
STATUTORY INSTRUMENTS

2001 No. 3389

AGRICULTURE, ENGLAND

**The Feeding Stuffs and the Feeding Stuffs (Enforcement)
(Amendment) (England) Regulations 2001**

<i>Made</i>	- - - -	<i>12th October 2001</i>
<i>Laid before Parliament</i>		<i>12th October 2001</i>
<i>Coming into force</i>	- -	<i>3rd November 2001</i>

The Secretary of State for Health, acting in exercise of the powers conferred by sections 66(1), 68(1) and (1A), 69(1), 74A and 84 of the Agriculture Act 1970⁽¹⁾ (as read with regulation 14 of the Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (England and Wales) Regulations 2000)⁽²⁾ and of all other powers enabling him in that behalf, after consultation as required by section 84(1) of that Act with the persons or organisations appearing to represent the interests concerned, and acting, as a Minister designated⁽³⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽⁴⁾ in relation to the common agricultural policy of the European Community and measures in the veterinary and phytosanitary fields for the protection of public health, in exercise of the powers conferred on him by the said section 2(2)⁽⁵⁾ (in so far as these Regulations cannot be made under the powers in the Agriculture Act 1970 specified above), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Title, commencement and extent

1. These Regulations may be cited as the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001, shall come into force on 3rd November 2001, and shall extend to England only.

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- (1) 1970 c. 40. Section 66(1) contains definitions of the expressions “the Ministers”, “prescribed” and “regulations”; the definition of “the Ministers” was amended by the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. [1978/272](#)), Schedule 5, paragraph 1. By virtue of S.I. [1999/3141](#), functions of the Secretaries of State for Wales and Scotland previously exercisable in relation to England ceased to be so exercisable. Section 74A was inserted by the European Communities Act [1972, c. 68](#), Schedule 4, paragraph 6, and the Act was amended by the Agriculture Act 1970 Amendment Regulations 1982 (S.I. [1982/980](#)).
- (2) S.I. [2000/656](#).
- (3) S.I. [1972/1811](#) and S.I. [1999/2027](#).
- (4) [1972 c. 68](#). The enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act [1993 \(c. 51\)](#).
- (5) As read with section 2(5) of the European Economic Area Act 1993.

Amendment of the Feeding Stuffs Regulations 2000

2. The Feeding Stuffs Regulations 2000⁽⁶⁾ shall be amended in accordance with regulations 3 to 22 below.

3. In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) after the definition of “EEA Agreement” there shall be inserted the following definitions—

““EEA approved Article 2.2(d) establishment” means an establishment listed on a register of approved establishments, maintained by a competent authority in an EEA State which is neither the United Kingdom nor a member State, in implementation of Article 5 of the Establishments Directive, as an establishment on which a compound feeding stuff, of any kind the manufacture of which is regulated by Article 2.2(d) of that Directive, may be manufactured with a view to putting it into circulation;

“EEA approved Article 2.2(f) establishment” means an establishment listed on a register of approved establishments, maintained by a competent authority in an EEA State which is neither the United Kingdom nor a member State, in implementation of Article 5 of the Establishments Directive, as an establishment on which a compound feeding stuff, of any kind the production of which is regulated by Article 2.2(f) of that Directive, may be produced for the exclusive requirements of the producer’s holding;

“EEA permitted Article 2.2(d) establishment” means an establishment located in an EEA State which is neither the United Kingdom nor a member State (other than an EEA approved Article 2.2(d) establishment or an establishment which a competent authority in that EEA State has declined to approve as such an establishment)—

(a) on which a compound feeding stuff, of any kind the manufacture of which is regulated by Article 2.2(d) of the Establishments Directive, was being manufactured, with a view to putting it into circulation, on 10th March 2000, and

(b) in respect of which, before 10th August 2000, an application (which is pending) was made to a competent authority in the EEA State concerned, in accordance with any requirements in that State for the making of such applications, to approve the establishment, pursuant to the Establishments Directive, as an establishment on which a compound feeding stuff of any such kind may be manufactured with a view to putting it into circulation;

“EEA permitted Article 2.2(f) establishment” means an establishment located in an EEA State which is neither the United Kingdom nor a member State (other than an EEA approved Article 2.2(f) establishment or an establishment which a competent authority in that EEA State has declined to approve as such an establishment)—

(a) on which a compound feeding stuff, of any kind the production of which is regulated by Article 2.2(f) of the Establishments Directive, was being produced, for the exclusive requirements of the producer’s holding, on 10th March 2000, and

(6) S.I. 2000/2481 to which there are amendments not relevant to these Regulations.

- (b) in respect of which, before 10th August 2000, an application (which is pending) was made to a competent authority in the EEA State concerned, in accordance with any requirements in that State for the making of such applications, to approve the establishment, pursuant to the Establishments Directive, as an establishment on which a compound feeding stuff of any such kind may be produced for the exclusive requirements of the producer's holding;";
 - (ii) for the definition of "put into circulation", there shall be substituted the following definition—
 - ““put into circulation” means sell or otherwise transfer, have in possession with a view to selling or otherwise transferring, or offer for sale, to a third party, but, in regulation 14(3), (4) and (7), also means import into England from a country which is neither an EEA State nor part of an EEA State;”; and
 - (iii) for the definition of "third country" there shall be substituted the following definition—
 - ““third country” means a country other than an EEA State;”;
 - (b) paragraph (2) shall be omitted; and
 - (c) for paragraph (8) there shall be substituted the following paragraph—
 - “(8) Any reference in these Regulations to a European Community Directive, Regulation or Decision shall be construed as a reference to that Directive or, as the case may be, Regulation or Decision, as amended as at the date the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001 are made”.
4. In paragraph (1) of regulation 5 (forms of statutory statement), for the words “Subject to the sufficiency requirement of the second paragraph of Article 16.6 of the Additives Directive, (which shall be observed, where applicable) and paragraph (2) below,” there shall be substituted the words “Subject to the provisions relating to small quantities of feeding stuffs in the second paragraph of Article 16.6 of the Additives Directive and in Article 5.2 of the Compound Feeding Stuffs Directive, (which shall be observed where applicable) and to paragraph (2) below,”.
- 5.—(1) In each of the provisions specified in paragraph (2) below, after the words “the Feeding Stuffs Regulations 2000” there shall be added the words “as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001”.
- (2) The provisions referred to in paragraph (1) above are regulations 7(1), 25(1) and 27(b).
6. In regulation 7 (limits of variation), for paragraph (3)(a) and (b) there shall be substituted the following paragraphs—
- “(a) the material was first sold, or otherwise put into circulation, in a member State or in an EEA State (other than the United Kingdom) which is not a member State,
 - (b) the mis-statement did not, at the time of putting into circulation, exceed any limits of variation prescribed in relation thereto in the State concerned, and”.
7. In regulation 9 (manner of packaging and sealing compound feeding stuffs, additives and premixtures)—
- (a) in paragraph (1), for the words “no person shall sell a compound feeding stuff, or any additive or premixture” there shall be substituted the words “no person shall put into circulation a compound feeding stuff, or sell any additive or premixture”;
 - (b) in each of paragraphs (2) and (3), for the word “sold” there shall be substituted the words “put into circulation”; and

- (c) in paragraph (2)(a), for the words “or sellers of compound feeding stuffs” there shall be substituted the words “of compound feeding stuffs or those putting them into circulation”.

8.—(1) In each of the provisions specified in paragraph (2) below, for the words “sell, or have in possession with a view to sale” there shall be substituted the words “put into circulation”.

(2) The provisions referred to in paragraph (1) above are regulations 10(3)(b) and (4), 15(1), 17, 18(1) and 19(1).

9. In regulation 10 (control of feed materials) for paragraph (6) there shall be substituted the following paragraphs—

“(6) Without prejudice to sections 73 and 73A, no person shall import into England from any country which is neither a member State, nor an EEA State which is not a member State, nor another part of the United Kingdom, supply (otherwise than on sale) or have in possession with a view to so supplying, any feed material, or use any feed material, which is deleterious or dangerous to farmed creatures, to pet animals or, through consumption of the products of any animal fed with the feed material, to human beings.

(6A) No person shall import into England from any country which is neither a member State, nor an EEA State which is not a member State, nor another part of the United Kingdom, sell or have in possession with a view to sale, supply (otherwise than on sale) or have in possession with a view to so supplying, any feed material, or use any feed material, which is deleterious to the environment.”(7).

10. In regulation 11 (applications for Community authorisation of additives and of new uses for additives) in each of paragraphs (2) and (5), after the words “each member State” there shall be added the words “and each EEA State (other than the United Kingdom) which is not a member State”.

11. In regulation 13(5) (control of additives in feeding stuffs) for the words “added substance” there shall be substituted the word “additive”.

12. In regulation 14 (control of feeding stuffs and feed materials containing undesirable substances)—

(a) in paragraph (4)—

(i) in subparagraph (a)(iii) the word “or”, where it appears for the second time, shall be omitted; and

(ii) after subparagraph (a)(iv) there shall be added the following provisions—

“(v) an EEA approved or permitted Article 2.2(d) establishment or;

(vi) an EEA approved or permitted Article 2.2(f) establishment;”; and

(b) in paragraph (5)—

(i) for the words “no UK or EC establishment” there shall be substituted the words “no UK, EC or EEA establishment”; and

(ii) for subparagraph (b) there shall be substituted the following subparagraph—

“(b) in the case of an EC or an EEA establishment, it is included in the most recently published list (if any) equivalent to the national list in the member State concerned or, as the case may be, in the EEA State concerned.”.

13. In regulation 15 (control of compound feeding stuffs containing prohibited materials)—

(a) in paragraph (1), for subparagraph (e) there shall be substituted the following subparagraph—

- “(e) subject to paragraph (3) below, waste (whether or not subjected, or to be subjected, to further processing) obtained from the treatment of “urban waste water”, “domestic waste water” or “industrial waste water” (as those terms are defined in Article 2 of Council Directive [91/271/EEC](#) concerning urban waste water treatment), whatever the origin of the waste water concerned;”;⁽⁸⁾ and
- (b) after paragraph (2) there shall be added the following paragraph—
- “(3) For the purposes of paragraph 1(e) above, the term “waste water” shall be construed in accordance with the second paragraph of point 5 of the Annex to Commission Decision [91/516/EEC](#) establishing a list of ingredients whose use is prohibited in compound feeding stuffs.”.⁽⁹⁾
- 14.** In regulation 18(2) (control of ash insoluble in hydrochloric acid in compound feeding stuffs), for the word “sale” there shall be substituted the words “putting into circulation”.
- 15.** In regulation 25(2), for the word “regulations” to the end there shall be substituted the following provisions—
- “regulations 9(1) (in relation to putting into circulation), (2) and (3), 10(1) to (4), (6), (6A) and (7), 13(3)(a), (c) and (d), (4), (6) and (7), 14(3), (4), (6), (7) and (9), 15(1), 17, 18(1) and 19(1).”.
- 16.** Regulation 29(a), (c) and (d)(ii) shall be revoked.
- 17.** In Schedule 1 (method of calculating the energy value of compound feeds) in paragraph (a) of the provisions having the heading “*Feeding stuffs intended for particular nutritional purposes for cats and dogs*”, for the expression “ $0.1464 \times \text{protein}$ ” there shall be substituted the expression “ $0.1464 \times \% \text{ protein}$ ”.
- 18.** In Schedule 3 (permitted additives and provisions relating to their use)—
- (a) the footnote to Part II of the Table (permitted colourants) shall be omitted;
- (b) for the entries in columns 1 to 7 of Part V of the Table (trace elements) relating to the element “Copper-Cu”, there shall be substituted the provisions set out in Schedule 1 to these Regulations; and
- (c) for the provisions in Part IX of the Table (European Community Regulations by which additives are controlled) there shall be substituted the provisions set out in Schedule 2 to these Regulations.
- 19.** In Schedule 4 (contents of the statutory statement or other declaration (except for additives and premixtures not contained in feeding stuffs))—
- (a) for paragraph 1 there shall be substituted the following paragraph—
- “**1.** The expression “in the case of any compound feeding stuff”, wherever it appears in this Schedule, shall be construed as referring to any compound feeding stuff which is sold or otherwise put into circulation.”;
- (b) in paragraph 2, in subparagraph (a)(iii)(bb), for the words “(or by an appropriate extract from)” to the end there shall be substituted the words “the words “EC additives””;
- (c) in paragraph 7, for subparagraph (c)(ix) there shall be substituted the following provisions—
- “(ix) the name or business name, and the address or registered business address, of the person within the European Economic Area responsible for the particulars

⁽⁸⁾ OJ No. L135, 30.5.1991, p.40.

⁽⁹⁾ OJ No. L281, 9.10.91, p.23. Last amended by Commission Decision [2000/285/EC](#) amending Decision [91/516/EEC](#) establishing a list of ingredients whose use is prohibited in compound feeding stuffs (OJ No. L94, 14.4.2000, p.43).

- specified in this subparagraph, if the establishment referred to in paragraph (x) below is not responsible for them;
- (x) where the establishment producing the feed material must be approved in accordance with Council Directive 90/667/EEC laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin, and amending Directive 90/425/EC; the name or business name, and the address or registered business address, of the establishment, the approval number, the batch reference number or any other particulars which ensure that the material can be traced.”;(10)
- (d) in paragraph 9, for sub-paragraph (1)(a) there shall be substituted the following paragraph—
- “(a) originated in a third country, and”;
- (e) in paragraph 14—
- (i) for subparagraph (1)(c) there shall be substituted the following provision—
- “(c) the approval or registration number allocated, in accordance with Article 5 or, as the case may be, 10, of the Establishments Directive, to the establishment which manufactured the compound feeding stuff; and”;
- (ii) after subparagraph (1)(c) there shall be added the following provision—
- “(d) the name or trade name and address or registered office of the person responsible for the accuracy of the particulars which, in accordance with this Schedule, are required in the case of compound feeding stuffs to be contained in the statutory statement or otherwise declared.”;
- (f) in paragraph 16(2), after the words “whole grain mix” there shall be added the words “which is sold or otherwise put into circulation”;
- (g) in paragraph 17(2), after the words “subparagraph (1) above,” there shall be added the words “which is sold or otherwise put into circulation,”;
- (h) in paragraph 22 there shall be added at the end the following subparagraphs—
- “(d) the identification mark or trade mark of the person responsible for the particulars which, in accordance with this Schedule, are required or permitted in the case of compound feeding stuffs to be contained in the statutory statement or otherwise declared;
- (e) the description or trade name of the feeding stuff;
- (f) the price of the feeding stuff; and
- (g) the country of origin or manufacture of the feeding stuff.”;
- (i) in paragraph 23(1), after the words “complementary feeding stuff which” there shall be added the words “is sold or otherwise put into circulation, and”;
- (j) in paragraph 25(1), after the words “other than pet animals,” there shall be added the words “which is sold or otherwise put into circulation,”; and
- (k) in each of paragraphs 26(1) and 27(1), after the words “feeding stuff intended for a particular nutritional purpose,” there shall be added the words “which is sold or otherwise put into circulation.”.

20.—(1) In Schedule 5 (contents of the statutory statement (for additives and premixtures not contained in feeding stuffs)), in each of the provisions specified in paragraph (2) below, for the word “Community” there shall be substituted the words “Economic Area”.

(2) The provisions referred to in paragraph (1) above are paragraph 1(a)(iii), (e)(iv) and (f)(v) in Part I of Schedule 5 and paragraph 2(a)(iv) in Part II of that Schedule.

21. In Schedule 6 (limits of variation)—

(a) in Part A (compound feeding stuffs except those for pets)—

- (i) in the entry relating to magnesium, in the second column, for the expression “1.5% for declarations of 15% or more” there shall be substituted the expression “1.5 for declarations of 15% or more”, and
- (ii) in the entry relating to phosphorus, in the second column, for the expression “1.2% for declarations of 16% or more” there shall be substituted the expression “1.2 for declarations of 16% or more”; and

(b) in Part B (compound pet foods)—

- (i) in the entry relating to calcium, in the second column, for the expression “1.2 % for declarations of 16 or more” there shall be substituted the expression “1.2 for declarations of 16% or more”,
- (ii) in the entry relating to magnesium, in the second column, for the expression “1.5 % for declarations of 15% or more”, there shall be substituted the expression “1.5 for declarations of 15% or more”, and
- (iii) in the entry relating to phosphorus, in the second column, for the expression “1.2% for declarations of 16% or more” there shall be substituted the expression “1.2 for declarations of 16% or more”.

22. In Schedule 8 (control of certain protein sources)—

(a) in item 2.1.4, for the provisions contained in column 3 there shall be substituted the following provisions—

“(CH₃)₂—(CH)₂
(NHCONH₂)₂”;

(b) in item 3.2.7, for the provisions contained in columns 2 and 3 there shall be substituted the following provisions—

“3.2.7. Mixtures of:	NH ₂ —(CH ₂) ₄ —
(a) L—Lysine—mono—hydrochloride	CH(NH ₂)—
technically pure and	COOH—HCL
DL—methionine technically pure	CH ₃ S(CH ₂) ₂ —
protected with copolymer vinyl—pyridine/ styrene	CH(NH ₂)—COOH;”

(c) in item 4.1.2, for the provisions contained in column 3 there shall be substituted the following provisions—

“[CH₃—S—(CH₂)—CH(OH)—COO]₂Ca”.

Amendment of the Feeding Stuffs (Enforcement) Regulations 1999

23. The Feeding Stuffs (Enforcement) Regulations 1999⁽¹¹⁾ shall be amended as follows in relation to England—

- (a) in regulation 7(2) and (4), for the references to “the Feeding Stuffs Regulations 1995” there shall be substituted references to “the Feeding Stuffs Regulations 2000 as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001”;
- (b) for regulation 9, there shall be substituted the following provisions:

“Modification of section 67(8) of the Agriculture Act 1970

9. In relation to England, section 67(8) of the Act shall (as specified in regulation 7) have effect as if, for the provisions of that subsection, there were substituted the following provisions:

“**(8)** If the Secretary of State for Health is of the opinion that, in any area covered by an enforcement authority, the Feeding Stuffs Regulations 2000, (as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001), or section 73 or 73A of this Act, have been—

- (a) insufficiently enforced or administered by the authority concerned, or
- (b) enforced or administered by it without sufficient regard to the requirements of Council Directive [95/53/EC](#) fixing the principles governing the organisation of official inspections in the field of animal nutrition, as amended by Council Directive [1999/20/EC](#),

he may appoint one or more inspectors to exercise the powers exercisable by inspectors appointed by the authority in question, and any expenses certified by him as having been incurred by him under this subsection shall be repaid to him on demand by that authority.”⁽¹²⁾; and

- (c) in regulation 10, in subsection (17) of section 76 of the Agriculture Act 1970 as modified by that regulation, for the references to “the Feeding Stuffs Regulations 1995” there shall be substituted references to the “the Feeding Stuffs Regulations 2000 as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (England) Regulations 2001”.”

Signed by authority of the Secretary of State for Health

12th October 2001

Hazel Blears
Parliamentary Under-Secretary of State,
Department of Health

⁽¹¹⁾ S.I. [1999/2325](#). Modified (in relation to England and Wales) by S.I. [2000/656](#) and (in relation to England) by S.I. [2000/2481](#).
⁽¹²⁾ The reference for Council Directive [95/53/EC](#) is OJ No. L265, 8.11.95, p.17. The reference for Council Directive [1999/20/EC](#) is OJ No. L80, 25.3.99, p.20.

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SCHEDULE 1

Regulation 18(b)

Provisions substituted for the provisions in Part V of Schedule 3 to the Feeding Stuffs Regulations 2000 relating to the Element Copper-Cu

“E4	Copper-Cu	Cupric acetate, monohydrate	$\text{Cu}(\text{CH}_3\text{COO})_2 \cdot \text{H}_2\text{O}$	Pigs for fattening: — up to 16 weeks	175 (total)	—	
				— from 17th week to six months	100 (total)	—	
		Basic cupric carbonate, monohydrate	$\text{CuCO}_3 \cdot \text{Cu}(\text{OH})_2 \cdot \text{H}_2\text{O}$	— from 17th week to six months	35 (total)	—	
				— over six months	35 (total)	—	
		Cupric chloride, dihydrate	$\text{CuCl}_2 \cdot 2\text{H}_2\text{O}$	— over six months	30 (total)	—	
		Cupric methionate	$\text{Cu}(\text{C}_3\text{H}_7\text{NO}_2\text{S})_2$	Breeding pigs:	50 (total)	—	
			CuO		15 (total)	—	
		Cupric oxide	$\text{CuSO}_4 \cdot 5\text{H}_2\text{O}$		35 (total)	—	
		Cupric sulphate, pentahydrate		Calves: — milk replacers: — other complete feeding stuffs:			
				Ovines:			
				Other species of animals:			
		Cupric sulphate, monohydrate	$\text{CuSO}_4 \cdot \text{H}_2\text{O}$	Pigs for fattening: — up to 16 weeks	175 (total)		Denatured skimmed milk powder and compound feeding stuffs manufactured from denatured skimmed milk powder: — Subject to the relevant
				— from 17th week to six months	100 (total)		
				— over six months	35 (total)		
		Cupric sulphate, pentahydrate	$\text{CuSO}_4 \cdot 5\text{H}_2\text{O}$	Breeding pigs:	35 (total)		

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<p>Ovines:</p> <p>Other species of animals with the exception of calves:</p>	<p>provisions of Commission Regulations (EEC) No. 368/77 and (EEC) No. 443/77.</p> <p>— Declaration of the amount of copper added, expressed as the element on the label or package or the container of denatured skimmed milk powder.”</p>
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SCHEDULE 2

Regulation 18(c)

Provisions substituted for Part IX of the table to
Schedule 3 to the Feeding Stuffs Regulations 2000

“PART IX

EUROPEAN COMMUNITY REGULATIONS BY WHICH ADDITIVES ARE CONTROLLED⁽¹⁾

Commission Regulation (EC) No. 2316/98 concerning authorisation of new additives and amending the conditions for authorisation of a number of additives already authorised in feedingstuffs⁽²⁾.

Commission Regulation (EC) No.1594/1999 amending the conditions for the authorisation of an additive in feedingstuffs⁽³⁾.

Commission Regulation (EC) No. 2439/1999 on the conditions for authorisation of additives belonging to the group “binders, anti-caking agents and coagulants” in feedingstuffs⁽⁴⁾.

Commission Regulation (EC) No. 1353/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives, new additive uses and new preparations in feedingstuffs⁽⁵⁾.

Commission Regulation (EC) No. 2437/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives in feedingstuffs⁽⁶⁾.

Commission Regulation (EC) No. 418/2001 concerning the authorisations of new additives and uses of additives in feedingstuffs⁽⁷⁾.

Commission Regulation (EC) No. 937/2001 concerning the authorisation of new additive uses, new additive preparation, the prolongation of provisional authorisations and the 10 year authorisation of an additive in feedingstuffs⁽⁸⁾.

⁽¹⁾Certain of the listed Regulations relate to categories of additive which also include additives controlled by the Additives Directive, and which are thus listed in the relevant Part of Parts I to VIII of the Table to this Schedule (e.g. the preservative formic acid is covered by Regulation (EC) No. 1594/1999 (above), whereas certain other preservatives are covered by Part VII of the Table).

⁽²⁾OJ No. L289, 28.10.98, p.4.

⁽³⁾OJ No. L188, 21.7.1999, p.35.

⁽⁴⁾OJ No. L297, 18.11.1999, p.8. The Annex to this Regulation is now replaced by the Annex to Regulation (EC) No. 739/2000 (OJ No. L87, 8.4.2000, p.14).

⁽⁵⁾OJ No. L155, 28.6.2000, p.15.

⁽⁶⁾OJ No. L280, 4.11.2000, p.28.

⁽⁷⁾OJ No. L62, 2.3.2001, p.3.

⁽⁸⁾OJ No. L130, 12.5.2001, p.25.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England only, amend the Feeding Stuffs Regulations 2000 (“the principal Regulations”) and implement—

- (a) Directive 2000/16/EC of the European Parliament and the Council amending Council Directive 79/393/EEC on the marketing of compound feedingstuffs and Council Directive 96/25/EC on the circulation of feed materials (OJ No. L105, 3.5.2000, p.36), and
- (b) Commission Decision 2000/285/EEC amending Decision 91/516/EEC establishing a list of ingredients whose use is prohibited in compound feedingstuffs (OJ No. L94, 14.4.2000, p.43).

The Regulations also provide for the enforcement of the following new European Community Regulations—

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- (a) Commission Regulation (EC) No. 2437/2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives in feedingstuffs (OJ No. L280, 4.11.2000, p.28),
- (b) Commission Regulation (EC) No. 418/2001 concerning the authorisation of new additives and uses of additives in feedingstuffs (OJ No. L62, 2.3.2001, p.3), and
- (c) Commission Regulation (EC) No. 937/2001 concerning the authorisation of new additive uses, new additive preparation, the prolongation of provisional authorisations and the 10 year authorisation of an additive in feedingstuffs (OJ No. L130, 12.5.2001, p.25).

The main changes to the principal Regulations are as follows:

- (a) the controls on the sale and possession with a view to sale of compound feeding stuffs are extended to cover their supply other than by sale, and their possession with a view to such supply (regulations 7, 8, 14 and 19(a), (f), (g), (i), (j), and (k));
- (b) prohibitions are added on the importation, supply, possession with a view to such supply and use of feed materials harmful to animals, to humans consuming products of such animals or to the environment. As regards the environment, the prohibition is applied also to sale and possession with a view to sale (regulation 9),
- (c) the prohibition on the sale for use as a compound feeding stuff, or use as such a feeding stuff, of “sludge from sewage plants treating waste water”, is replaced by one on the sale or use of “waste obtained from the treatment of waste water” (regulation 13);
- (d) additional labelling requirements are prescribed for feed materials and compound feeding stuffs (regulation 19(c) and (e) respectively);
- (e) the scope of certain provisions, previously applying only in relation to member States of the European Community, is extended to cover all States which are signatories to the Agreement on the European Economic Area (Regulations 6, 10, 12 and 20).

In addition, the Regulations make minor and consequential amendments to the principal Regulations and consequential amendments to the Feeding Stuffs (Enforcement) Regulations 1999.