
STATUTORY INSTRUMENTS

2005 No. 3281

The Feeding Stuffs (England) Regulations 2005

PART 2

Presentation and Composition of Feeding Stuffs

Limits of variation

10.—(1) Section 74(2) shall have effect in England as if after the words “this Part of this Act” there were inserted the words “or the Feeding Stuffs (England) Regulations 2005”.

(2) For the purposes of section 74, as modified by paragraph (1), the limits of variation in relation to any mis-statement in a statutory statement, document or mark, as to the nature, substance or quality of a feeding stuff where the mis-statement relates to—

- (a) any analytical constituent specified in the first column of—
 - (i) Part A of Schedule 4 (where the feeding stuff is a compound feeding stuff not intended for pet animals),
 - (ii) Part B of Schedule 4 (where the feeding stuff is a compound pet food), or
 - (iii) Part C of Schedule 4 (in the case of a feed material);
- (b) any vitamin or trace element specified in the first column of Part D of that Schedule; or
- (c) the energy value of any feeding stuff specified in the first column of Part E of that Schedule,

shall be as set out with respect to that constituent or vitamin, trace element or feeding stuff, in the corresponding entry in the second Column of the relevant Part of that Schedule.

(3) Particulars with respect to any material which are contained in a statutory statement, or in any document, or which are marked on, or denoted by a mark on, the material, shall not, for the purposes of Part IV of the Act or of these Regulations, be treated as false by reason of any mis-statement therein as to the nature, substance or quality of the material, if—

- (a) the material was first sold, or otherwise put into circulation in an EEA 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
- (c) any such limits were in accordance with any applicable European Community legislation.