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STATUTORY INSTRUMENTS

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**2005 No. 3280**

**The Feed (Hygiene and Enforcement)  
(England) Regulations 2005**

**PART 1**

**Preliminary**

**Interpretation**

**2.—(1)** In these Regulations —

“the Act” means the Agriculture Act 1970<sup>(1)</sup>;

“the Agency” means the Food Standards Agency;

“agricultural analyst” means an agricultural analyst appointed under section 67 of the Act, and includes a deputy analyst appointed for the same area;

“area” includes the district of the Port of London;

“authorised officer” means a person (whether or not an officer of the enforcement authority) who is authorised by the enforcement authority, either generally or specially, to act in relation to matters arising under these Regulations;

“enforcement authority” means the body identified as having the duty to enforce under regulation 16;

“feed authority” means an authority identified in section 67(1) of the Act as having the duty to enforce Part IV of that Act within its area;

“point 4 compliant laboratory” means a laboratory which complies with the fourth and fifth indents of Annex II to Commission Directive [2002/70/EC](#) establishing requirements for the determination of levels of dioxins and dioxin-like PCBs in feedingstuffs<sup>(2)</sup>;

“premises” includes any establishment, any place, vehicle, stall or moveable structure and any ship or aircraft;

“prescribed manner” means the manner prescribed by the Feeding Stuffs (Sampling and Analysis) Regulations 1999<sup>(3)</sup> or otherwise in accordance with Article 11(1) of Regulation 882/2004;

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

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(1) 1970 c. 40.

(2) OJ No. L209, 6.8.2002, p.15.

(3) S.I.1999/1663 as amended in relation to England by S.I. 2001/541, S.I. 2002/892, S.I. 2003/1296, S.I. 2004/2146 and S.I. 2005/— (the *Feeding Stuffs (England) Regulations 2005*).

“Regulation 882/2004” means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules<sup>(4)</sup>;

“Regulation 183/2005” means Regulation (EC) No. 183/2005 of the European Parliament and of the Council laying down requirements for feed hygiene<sup>(5)</sup>;

“sampled portion” has the meaning given in Part I of Schedule 1 to the Feeding Stuffs (Sampling and Analysis) Regulations 1999;

“specified feed law” means the provisions listed in Schedule 1;

(2) Subject to paragraph (3), other expressions used in these Regulations and in Regulation 178/2002, Regulation 882/2004 or Regulation 183/2005 have the same meaning in these Regulations as in that Regulation.

(3) In these Regulations “feed” or “feeding stuff” does not include any of the following feed additives or premixtures consisting solely of such additives —

- (a) coccidiostats;
- (b) histomonostats; and
- (c) all other zootechnical additives except —
  - (i) digestibility enhancers,
  - (ii) gut flora stabilisers, and
  - (iii) substances incorporated with the intention of favourably affecting the environment.

(4) Where, apart from this paragraph, any period of less than seven days which is specified in these Regulations would include any day which is —

- (a) a Saturday, a Sunday, Christmas Day or Good Friday; or
  - (b) a day which is a bank holiday under the Banking and Financial Dealings Act 1971<sup>(6)</sup>,
- that shall be excluded from the period.

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<sup>(4)</sup> OJ No. L191, 28.5.2004, p.1.

<sup>(5)</sup> OJ No. L35, 8.2.2005, p.1.

<sup>(6)</sup> 1971 c. 80.