
STATUTORY INSTRUMENTS

2005 No. 1265

**The Feed (Corn Gluten Feed and Brewers Grains)
(Emergency Control) (England) Regulations 2005**

Application of various provisions of the Act

5.—(1) The provisions of the Act listed in paragraph (2) shall apply for the purposes of these Regulations subject to the modification set out in paragraph (2)(a) and as if—

- (a) any reference in those provisions to a feeding stuff were a reference to feed;
- (b) any reference in those provisions to the Act or any Part of it were a reference to these Regulations;
- (c) any reference in those provisions to samples taken in a prescribed manner were a reference to samples taken in a manner prescribed in Part II of Schedule 1 to the Feeding Stuffs (Sampling and Analysis) Regulations 1999(1); and
- (d) any reference in those provisions to a prescribed manner of analysis were a reference to a method that is suitable and validated for the purposes of Article 2.1 of the Commission Decision.

(2) The provisions referred to in paragraph (1) are—

- (a) section 76 (inspector's power to enter premises and take samples), which shall apply as if paragraph (b) of subsection (2) included power to require production of and to take copies of any documentation relating to the feed concerned;
- (b) section 77 (division of samples and analysis by agricultural analyst);
- (c) section 78(2), (3), (4), (5), (6), (7), (8) and (10) (further analysis by the Government Chemist);
- (d) section 79(4), (5), (6), (8) and (10) (supplementary provisions relating to samples and analysis);
- (e) section 80 (institution of prosecutions);
- (f) section 81 (offences due to fault of other person);
- (g) section 82 (defence of mistake, accident, etc.);
- (h) section 83 (exercise of powers by inspectors); and
- (i) section 110 (offences by bodies corporate).

(1) S.I.1999/1663, amended by S.I. 1999/1871, S.I. 2001/541, S.I. 2002/892, S.I. 2003/1296, S.I. 2003/1503, S.I. 2003/2912, S.I. 2004/1301, S.I. 2004/2146 and S.I. 2004/2688.