
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 605

The Feeding Stuffs (Scotland) Regulations 2005

PART II

Presentation and Composition of Feeding Stuffs

Control of products intended for animal feed containing undesirable substances

14.—(1) No person shall—

- (a) put into circulation any product intended for animal feed which is specified in column 2 of Schedule 5; or
- (b) use any such product for animal feed,

if it contains any undesirable substance specified in column 1 of that Schedule in excess of the level specified for it in column 3 of that Schedule.

(2) No person shall put into circulation, or use as a feeding stuff, any complementary feeding stuff if—

- (a) having regard to the quantity of it recommended for use in a daily ration, it contains any undesirable substance specified in column 1 of Schedule 5 in excess of the level specified for it in column 3 of that Schedule in relation to complete feeding stuffs; and
- (b) there is no provision relating to any complementary feeding stuff in the corresponding entry in column 2 of that Schedule.

(3) No person shall mix any product intended for animal feed which is specified in column 2 of Schedule 5 and which contains any undesirable substance specified in column 1 of that Schedule in excess of the level specified for it in column 3 of that Schedule for the purpose of dilution with any product intended for animal feed.

(4) No person shall put into circulation any product intended for animal feed or use any such product for animal feed unless it is—

- (a) sound and genuine; and
- (b) of merchantable quality.

(5) For the purposes of paragraph (4), a product intended for animal feed which is specified in column 2 of Schedule 5 is not sound, genuine and of merchantable quality if it contains any undesirable substance specified in column 1 of that Schedule in excess of the level specified in relation to it in column 3 of that Schedule.

(6) For the purposes of paragraph (2), “feeding stuff” includes feeding stuffs for oral feeding to animals living freely in the wild and “complementary feeding stuff” and “complete feeding stuff” shall be construed accordingly.

(7) Paragraph (8) shall apply to any person who has in their possession or control for the purpose of a trade or business any of the following products intended for animal feed—

- (a) palm kernel expeller;
- (b) feeding stuffs obtained from the processing of fish or other marine animals;

- (c) seaweed meal and feed materials derived from seaweed; or
- (d) complete feeding stuffs for fish or for fur producing animals.

(8) Any person referred to in paragraph (7) shall, if requested by an inspector, procure and produce to the inspector an analysis in order to demonstrate that the content of inorganic arsenic in a product intended for animal feed listed in paragraph (7) is within the limit specified in the relevant entry in column 3 of Schedule 5.

(9) Any person who without reasonable excuse fails to comply with a request made under paragraph (8) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.