2003 No. 752

AGRICULTURE

The Medicated Feedingstuffs (Amendment) (Scotland, England and Wales) Regulations 2003

Made - - - - -	*17th March 2003*
Laid before Parliament	*17th March 2003*
Coming into force - -	*31st March 2003*

The Secretary of State for Environment, Food and Rural Affairs, being designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the Common Agricultural Policy of the European Community, in exercise of the powers conferred on her by the said section 2(2), and having carried out any consultation required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(**c**) hereby makes the following Regulations:

Title, commencement and extent

1. These Regulations may be cited as the Medicated Feedingstuffs (Amendment) (Scotland, England and Wales) Regulations 2003, shall extend to Scotland, England and Wales, and shall come into force on 31st March 2003.

Amendment of the Medicated Feedingstuffs Regulations 1998

2.—(1) The Medicated Feedingstuffs Regulations 1998(**d**) shall be amended in their application to Scotland, England and Wales in accordance with this regulation.

(2) In each of regulations 3, 5, 10 and 12, after paragraph (2), add the following paragraph:

"(3) Any fee payable under regulation 35 for an application made under paragraph (1) above shall, to the extent that it is due but unpaid, be recoverable on demand.".

(3) In regulation 35—

(a) for paragraph (1), substitute:

"Subject to paragraphs (5) to (10), a person making an application under regulation 3, 5, 10 or 12, shall pay the appropriate fee corresponding to the application described in the first column of Schedule 1.";

(**a**) S.I. 1972/1811.
(**b**) 1972 c 68.
(**c**) Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28th January 2002 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, OJ L. 31, 1.2.2002, p 1.
(**d**) S.I. 1998/1046, as amended by S.I. 2000/1686 and S.I 2002/697.

(b) delete paragraph (3); and

(c) in paragraph (12), for "and by the Feedingstuffs (Zootechnical Products) (Amendment) (England, Scotland and Wales) Regulations 2002.", substitute:

", the Feedingstuffs (Zootechnical Products) (Amendment) (England, Scotland and Wales) Regulations 2002(**a**), and the Feedingstuffs (Zootechnical Products) (Amendment) Regulations 2003(**b**).".

(4) For Schedule 1, substitute the Schedule to these Regulations.

Revocation of the Medicated Feedingstuffs (Amendment) Regulations 2003

3. The Medicated Feedingstuffs (Amendment) Regulations 2003(**c**) are revoked, and the reference in regulation 2 of the Feedingstuffs (Zootechnical Products) Regulations 1999(**d**) to the Medicated Feedingstuffs (Amendment) (Scotland, England and Wales) Regulations 2003 shall be treated as a reference to these Regulations.

Elliot Morley
Parliamentary Under-Secretary,
17th March 2003 Department for Environment, Food and Rural Affairs

(**a**) S.I. 2002/696.
(**b**) S.I. 2003/545.
(**c**) S.I. 2003/546.
(**d**) S.I. 1999/1871, as amended by S.I. 2000/1686, S.I. 2002/696 and S.I. 2003/545.

SCHEDULE

Regulation 2

"Regulation 35

SCHEDULE 1

PART I

FEES PAYABLE IN RELATION TO THE GRANT AND RENEWAL OF APPROVAL IN RESPECT OF PREMISES

Application	*Fee* £	*Previous Fee* £
1. Grant or renewal of an approval of premises to manufacture an authorised intermediate product	484	379
2. Grant or renewal of an approval of premises to manufacture medicated feedingstuffs incorporating medicated pre-mixes at any concentration	484	379
3. Grant or renewal of an approval of premises to manufacture medicated feedingstuffs incorporating medicated pre-mixes at a concentration of 2 kg per tonne or more only	296	150
4. Grant or renewal of an approval of premises to manufacture medicated feedingstuffs incorporating medicated pre-mixes at a concentration of 2 kg per tonne or more for the manufacturer's own use	115	89

Note

Where more than one of the above activities is carried out at one premises, only one fee is payable, which shall be the highest fee payable for any one of those activities.

PART II

FEES PAYABLE IN RELATION TO GRANT OR RENEWAL OF APPROVAL OF DISTRIBUTORS

Application	*Fee* £	*Previous fee* £
Approval or renewal of approval of distributors	112	95"

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Medicated Feedingstuffs Regulations 1998 (SI 1998/1046) in Scotland, England and Wales. The 1998 Regulations implement Council Directive 90/167/EEC (OJ No. L 902, 7.4.90, p. 42) laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community.

These Regulations raise the fees charged for applications for approvals and for renewals of approvals in respect of premises carrying out or proposing to carry out various activities involving the manufacture of certain medicated feedingstuffs and other such products. It also increases the fee charged for applications for the approval or renewal of approval of persons as distributors of medicated feedingstuffs.

These Regulations also revoke (by regulation 3) the Medicated Feedingstuffs (Amendment) Regulations 2003 (SI 2003/546), which were incompletely cited in the citation regulation. Those Regulations included amendments to the 1998 Regulations identical to those made by these Regulations and were stated to come into force at the same time as these Regulations. Consequential provision is made in these Regulations to deal with the cross-referencing affected by the revocation.

A Regulatory Impact Assessment has been carried out in respect of the measures effected by these amending Regulations, and has been placed in the library of each House of Parliament. Copies may be obtained from the Veterinary Medicines Directorate, Woodham Lane, New Haw, Addlestone, Surrey KT15 3LS.

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