



Agriculture Act 1970

1970 CHAPTER 40

PART IV

FERTILISERS AND FEEDING STUFFS

Preliminary

66 Interpretation of Part IV.

(1) In this Part of this Act—

“agricultural analyst” means an agricultural analyst appointed under [F¹section 67][F¹67A] of this Act and, unless the context otherwise requires, includes a deputy agricultural analyst so appointed for the same area;

“analysis” includes any process for determining any fact as to the nature, substance or quality of any material;

“animal” includes any bird, insect or fish;

[F²“enforcement authority” has the meaning assigned by section 67(3) of this Act;]

[F³“feeding stuff” means—

- (a) a product of vegetable or animal origin in its natural state (whether fresh or preserved);
- (b) a product derived from the industrial processing of such a product; or
- (c) an organic or inorganic substance, used singly or in a mixture (and whether or not containing additives);

for oral feeding to pet animals and such descriptions of animals as may be prescribed being animals which, or kinds of which, are commonly kept for the production of food, wool, skins or fur or for the purpose of their use in the farming of land;]

[F⁴“fertiliser” means any material which, for the purpose of the cultivation of plants or fungi, is intended to supply plants or fungi or their seeds or spores with nutrients or to improve nutritional efficiency;]

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[^{F5}“final sample” has the meaning that it bears in Annex I to Regulation 152/2009;]

“fish” includes shellfish;

“inspector” means an inspector appointed under [^{F6}section 67][^{F6}67A] of this Act;

“the Minister” means, in relation to England and Wales, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland, the Secretary of State;

“the Ministers” means the Minister of Agriculture, Fisheries and Food and [^{F7}the Secretary of State for Scotland and the Secretary of State for Wales] acting jointly;

[^{F8}“pet animal” means any animal belonging to a species normally kept and nourished but not consumed by man, not being an animal which has been or may be prescribed for the purpose of the definition of “feeding stuff”];

“prescribed” means prescribed by regulations;

“prescribed metric substitution”, in relation to a quantity specified in any provision of this Part of this Act in terms of tons, pounds, or gallons, means any quantity expressed in terms of metric units of measurement which regulations may direct to be substituted in that provision, either generally or in prescribed circumstances, for the quantity so specified, being a quantity so expressed appearing to the Ministers appropriate to be so substituted having regard to the convenience of persons likely to be affected and with a view to the effective execution of this Part of this Act;

[^{F9}“Regulation (EC) No. 178/2002” means Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.]

[^{F10}“Regulation (EC) No 1831/2003” means Regulation (EC) No 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition;]

[^{F10}“Regulation (EC) No 767/2009” means Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC;]

[^{F5}“Regulation 152/2009” means Commission Regulation (EC) No. 152/2009 laying down the methods of sampling and analysis for the official control of feed;]

“regulations” means regulations made as provided in section 84 of this Act;

“sampled portion”, in relation to any material, means a prescribed amount of that material from which a sample has been taken by an inspector in the prescribed manner, being an amount—

- (a) consisting either—
 - (i) entirely of material packed in one or more containers; or
 - (ii) entirely of material not so packed; and
- (b) not exceeding, in the case of an amount consisting of material so packed, the requisite quantity, that is to say, five tons or 1,000 gallons or the prescribed metric substitution, except where—

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- (i) it consists of material packed in a single container; or
- (ii) it consists of material packed in two or more containers each of which holds less than the requisite quantity, in which case the prescribed amount may be the contents of the lowest number of those containers which together hold the requisite quantity;

“statutory statement” has the meaning assigned by section 68(1) of this Act.

[^{F11}(2) For the purposes of this Part of this Act material shall be treated as sold for use as a fertiliser or feeding stuff whether it is sold to be so used by itself or as an ingredient in something which is to be so used.]

- (3) Any material consigned to a purchaser shall not for the purposes of this Part of this Act be deemed to be delivered to him until it arrives at the place to which it is consigned whether the consignment is by direction of the seller or the purchaser.
- (4) Where any material is delivered to a purchaser in two or more consignments this Part of this Act shall apply separately to each consignment.
- (5) For the purposes of this Part of this Act, the appropriation of any material by one person for use—
 - (a) in the performance for hire or reward of services to another person in pursuance of a contract in that behalf, or
 - (b) under arrangements with another person not constituting a sale of the material to that other person, being arrangements which are intended to benefit both the person appropriating the material and that other person but under which the probability or extent of any benefit to that other person may be affected by the quality of the material,

shall be treated as a sale of that material to that other person by the person so appropriating it, and references to sale or purchase and cognate expressions shall be construed accordingly.

Subordinate Legislation Made

- P1** S. 66: for previous exercises of this power see Index to Government Orders
- P2** S. 66(1): s. 74A (with ss. 66(1), 67(5), 75(1), 76(1), 77, 78(2)(4)(6), 79(1)(2)(9) and 84) power exercised by [S.I. 1991/973](#)
S. 66(1): s. 74A (with ss. 66(1), 68(1)(1A)(3), 69(1)(3)(6)(7), 70(1), 73(3), 74(1) and 84) power exercised by [S.I. 1991/1475](#)
- P3** S. 66(1): s. 84 (with ss. 66(1), 68(1)(2)(3), 69(1)(3)(6)(7), 70(1), 74(1), 74A(1)(2)(4)) power exercised by [S.I. 1991/2197](#)
- P4** S. 74A (with ss. 66(1), 75(1), 76(1), 77, 78(2), (4) and (6), 79(1), (2) and (9), 84 and 86(1), (2), (3) and (9)) power exercised by [S.R. 1991/540](#)
- P5** S. 66(1): S. 74A (with ss. 66(1), 68(1)(1A) and (3), 69(1), (3), (6) and (7), 70(1), 74(1), 74A and 84) power exercised by [S.I. 1991/2840](#)

Textual Amendments

- F1** Word in s. 66(1) substituted (S.) (1.4.2021) by [The Feed \(Transfer of Functions\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020](#) (S.S.I. 2020/467), regs. 1(2), **2(2)(a)**
- F2** Words in s. 66(1) omitted (S.) (1.4.2021) by virtue of [The Feed \(Transfer of Functions\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020](#) (S.S.I. 2020/467), regs. 1(2), **2(2)(b)**
- F3** Definition in s. 66(1) substituted (E.W.S.) (22.1.1992) by [S.I. 1991/2840](#), **reg. 19(1)** (with [reg. 22](#)) (which S.I. was revoked (E.W.S.) (30.6.1995) by [S.I. 1995/1412](#), **reg. 25** (with [reg. 23](#))) and

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- substituted (N.I.) (27.7.1992) by S.R. 1992/270, **reg. 19(1)** (with **reg. 22**) (which S.R. was revoked (15.1.1996) by S.R. 1995/451, **reg. 25** (with **reg. 23**))
- Definition in s. 66(1) substituted: (E.W.S.) (30.6.1995) by S.I. 1995/1412, **reg. 20(1)** (which S.I. was revoked (E.) (29.10.2000) by S.I. 2000/2481, **reg. 26** and (S.) (31.1.2001 except insofar as it made modifications to 1970 c. 40) by S.S.I. 2000/453, **reg. 26**); (N.I.) (15.1.1996) by S.R. 1995/451, **reg. 20(1)**
- F4** Words in s. 66(1) substituted (11.11.2020 for specified purposes, 11.1.2021 in so far as not already in force) by Agriculture Act 2020 (c. 21), **ss. 33(2), 57(1)(b)(c)(6)**
- F5** Words in s. 66(1) inserted (E.) (11.10.2010) by The Feed (Sampling and Analysis and Specified Undesirable Substances) (England) Regulations 2010 (S.I. 2010/2280), **regs. 1, 9**; and words in s. 66(1) inserted (W.) (11.10.2010) by The Feed (Sampling and Analysis and Specified Undesirable Substances) (Wales) Regulations 2010 (S.I. 2010/2287), **regs. 1, 9**; and words in s. 66(1) inserted (N.I.) (11.10.2010) by The Feed (Sampling and Analysis and Specified Undesirable Substances) Regulations (Northern Ireland) 2010 (S.R. 2010/323), **regs. 1, 8**; and words in s. 66(1) inserted (S.) (15.11.2010) by The Feed (Sampling and Analysis and Specified Undesirable Substances) (Scotland) Regulations 2010 (S.S.I. 2010/354), **regs. 1, 9**
- F6** Word in s. 66(1) substituted (S.) (1.4.2021) by The Feed (Transfer of Functions) (Miscellaneous Amendments) (Scotland) Regulations 2020 (S.S.I. 2020/467), **regs. 1(2), 2(2)(c)**
- F7** Words substituted by S.I. 1978/272, **Sch. 5 para. 1**
- F8** Definition added by S.I. 1982/980, **reg. 4(b)**
- F9** Words in s. 66(1) inserted (E.W.S.) (1.1.2005) by Feeding Stuffs (Safety Requirements for Feed for Food-Producing Animals) Regulations 2004 (S.I. 2004/3254), **regs. 1, 10**; and words in s. 66(1) inserted (N.I.) (1.1.2005) by The Feeding Stuffs (Safety Requirements for Feed for Food-Producing Animals) Regulations (Northern Ireland) 2004 (S.R. 2004/506), **regs. 1(1), 10**
- F10** Words in s. 66(1) inserted (E.) (23.11.2010) by The Animal Feed (England) Regulations 2010 (S.I. 2010/2503), **regs. 1, 14(2)(a)**; and words in s. 66(1) inserted (W.) (23.11.2010) by The Animal Feed (Wales) Regulations 2010 (S.I. 2010/2652), **regs. 1, 14(2)(a)**; and words in s. 66(1) inserted (N.I.) (23.11.2010) by The Animal Feed Regulations (Northern Ireland) 2010 (S.R. 2010/355), **regs. 1, 14(2)(a)**; and words in s. 66(1) inserted (S.) (23.11.2010) by The Animal Feed (Scotland) Regulations 2010 (S.S.I. 2010/373), **regs. 1, 14(2)(a)**
- F11** S. 66(2) substituted (E.) (23.11.2010) by The Animal Feed (England) Regulations 2010 (S.I. 2010/2503), **regs. 1, 14(2)(b)**; and s. 66(2) substituted (W.) (23.11.2010) by The Animal Feed (Wales) Regulations 2010 (S.I. 2010/2652), **regs. 1, 14(2)(b)**; and s. 66(2) substituted (N.I.) (23.11.2010) by The Animal Feed Regulations (Northern Ireland) 2010 (S.R. 2010/355), **regs. 1, 14(2)(b)**; and s. 66(2) substituted (S.) (23.11.2010) by The Animal Feed (Scotland) Regulations 2010 (S.S.I. 2010/373), **regs. 1, 14(2)(b)**

Modifications etc. (not altering text)

- C1** Certain functions of Minister of Agriculture, Fisheries and Food under Pt. IV now exercisable (W.) by Secretary of State or Minister and Secretary of State jointly: S.I. 1978/272, **art. 2, Sch. 1**
- C2** S. 66 modified (S.) (31.1.2001) by S.S.I. 2000/453, **reg. 20(1)**
- C3** S. 66 applied (with modifications) (N.I.) by: S.R. 1986/67, **reg. 19(1)(2)**; S.R. 1988/188, **reg. 21(1)(2)** (which S.R. was revoked (N.I.) by S.R. 1992/270, **reg. 24** (with **reg. 1(2)**))
- C4** S. 66(1) modified (N.I.): by S.R. 1978/240, **reg. 7(a)** (which S.R. was revoked (N.I.) (27.7.1992) by S.R. 1992/270, **reg. 24**); by S.R. 1982/338, **reg. 8** (which S.R. was revoked (N.I.) (2.8.1999) by S.R. 1999/296, **reg. 9**); by S.R. 1990/286, **reg. 12(a)** (which S.R. was revoked (N.I.) (18.5.1992) by S.R. 1992/187, **reg. 13**); by S.R. 1991/540, **reg. 7(a)**; (18.5.1992) by S.R. 1992/187, **reg. 12(a)** (with **reg. 1(2)**) (which modification was continued (N.I.) (2.8.1999) by S.R. 1999/296, **reg. 8(a)**)
- C5** S. 66(1) modified (E.W.S.): by S.I. 1982/1144, **reg. 9(a)** (which S.I. was revoked (E.W.S.) (6.7.1999) by S.I. 1999/1663, **reg. 10**); (20.5.1991) by S.I. 1991/973, **reg. 8(a)** (which S.I. was revoked (E.W.S.) (21.6.1996) by S.I. 1996/1342, **reg. 9**); (1.11.1991) by S.I. 1991/2197, **reg. 12(a)**; (21.6.1996) by S.I. 1996/1342, **reg. 8(a)** (which modification was continued (E.W.S.) (6.7.1999) by S.I. 1999/1663, **reg. 9(a)**)

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- C6 S. 66(1) modified (E.) (29.10.2000) by S.I. 2000/2481, **reg. 20(1)**
s. 66(1) modified (W.) (1.3.2001) by S.I. 2001/343, **reg. 18(1)**
- C7 S. 66(1) modified (E.) (1.1.2006) by The Feeding Stuffs (England) Regulations 2005 (S.I. 2005/3281),
regs. 1, **3(1)**
- C8 S. 66(1) modified (N.I.) (1.1.2006) by The Feeding Stuffs Regulations (Northern Ireland) 2005 (S.R.
2005/545), regs. 1, **3(1)**
- C9 S. 66(1) modified (S.) (1.1.2006) by The Feeding Stuffs (Scotland) Regulations 2005 (S.S.I.
2005/605), regs. 1(1), **3(1)**
- C10 S. 66(1) modified (W.) (25.1.2006) by The Feeding Stuffs (Wales) Regulations 2006 (S.I. 2006/116),
regs. 1, **3(1)**
- C11 S. 66(1) transfer of functions (15.2.2006) by Scotland Act 1998 (Transfer of Functions to the Scottish
Ministers etc.) Order 2006 (S.I. 2006/304), art. 1(1), **Sch.** (with art. 5)
- C12 S. 66(2) modified (W.) (1.3.2001) by S.I. 2001/343, **reg. 18(2)**
- C13 S. 66(2) modified (S.) (1.1.2006) by The Feeding Stuffs (Scotland) Regulations 2005 (S.S.I.
2005/605), regs. 1(1), **3(2)**
- C14 S. 66(2) modified (N.I.) (1.1.2006) by The Feeding Stuffs Regulations (Northern Ireland) 2005 (S.R.
2005/545), regs. 1, **3(2)**
- C15 S. 66(2) modified (E.) (1.1.2006) by The Feeding Stuffs (England) Regulations 2005 (S.I. 2005/3281),
regs. 1, **3(2)**
- C16 S. 66(2) modified (W.) (25.1.2006) by The Feeding Stuffs (Wales) Regulations 2006 (S.I. 2006/116),
regs. 1, **3(2)**

67 Enforcement authorities and appointment of inspectors and analysts.

- ^{F12}(1) In England ^{F13}. . . it shall be the duty of the council of a county [^{F14}, metropolitan district], . . . ^{F15} or London borough and of the Common Council of the City of London to enforce this Part of this Act within their respective areas; and the health authority of the Port of London shall have the like duty as respects the district of the Port of London, which shall accordingly be treated for the purposes of this subsection as not forming part of the area of any of those councils.
- ^{F16}[(1A) In Wales it shall be the duty of each county council and each county borough council to enforce this Part of this Act within its area.]
- ^{F17}[(2) In Scotland it shall be the duty of every council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 to enforce this Part of this Act within their area.]
- (3) For the purposes of performing their duty under the foregoing provisions of this section each of the bodies there mentioned (in this Part of this Act referred to as an enforcement authority) shall appoint—
- (a) such inspectors as may be necessary; and
 - (b) an agricultural analyst and, if they think fit, one or more deputy agricultural analysts.
- (4) An inspector shall not exercise his powers under this Part of this Act in respect of any premises outside the area for which he is appointed except with the consent of the enforcement authority for the area in which those premises are situated.
- (5) A person shall not be appointed as agricultural analyst or deputy agricultural analyst unless he has the prescribed qualifications.

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- (6) A person may be appointed as an inspector or as agricultural analyst or deputy agricultural analyst for the areas of two or more enforcement authorities by those authorities acting jointly.
- (7) ^{F18}
- (8) If the Minister is of opinion that this Part of this Act has been insufficiently enforced in the area of any enforcement authority he may himself appoint one or more inspectors to exercise in that area the powers exercisable by inspectors appointed by the authority; and any expenses certified by him as having been incurred by him under this subsection in respect of that area shall be repaid to him, on demand, by the authority in question.
- (9) Nothing in this section shall be taken as authorising an enforcement authority in Scotland to institute proceedings for an offence.]

Subordinate Legislation Made

- P6** S. 67: for previous exercises of power see Index to Government Orders
- P7** S. 67(5): s. 74A (with ss. 66(1), 67(5), 75(1), 76(1), 77, 78(2)(4)(6), 79(1)(2) and (9) and 84) power exercised by [S.I. 1991/973](#)

Textual Amendments

- F12** S. 67 repealed (S.) (1.4.2021) by [The Feed \(Transfer of Functions\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/467\)](#), regs. 1(2), **2(3)**
- F13** Words in s. 67(1) repealed (1.4.1996) by 1994 c. 19, s. 66(6)(8), [Sch. 16 para. 38\(5\)](#), **Sch. 18** (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1996/396](#), art. 4, **Sch. 2**
- F14** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, **Sch. 8 para. 15(3)**
- F15** Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F16** S. 67(1A) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 38(5)** (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1996/396](#), art. 4, **Sch. 2**
- F17** S. 67(2) substituted (1.4.1996) (S.) by 1994 c. 39, s. 180(1), **Sch. 13 para. 85(2)**; [S.I. 1996/323](#), **art. 4(1)(c)**
- F18** Ss. 67(7), 80(2)–(4), 86(8) repealed by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), s. 1(1), [Sch. 1](#), **Sch. 34 Pt. I**

Modifications etc. (not altering text)

- C17** Pt. IV amendment to earlier affecting provision [SI 1999/2325 reg. 7 \(W.\) \(1.5.2003\)](#) by [The Feeding Stuffs \(Amendment\) \(Wales\) Regulations 2003 \(S.I. 2003/989\)](#), regs. 1(1), **7**
- C18** Pt. IV modified by [S.I. 1999/1663 reg. 6A \(as inserted \(S.\) \(26.6.2003\)\)](#) by [The Feeding Stuffs \(Miscellaneous Amendments\) \(Scotland\) Regulations 2003 \(S.S.I. 2003/277\)](#), regs. 1(1), **6**
- C19** Pt. IV amendment to earlier affecting provision [S.I. 1999/2325](#), regs. 7, 8 (S.) (26.6.2003) by [The Feeding Stuffs \(Miscellaneous Amendments\) \(Scotland\) Regulations 2003 \(S.S.I. 2003/277\)](#), regs. 1(1), **9, 10**
- C20** Pt. IV amendment to earlier affecting provision [SI 1999/2325 reg. 7 \(E.\) \(1.8.2003\)](#) by [Feeding Stuffs, the Feeding Stuffs \(Sampling and Analysis\) and the Feeding Stuffs \(Enforcement\) \(Amendment\) \(England\) Regulations 2003 \(S.I. 2003/1503\)](#), regs. 1(2), **17**
- C21** Pt. IV amendment to earlier affecting provision [SI 1999/2325 reg. 7 \(W.\) \(1.8.2003\)](#) by [The Feeding Stuffs, the Feeding Stuffs \(Sampling and Analysis\) and the Feeding Stuffs \(Enforcement\) \(Amendment\) \(Wales\) Regulations 2003 \(S.I. 2003/1850\)](#), regs. 1(2), **17**
- C22** Pt. IV amendment to earlier affecting provision [SI 1999/2325 reg. 7 \(W.\) \(3.12.2003\)](#) by [Feeding Stuffs, the Feeding Stuffs \(Sampling and Analysis\) and the Feeding Stuffs \(Enforcement\) \(Amendment\) \(Wales\) \(No.2\) Regulations 2003 \(S.I. 2003/3119\)](#), regs. 1(2), **8**

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- C23** Pt. IV amendment to earlier affecting provision SI 1999/2325 reg. 7 (E.) (8.12.2003) by Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) (No.2) Regulations 2003 (S.I. 2003/2912), regs. 1, **8**
- C24** Pt. IV amendment to earlier affecting provision SI 1999/2325 reg. 7 (E.) (1.6.2004) by Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2004 (S.I. 2004/1301), regs. 1, **8**
- C25** Pt. IV amendment to earlier affecting provision SI 1999/2325 reg. 7 (W.) (9.7.2004) by The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2004 (S.I. 2004/1749), regs. 1, **8**
- C26** Pt. IV amendment to earlier affecting provision SI 1999/2325 reg. 7 (W.) (24.11.2004) by The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No. 2) Regulations 2004 (S.I. 2004/3091), regs. 1, **5(2)**
- C27** Power to modify s. 67 conferred (W.) by Local Government Act 1972 (c. 70), s. **200(2)**
- C28** S. 67 modified (S.) (3.11.2001) by S.S.I. 2001/334, **reg. 21**
- C29** S. 67(4)(8) applied (with modifications) (E.W.S.) (1.1.2005) by Feeding Stuffs (Safety Requirements for Feed for Food-Producing Animals) Regulations 2004 (S.I. 2004/3254), regs. 1, **4(2)(a)**
- C30** S. 67(5) transfer of functions (15.2.2006) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2006 (S.I. 2006/304), art. 1(1), **Sch.** (with art. 5)
- C31** S. 67(8) modified (8.9.1999) by S.I. 1999/2325, **regs. 7(3)(4), 9** (as amended: (E.) (29.10.2000) by S.I. 2000/2481, **reg. 29(c)**; (W.) (1.3.2001) by S.I. 2001/343, **reg. 27(c)**; (E.) (3.11.2001) by S.I. 2001/3389, **reg. 23(b)**; (W.) (3.11.2001) by S.I. 2001/3461, **reg. 17(b)**)
- C32** S. 67(8) amendment to earlier affecting provision SI 1999/2325 reg. 9 (W.) (1.5.2003) by The Feeding Stuffs (Amendment) (Wales) Regulations 2003 (S.I. 2003/989), regs. 1(1), **7**
- C33** S. 67(8) amendment to earlier affecting provision S.I. 1999/2325 reg. 9 (S.) (26.6.2003) by The Feeding Stuffs (Miscellaneous Amendments) (Scotland) Regulations 2003 (S.S.I. 2003/277), regs. 1(1), **11**
- C34** S. 67(8) amendment to earlier affecting provision SI 1999/2325 reg. 9 (W.) (1.8.2003) by The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2003 (S.I. 2003/1850), regs. 1(2), **19**
- C35** S. 67(8) amendment to earlier affecting provision SI 1999/2325 reg. 9 (E.) (1.8.2003) by Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2003 (S.I. 2003/1503), regs. 1(2), **19**
- C36** S. 67(8) amendment to earlier affecting provision SI 1999/2325 reg. 9 (W.) (3.12.2003) by Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No.2) Regulations 2003 (S.I. 2003/3119), regs. 1(2), **10**
- C37** S. 67(8) amendment to earlier affecting provision SI 1999/2325 reg. 9 (E.) (8.12.2003) by Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) (No.2) Regulations 2003 (S.I. 2003/2912), regs. 1, **10**
- C38** S. 67(8) amendment to earlier affecting provision SI 1999/2325 reg. 9 (E.) (1.6.2004) by Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2004 (S.I. 2004/1301), regs. 1, **10**
- C39** S. 67(8) amendment to earlier affecting provision SI 1999/2325 reg. 9 (W.) (9.7.2004) by The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2004 (S.I. 2004/1749), regs. 1, **10**
- C40** S. 67(8) amendment to earlier affecting provision SI 1999/2325 reg. 9 (W.) (24.11.2004) by The Feeding Stuffs, the Feeding Stuffs (Sampling and Analysis) and the Feeding Stuffs (Enforcement) (Amendment) (Wales) (No. 2) Regulations 2004 (S.I. 2004/3091), regs. 1, **5(3)**
- C41** S. 67(8) transfer of functions (15.2.2006) by Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2006 (S.I. 2006/304), art. 1(1), **Sch.** (with art. 5)

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Agriculture Act 1970, Cross Heading: Preliminary. (See end of Document for details)*

[^{F19}67A. Enforcement authorities and appointment of inspectors and analysts in Scotland

- (1) Food Standards Scotland must enforce this Part of this Act in so far as it relates to feeding stuff.
- (2) For the purposes of performing its duty under the provisions of this Part of this Act, Food Standards Scotland must appoint—
 - (a) an agricultural analyst, and if it thinks fit, one or more deputy analysts, and
 - (b) such inspectors as may be necessary.
- (3) Every council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 must enforce this Part of this Act within their area in so far as it relates to fertiliser.
- (4) For the purposes of performing its duty under the provisions of this Part of this Act, a council must appoint—
 - (a) an agricultural analyst, and if it thinks fit, one or more deputy analysts, and
 - (b) such inspectors as may be necessary.
- (5) In so far as it applies to fertiliser, a person may be appointed as an inspector or as agricultural analyst or deputy agricultural analyst for the areas of two or more councils by those councils acting jointly.
- (6) In so far as it applies to fertiliser if the Scottish Ministers are of opinion that this Part of this Act has been insufficiently enforced in the area of any council the Scottish Ministers may appoint one or more inspectors to exercise in that area the powers exercisable by inspectors appointed by the council, and any expenses certified by the Scottish Ministers as having been incurred by the Scottish Ministers under this subsection in respect of that area must be repaid to the Scottish Ministers, on demand, by the council in question.
- (7) A person must not be appointed as agricultural analyst or deputy agricultural analyst unless that person has the prescribed qualifications.
- (8) Nothing in this section shall be taken as authorising Food Standards Scotland or any council to institute proceedings for an offence.]

Textual Amendments

F19 S. 67A inserted (S.) (1.4.2021) by [The Feed \(Transfer of Functions\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/467\)](#), regs. 1(2), **2(4)**

Changes to legislation:

There are currently no known outstanding effects for the Agriculture Act 1970, Cross Heading:
Preliminary.