
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 354

The Feed (Sampling and Analysis and Specified Undesirable Substances) (Scotland) Regulations 2010

PART 2

Miscellaneous requirements relating to sampling and analysis

Methods of sending a final sample

4. Any final sample required to be sent to any person pursuant to—
- (a) paragraph 8 of Annex I to Regulation 152/2009;
 - (b) section 77(1) or (2) (division of samples and analysis by agricultural analyst);
 - (c) section 78(1)(a), (2) or (4) (further analysis by Government Chemist);
 - (d) regulations 30(1), (2) or (5) (procedure relating to samples for analysis) or 31A(2) (secondary analysis by the Government Chemist) of the Feed Hygiene Regulations; or
 - (e) regulation 6(1)(a)(i) or (ii) (application of various provisions of the Act) of the GM Feed Regulations,

may be sent by any appropriate method or delivered by hand.

Qualifications of analysts

5. The prescribed qualifications for an analyst for the purposes of section 67(5) (agricultural analyst and deputy agricultural analyst qualifications) in so far as it relates to feeding stuffs and the required qualifications for a person analysing feed for the purposes of the GM Feed Regulations are that—

- (a) the person must—
 - (i) be a Chartered Chemist or possess a Mastership in Chemical Analysis awarded by the Royal Society of Chemistry; and
 - (ii) be a Fellow or Member of the Royal Society of Chemistry; and
- (b) the person's practical experience of the examination of feed must be attested by an analyst appointed under section 67(3) (appointment of agricultural analysts and deputy agricultural analysts).

Analysis other than in the course of official controls

- 6.—(1) Where a sample of feed is to be analysed pursuant to—
- (a) section 75(1) (sample analysed at the request of the purchaser); or
 - (b) section 78(1) (further analysis by Government Chemist) in so far as that section does not relate to official controls,

the method of analysis shall be the appropriate one, if any, set out in Regulation 152/2009.

(2) In cases where there is no appropriate method of analysis in Regulation 152/2009, the analysis shall be carried out in the manner referred to in Article 11(1)(a) or, as appropriate, (b) of Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure verification of compliance with feed and food law, animal health and animal welfare rules⁽¹⁾ as read with Commission Regulation (EC) No. 669/2009 implementing Regulation (EC) No. 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin and amending Decision 2006/504/EC⁽²⁾.

Form of certificate of analysis

7. The certificate of analysis of any feed to be sent pursuant to—
- (a) section 77(4) (analysis by agricultural analyst);
 - (b) regulation 30(4) (procedure relating to samples for analysis) or 31A(3) (secondary analysis by the Government Chemist) of the Feed Hygiene Regulations; or
 - (c) regulation 6(1)(a)(i) (application of various provisions of the Act) of the GM Feed Regulations,

must be in the form set out in Schedule 1 and must be completed in accordance with the notes to that Schedule.

(1) O.J. No. L 165, 30.4.2004, p.1. The revised text of Regulation (EC) No. 882/2004 is now set out in a Corrigendum (O.J. No. L 191, 28.5.2004, p.1) which should be read with a further Corrigendum (O.J. No. L 204, 4.8.2007, p.29). This Regulation was last amended by Regulation (EC) No. 596/2009 of the European Parliament and of the Council (O.J. No. L 188, 18.7.2009, p.14).

(2) O.J. No. L 194, 25.7.2009, p.11.