracy of the particulars referred to in this Schedule shall be contained in the statutory statement.

(2) The following particulars may be contained in the statutory statement:

- (a) the identification mark or trade mark of the person responsible for the particulars referred to in this Schedule;
- (b) the description or trade name of the material;
- (c) the price of the material; and
- (d) the country of origin or manufacture of the material.

2. In the case of any material to which there has been added in the course of manufacture or preparation for sale any of the undermentioned substances (other than as a medicinal product or for a medicinal purpose)—

(1) In relation to each substance specified below the following particulars shall be contained in the statutory statement:

- (a) antioxidant, colourant or preservative, either the words “contains permitted antioxidant”, “contains permitted colourant”, or “contains permitted preservative” as appropriate, or the name of the antioxidant, colourant or preservative; except that—
 - (i) if the material is a compound feeding stuff other than a pet food, the name of the antioxidant, colourant or preservative shall be stated;
 - (ii) if the material is intended for use as a pet food, and is packaged in a bag or container having a net weight of more than 10 kilograms, the words “with antioxidant”, “colourant” (or “coloured with”), “preservative” (or “preserved with”) shall be used as appropriate, followed by the name of the antioxidant, colourant or preservative;
 - (iii) if the material is intended for use as a pet food, and is packaged in a bag or container having a net weight of not more than 10 kilograms, the particulars may be given as in head (ii) or in the words “contains EEC permitted antioxidant(s), colourant(s) (and) preservative(s)” as appropriate, and a reference number whereby the feeding stuff may be identified. By way of exception, this reference number may appear elsewhere on the package, label or container, if the statutory statement contains a clear indication of the positioning of the said reference number. In such case, the manufacturer shall, on request, supply the name(s) of the additive(s) used;
- (b) vitamin A, D or E, the name of the vitamin and the active substance level (in the case of vitamin A or D) or the alpha-tocopherol level as acetate (in the case of vitamin E) whether naturally present or added, together in either case with an indication of the period during which that level will remain present. Where more than one of these vitamins is present, only the shortest of those periods need be stated;
- (c) copper, the name of the additive and the total level of the element (whether naturally present or added);
- (d) bentonite and montmorillonite, the name of the additive;
- (e) enzymes of a type referred to in Part X of the Table to Schedule 4—

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- (i) the names of the active constituents according to their enzymatic activities specified in column 3 of that Part;
 - (ii) the identification number allotted by the International Union of Biochemistry;
 - (iii) the activity units (expressed as activity units per kilogram or activity units per litre);
 - (iv) an indication of the period during which the activity units will remain present; and
 - (v) an indication of any significant characteristics of the enzyme arising during manufacture, specified in column 8 of that Part;
- (f) enzymes not of a type referred to in Part X of the Table to Schedule 4: where the material is a compound feeding stuff—
- (i) the names of the active constituents according to their enzymatic activities;
 - (ii) the identification number allotted by the International Union of Biochemistry;
 - (iii) the activity units (expressed as activity units per kilogram or activity units per litre) if such units can be measured by an official or scientifically valid method; and
 - (iv) an indication of the period during which the activity units will remain present; and
- (g) micro-organisms, where the material is a compound feeding stuff—
- (i) the identification of the strain(s) according to a recognised international code of nomenclature;
 - (ii) the deposit number of the strain(s);
 - (iii) the number of colony-forming units (expressed as CFU/kg) if the number is measurable by an official or scientifically valid method;
 - (iv) an indication of the period during which the colony-forming units will remain present; and
 - (v) an indication of any significant characteristics of the micro-organism arising during manufacture.
- (2) The following additional particulars specified below in relation to each substance may be contained in the statutory statement:
- (a) trace elements other than copper, (if the amount present can be determined by the methods specified in Schedule 2 to the Feeding Stuffs (Sampling and Analysis) Regulations (Northern Ireland) 1982(1) or by some other valid scientific method), the name of the additive and the total level of the element (whether naturally present or added); and
 - (b) vitamins other than vitamins A, D and E, provitamins and substances having a similar chemical effect, (if the amount present can be determined by the methods specified in Schedule 2 to the Feeding Stuffs (Sampling and Analysis) Regulations (Northern Ireland) 1982(1) or by some other valid scientific method), the name of the additive, the active substance level (whether naturally present or added) and an indication of the period during which that level will remain present; and
 - (c) any other added substance (other than an enzyme of a type not referred to in Part X of the Table to Schedule 4 or a micro-organism) its EEC number or its trade name.
- (3) Any amount referred to—
- (a) in sub-paragraph (1)(c), (2)(a) or (2)(b) shall be expressed in milligrams per kilogram; and

(1) S.R. 1982 No. 338, amended by S.R. 1984 No. 26, 1985 No. 194 and 1994 No. 309

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(b) in sub-paragraph (1)(b) shall be expressed in million international units per kilogram, international units per kilogram, milligrams per kilogram or micrograms per kilogram, as appropriate.

(4) However, by way of exception to the provision of sub-paragraph (3)(a), any amount referred to in sub-paragraph (1)(c), (2)(a) or (2)(b) may be expressed as a percentage by weight, unless the amount is less than 0.1% by weight, in which case it shall be expressed in milligrams per kilogram or micrograms per kilogram as appropriate.

(5) The particulars required or permitted by this paragraph to be included in the statutory statement may be accompanied (other than in the case of an enzyme of a type not referred to in Part X of the Table to Schedule 4 or a micro-organism) by the trade name or the EEC number of any additive named therein.

3. In the case of any material, not being a pet food, named in column 2 of Schedule 2, the following particulars shall be contained in the statutory statement:

- (a) the name of the feeding stuff specified in the said column 2 of Schedule 2;
- (b) an indication of the form of presentation of the feeding stuff and of any process which the feeding stuff has undergone in the course of preparation or manufacture if this is not clear from the name;
- (c) denaturing agents: nature and quantity where materials referred to in column 2 of Schedule 2 are used to denature straight feeding stuffs;
- (d) binding agents: nature where materials referred to in column 2 of Schedule 2 are used to bind straight feeding stuffs, provided that such materials do not exceed 3% by weight of the straight feeding stuff; and
- (e) the amounts of each of the analytical constituents which are listed in column 4 of Schedule 2, in the case of straight feeding stuffs by reference to the feeding stuff as such.

4. In the case of any material, not being a pet food, named in column 2 of Schedule 2, the following additional particulars may be contained in the statutory statement:

- (a) directions for use of the material; and
- (b) the amounts of any of the analytical constituents which are listed in column 5 of Schedule 2; in the case of straight feeding stuffs by reference to the feeding stuff as such.

5. In the case of any straight feeding stuff, not being a pet food, which is not named in column 2 of Schedule 2, a name or description or a name and description sufficiently specific to indicate the nature of the material shall be contained in the statutory statement.

6. In the case of any straight feeding stuff, not being a pet food, the words “straight feeding stuff” shall be contained in the statutory statement.

7.—(1) Subject to sub-paragraph (2) in the case of any compound feeding stuff the following particulars shall be contained in the statutory statement.

- (a) the description “complete feeding stuff”, “mineral feeding stuff”, “complementary feeding stuff”, “molassed feeding stuff”, “complete milk replacer feed” or “complementary milk replacer feed” as appropriate;
- (b) the species or category of animal for which the feeding stuff is intended, and directions for the proper use of the feeding stuff indicating the purpose for which it is intended;
- (c) if the feeding stuff is constituted from no more than three ingredients, and clearly described by reference to its ingredients, either in the statutory statement or elsewhere on its package, label or container, the declarations specified in head (b) shall not be required.

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- (a) (2) (a) In the case of a pet food the descriptions “complete pet food” and “complementary pet food” may be used instead of “complete feeding stuff” and “complementary feeding stuff” respectively;
- (b) In the case of a feeding stuff for pet animals other than dogs or cats, each of the descriptions “complete feeding stuff” and “complementary feeding stuff” may be replaced by either of the descriptions “compound feeding stuff” or “compound pet food”, in which case the statutory statement shall comply with paragraph 9 and the provisions relating to complete feeding stuffs in Part II.

8. In the case of any compound feeding stuff the following particulars shall be declared either in the statutory statement or elsewhere on the package, label or container (in which case the statutory statement shall indicate where they are to be found):

- (a) the net quantity, expressed in the case of solid products in units of mass, and in the case of liquid products in units of mass or volume;
- (b) the minimum storage life, which in the case of microbiologically highly perishable feeding stuffs shall be expressed in the words “use before” followed by the appropriate date (day, month and year) and in all other cases in the words “best before” followed by the appropriate date (month and year);

however, where an expiry date is required to be declared by paragraph 3(1)(O) or 2(2)(b), only the earlier date shall be declared;

- (c) the batch number if the date of manufacture is not declared.

9.—(1) In the case of any compound feeding stuff other than a whole grain mix, the statutory statement—

- (a) shall contain the declarations provided for in columns 1, 2 and 3 of Part II, as appropriate; and
- (b) may contain the declarations provided for in columns 1, 2 and 4 of Part II, as appropriate.

(2) In the case of a whole grain mix, the statutory statement may contain the declarations provided for in columns 1, 2 and 3 of Part II, as appropriate.

10.—(1) In the case of any compound feeding stuff other than a whole grain mix, the moisture content shall be declared in the statutory statement if it exceeds the following levels:

milk replacer feeds and other compound feeding stuffs with a milk product content exceeding 40%	7%
mineral feeding stuffs containing no organic substances	5%
mineral feeding stuffs containing organic substances	10%
other compound feeding stuffs	14%

(2) In the case of a whole grain mix, or a compound feeding stuff with a moisture content not exceeding the limits stated in sub-paragraph (1), the moisture content may be declared in the statutory statement.

11.—(1) In the case of any compound feeding stuff for dogs or cats all the ingredients shall be declared in the statutory statement.

(2) In the case of any compound feeding stuff for pet animals other than dogs and cats, the ingredients may be declared in the statutory statement, and in such case all the ingredients shall be declared.

(3) Subject to paragraph 15(2) and paragraph 3 of Chapter B of Schedule 10,, ingredients declared in accordance with sub-paragraph (1) or (2) shall be declared either—

- (a) by their specific names, with an indication of the amount of each ingredient; or
- (b) by their specific names in descending order by weight; or
- (c) by categories, as described in Part I of Schedule 6, in descending order by weight;

and the use of one of those forms of declaration shall preclude the use of either of the others, save where—

- (i) the declaration is by categories and any ingredient belongs to none of the categories described in Part I of Schedule 6, in which case that ingredient, designated by its specific name, shall be listed in order by weight in relation to the categories; or
- (ii) in the case of a feeding stuff intended for a particular nutritional purpose paragraph 18(2) and paragraph 3 of Chapter B of Schedule 10 require the declaration of any ingredient by its specific name, in which case any ingredient to which those provisions do not apply may be declared by reference to the category to which it belongs.

12.—(1) Subject to paragraph 1 S(2) and paragraph 3 of Chapter B of Schedule 10, in the case of any compound feeding stuff for animals other than pet animals, all the ingredients shall be declared in the statutory statement in descending order of weight, either by their specific names or by the names of the categories in Part II of Schedule 6 to which they belong.

(2) The use of either of these forms of declaration shall preclude the use of the other, save where—

- (i) the declaration is by categories and any ingredient belongs to none of the categories described in Part II of Schedule 6, in which case that ingredient, designated by its specific name, shall be listed in order by weight in relation to the categories; or
- (ii) in the case of a feeding stuff intended for a particular nutritional purpose, paragraph 18(2) and paragraph 3 of Chapter B of Schedule 10 require the declaration of any ingredient by its specific name, in which case any ingredient to which those provisions do not apply may be declared by reference to the category to which it belongs.

(3) Where the declaration is by specific names, an ingredient described in the third column of Part III of Schedule 6 and complying with any compositional requirements specified in that column in relation to that ingredient shall be declared by the corresponding name specified in the second column of that Part, (the inclusion in the declaration of any word appearing in brackets in the second column being optional) if—

- (a) the botanical purity of the ingredient by weight is not less than the percentage specified in the third column of Part III of Schedule 6 in relation to that ingredient or, if none is specified, is not less than 95% by weight; and
- (b) (in cases where the name specified in the second column of Part III of Schedule 6 includes a common name or term specified in the third column of Part IV of that Schedule), the ingredient was prepared by the process specified in the first column and described in the second column of Part IV of Schedule 6 in relation to that ingredient.

(4) Where the declaration is by specific names, if any requirement of sub-paragraph (3) is not complied with in relation to an ingredient, the declaration in the statutory statement of that ingredient shall not be by a name specified in the second column of Part III of Schedule 6.

13. Where a compound feeding stuff having a level of ash insoluble in hydrochloric acid not exceeding the levels stated in regulation 18(1), or which is a whole grain mix, is sold or held in

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possession with a view to sale, that level may be declared in the statutory statement or elsewhere on the package, label or container.

14. In the case of any compound feeding stuff the following particulars may be included in the statutory statement:

- (a) if the manufacturer is not the person responsible for the labelling particulars, the name or business name and the address or registered business address of the manufacturer;
- (b) an indication of the physical condition of the feeding stuff or the specific processing it has undergone; and
- (c) the date of manufacture expressed as follows: “manufactured . . . [days, months or years] before the minimum storage life expiry date indicated . . . [place where indicated if not on statutory statement]”.

15.—(1) In the case of a complementary feeding stuff which contains any additive in excess of the maximum content specified for that additive in relation to the complete feeding stuff by Schedule 4, the instructions for use shall state, according to the species and age of the animal, the maximum quantity in grams or kilograms of the feeding stuff to be given per animal per day, and shall be so formulated that, when they are correctly followed, the final content of the additive does not exceed the maximum so specified.

(2) This paragraph shall not apply to products delivered to manufacturers of compound feeding stuffs or to their suppliers.

16. In the particulars required or permitted to be set out in the statutory statement by paragraphs 8 to 13—

- (a) unless the paragraph in question specifies some other method of expression the amounts shown shall be expressed in each case as a percentage of the weight of the feeding stuff as such and not as a range of percentages; and
- (b) phosphorus shall be expressed as “phosphorus P”.

17.—(1) Subject to sub-paragraph (2), in the case of a compound pet food, or of a feeding stuff intended for a particular nutritional purpose for animals other than pet animals, particular attention may be drawn in the statutory statement, or elsewhere on the package, label or container, to the presence or low content of one or more ingredients which are essential aspects of the characteristics of the feeding stuff.

(2) Where particular attention is drawn to the presence or low content of any ingredient as permitted by sub-paragraph (1), the minimum or maximum content expressed in terms of the percentage by weight of that ingredient, shall be clearly indicated—

- (a) opposite the statement which draws attention to that presence or low content: or
- (b) in the list of ingredients; or
- (c) by mentioning that presence or low content and the percentage thereof (by weight) opposite the corresponding category of ingredients.

18.—(1) Subject to sub-paragraph (2), in the case of any feeding stuff intended for a particular nutritional purpose the following particulars shall be contained in the statutory statement:

- (a) the term “dietetic”;
- (b) a description of the feeding stuff;
- (c) the particular nutritional purpose of the feeding stuff, as specified in column 1 of Chapter A of Schedule 10;

- (d) the essential nutritional characteristics of the feeding stuff, as specified in column 2 of that Chapter;
- (e) the declarations prescribed in column 4 of that Chapter;
- (f) the declarations, if any, prescribed in column 6 of that Chapter;
- (g) where any declarations prescribed in that column do not include a declaration that it is recommended that the prior opinion of a veterinarian be sought, the words “It is recommended that a specialist’s opinion be sought before use”; and
- (h) the recommended length of time for use of the feeding stuff.

(2) The particulars required by sub-paragraph (1) to be contained in the statutory statement shall be declared in accordance with the requirements of paragraphs 3 to 7 and 9 of Chapter B of Schedule 10.

19.—(1) Subject to sub-paragraph (2) in the case of a feeding stuff intended for a particular nutritional purpose, particular attention may be drawn in the statutory statement, or elsewhere on the package, label or container, to the presence or low content of one or more analytical constituents which are essential aspects of the characteristics of the feeding stuff.

(2) Where particular attention is drawn to the presence or low content of any analytical constituent as permitted by sub-paragraph (1), the maximum or minimum I content, expressed in terms of the percentage by weight of that analytical constituent, shall be clearly indicated in the list of analytical constituents.

20.—(1) In the case of a product named as a permitted product in column 2 of Schedule 7, the statutory statement shall contain, in addition to any other particulars required by these Regulations, the name specified for that product in column 7 of that Schedule, together with such further particulars as may be specified in that column in relation to it.

(2) In the case of a compound feeding stuff containing for use as a protein source a product named as a permitted product in column 2 of Schedule 7, the statutory statement shall contain, in addition to any other particulars required by these Regulations, the name specified for that product in column 7 of that Schedule, together with such further particulars as may be specified in that column in relation to compound feeding stuffs containing that product.

21.—(1) Subject to sub-paragraph (2), information may be provided in addition to the particulars required or permitted to be contained in the statutory statement or otherwise declared.

(2) Any information provided in addition to the particulars required or permitted by these Regulations to be contained in the statutory statement or otherwise declared—

- (a) shall be clearly separated from those particulars;
- (b) shall not be designed to indicate the presence or content of analytical constituents other than those the declaration of which is provided for in this Schedule or in Schedule 10;
- (c) shall relate to objective or quantifiable factors which can be substantiated;
- (d) shall not mislead the user, in particular by attributing to the feeding stuff effects or properties that it does not possess, or by suggesting that it possesses special characteristics when in fact all similar feeding stuffs contain similar properties;
- (e) shall not claim that the feeding stuff will prevent, treat or cure a disease, except as regards ingredients which are medicinal products within the meaning of the Medicines Act 1968;
- (f) shall not, in the case of a feeding stuff intended for a particular nutritional purpose, include a generic description other than in the form of the generic term “dietetic”;
- (g) shall not, in the case of any feeding stuff other than one intended for a particular nutritional purpose, include a generic description in that form; and

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- (h) may in the case of a feeding stuff intended for a particular nutritional purpose, that the include reference to a particular pathological condition, provided that the particular nutritional purpose specified in respect of that feeding column 1 of Chapter A of Schedule 10 relates to that condition.