
STATUTORY INSTRUMENTS

1999 No. 1872

**The Feeding Stuffs (Establishments
and Intermediaries) Regulations 1999**

PART IV

**REGISTRATION OF ESTABLISHMENTS
LOCATED IN THE UNITED KINGDOM**

Declarations leading to the registration of establishments

19.—(1) An eligible person may submit to the competent body a declaration relating to an establishment on which he intends to exercise one or more of the following activities—

- (a) the manufacture of an additive of any kind the manufacture of which is regulated by Article 7.2(a) of Directive 95/69, with a view to putting it into circulation;
 - (b) the manufacture of a premixture, containing additives of any kind (other than copper, selenium, vitamin A and vitamin D) referred to in Chapter II(a) of the Annex, but not containing an additive of any kind referred to in Chapter I.2(a) of the Annex, with a view to putting it into circulation;
 - (c) the manufacture of a compound feeding stuff containing a premixture containing additives of any kind referred to in Chapter II(b) of the Annex, but not containing a zootechnical additive, with a view to putting it into circulation;
 - (d) the production of any such compound feeding stuff, for the exclusive requirements of the applicant's holding;
 - (e) the manufacture of a compound feeding stuff, containing an additive of any kind (other than copper, selenium, vitamin A and vitamin D) referred to in Chapter II(a) of the Annex, but not containing an additive of any kind referred to in Chapter I.2(a) of the Annex, with a view to putting it into circulation; or
 - (f) the production of any such compound feeding stuff, for the exclusive requirements of the applicant's holding.
- (2) A declaration submitted under paragraph (1) shall—
- (a) be in writing,
 - (b) be in the English language or, where the establishment to which the declaration relates is situated wholly or partly in Wales, in either that language or the Welsh language,
 - (c) be signed by or on behalf of the person submitting the declaration,
 - (d) contain the name (or business name) and address of that person,
 - (e) identify the establishment to which the declaration relates,
 - (f) identify the establishment activity which the person submitting the declaration is exercising or, as the case may be, intends to exercise, on that establishment, and

(g) contain a statement that the establishment complies, and an undertaking that when the establishment activity is exercised on it it will comply, with the applicable conditions.

(3) For the purposes of the statement referred to in paragraph (2)(g), and pursuant to Article 7.3 of Directive 95/69, an establishment shall be deemed to comply with the applicable conditions if it is an establishment which, pursuant to these Regulations, the Feedingstuffs (Zootechnical Products) Regulations 1999⁽¹⁾ or both, is approved for the exercise on that establishment of a corresponding activity referred to in Article 2.2(a), (b), (c) or (e) of that Directive.

Registration of establishments

20. Where a declaration complying with regulation 19(2) is submitted under paragraph (1) of that regulation, the competent body shall—

- (a) register the establishment as an establishment on which the establishment activity concerned may be exercised, and
- (b) in accordance with Article 10.1 of Directive 95/69, as read with Articles 8 and 9 of, and the Annex to, Directive 98/51, enter the establishment on a list, which the competent body shall maintain, under an individual registration number which identifies the establishment, as an establishment registered for the exercise of that activity.

Amendment of registrations

21.—(1) An eligible person may submit to the competent body a declaration relating to a registered establishment on which he intends to exercise an establishment activity (“the new establishment activity”)—

- (a) in addition to an establishment activity for the exercise of which the establishment is already registered, or
- (b) instead of that activity.

(2) A declaration submitted under paragraph (1) shall—

- (a) be in writing,
- (b) be in the English language or, where the establishment to which the declaration relates is situated wholly or partly in Wales, in either that language or the Welsh language,
- (c) be signed by or on behalf of the person submitting the declaration,
- (d) contain the name (or business name) and address of that person,
- (e) identify the establishment to which the declaration relates,
- (f) identify the new establishment activity which the person submitting the declaration is exercising or, as the case may be, intends to exercise, on that establishment,
- (g) state under which sub-paragraph of paragraph (1) the declaration is submitted, and
- (h) contain a statement that the establishment complies, and an undertaking that when the new establishment activity is exercised on it it will comply, with the applicable conditions.

(3) For the purposes of the statement referred to in paragraph (2)(h), and pursuant to Article 7.3 of Directive 95/69, an establishment shall be deemed to comply with the applicable conditions if it is an establishment which, pursuant to these Regulations, the Feedingstuffs (Zootechnical Products) Regulations 1999 or both, is approved for the exercise on that establishment of a corresponding activity referred to in Article 2.2(a), (b), (c) or (e) of that Directive.

(1) [S.I. 1999/1871](#).

(4) Where a declaration complying with paragraph (2) is submitted under paragraph (1), the competent body shall register the establishment as an establishment on which the new establishment activity may be exercised.

(5) Where, pursuant to paragraph (4), the competent body registers an establishment, the competent body shall amend the list maintained by it under regulation 20(b), to show all the establishment activities for the exercise of which on that establishment the establishment is registered under regulation 20(a) or under paragraph (4).

Cancellation of registrations

22.—(1) The competent body shall cancel a registration for the exercise of an establishment activity on a registered establishment if the competent body is satisfied that the exercise of that activity on the establishment has ceased.

(2) The competent body shall cancel a registration for the exercise of an establishment activity on a registered establishment if, following the procedure in regulation 23, the competent body is not satisfied that the person exercising on the establishment the activity concerned is complying, in relation to that activity, with regulation 43, 60, 87, 89, 91 or 93, as the case may be.

(3) Where, pursuant to paragraphs (1) or (2), the competent body cancels a registration, it shall amend the list maintained by it under regulation 20(b), by deleting from it the entry effecting registration in respect of the establishment activity for which registration has been cancelled.

Procedure relating to the cancellation of registrations

23.—(1) Where, in the circumstances described in regulation 22(2), the competent body proposes to cancel a registration relating to the exercise of an establishment activity on a registered establishment, the competent body shall not cancel the registration unless—

- (a) it serves a written notice complying with the requirements of paragraph (2) on the person exercising the activity concerned on the establishment (“the recipient”), and
- (b) after the time for compliance with the notice has expired, it is not satisfied that the recipient has complied with the requirements specified in the notice.

(2) A notice served by the competent body under paragraph (1) shall—

- (a) state that it proposes to cancel the registration relating to the establishment activity concerned, because it is not satisfied that the recipient is complying, in relation to that activity, with regulation 43, 60, 87, 89, 91 or 93, as the case may be;
- (b) specify—
 - (i) the essential conditions it is not satisfied that the recipient is complying with; and
 - (ii) the requirements that the recipient must comply with in order to satisfy it as to compliance with those essential conditions; and
- (c) state that, unless it is satisfied that the recipient has complied with those requirements, within such reasonable time as is specified in the notice, the registration for the exercise of the establishment activity concerned will be cancelled.

National lists of registered establishments

24. Every competent body shall provide to the Minister in writing, on demand being made by him, such information as is available to it, and which will assist the Minister to comply with the requirements of Article 11 of Directive 95/69, as read with Article 13.3 and 4 of Directive 70/524, in relation to lists of registered establishments.

Interpretation of Part IV

25. In this Part—

“the applicable conditions” means the conditions laid down or referred to in Chapter II(c) of the Annex;

“eligible person” means a person who is entitled to apply to the competent body, in accordance with Article 9.1 or 9.2 of Directive 95/69, for an establishment to be registered as an establishment on which an establishment activity may be exercised;

“essential conditions” means the essential conditions laid down or referred to in Chapter II(c) of the Annex;

“establishment activity” means an activity specified in paragraph (a), (b), (c), (d), (e) or (f) of regulation 19(1);

“registered establishment” means an establishment registered by the competent body as an establishment on which an establishment activity may be exercised.