
STATUTORY INSTRUMENTS

2005 No. 3281

AGRICULTURE

The Feeding Stuffs (England) Regulations 2005

Made - - - - 28th November 2005
Laid before Parliament 5th December 2005
Coming into force - - 1st January 2006

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 66(1), 68(1) and (1A), 69(1) and (3), 70(1), 71(1), 74(1), 74A, 77(4), 78(6) and (10), 79(1), (2) and (9), 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 with Articles 2 and 6 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002)(3).

In so far as these Regulations cannot be made under the powers in the Agriculture Act 1970 specified above, the Secretary of State makes these Regulations in exercise of her powers as a Minister designated(4) for the purposes of section 2(2) of the European Communities Act 1972(5) 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.

There has been consultation in accordance with the requirements of section 84(1) of the Agriculture Act 1970 or as appropriate of Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council 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(6).

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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. Functions of “the Ministers”, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I. 1999/672. Those functions, so far as exercisable in relation to Scotland, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (1998 c. 46). 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 and were transferred to the Minister of Agriculture, Fisheries and Food. Section 74A was inserted by the European Communities Act 1972 (1972 c. 68), Schedule 4, paragraph 6.
- (2) S.I. 2000/656.
- (3) S.I. 2002/794.
- (4) S.I. 1972/1811 in relation to the common agricultural policy and S.I. 1999/2027 in relation to measures in the veterinary and phytosanitary fields for the protection of public health.
- (5) 1972 C. 68.
- (6) OJ No. L31, 1.2.2002, p. 1, as last amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (OJ No. L245, 29.9.2003, p. 4).