
WELSH STATUTORY INSTRUMENTS

2001 No. 343

The Feeding Stuffs (Wales) Regulations 2001

Control of feeding stuffs and feed materials containing undesirable substances

12.—(1) No person shall sell, or have in possession with a view to sale, for use as a feeding stuff, or use as a feeding stuff, any material specified in column 2 of Part I of Schedule 7, which contains any substance specified in column 1 of that Part in excess of the level specified in relation thereto in column 3 thereof.

(2) No person shall sell, or have in possession with a view to sale, for use as a feeding stuff, or use as a feeding stuff, any complementary feeding stuff if —

- (a) when it is diluted as specified by the manufacturer for feeding to animals, it contains any substance specified in column 1 of Part I of Schedule 7, in excess of the level specified for that substance in column 3 of that Part in relation to complete feeding stuffs, and
- (b) there is no provision relating to any complementary feeding stuffs in the corresponding entry in column 2 of that Part.

(3) No person shall put into circulation any feed material specified in column 2 of Chapter A of Part II of Schedule 7, which contains any substance specified in column 1 of that Part in excess of the level specified in relation thereto in column 3 thereof.

(4) Without prejudice to paragraph (3) above, and subject to paragraph (5) below, no person shall put into circulation any feed material specified in column 2 of Chapter A of Part II of Schedule 7, or in column 2 of Chapter B of that Part, which contains any substance specified in relation to the material in question in the corresponding entry in column 1 of the Chapter in question, in excess of the level specified in column 3 of Part I of that Schedule in relation to the corresponding feed material, unless the feed material put into circulation —

- (a) is intended only for use only on —
 - (i) a UK approved or permitted Article 2.2(d) establishment;
 - (ii) a UK approved or permitted Article 2.2(f) establishment;
 - (iii) an EC approved or permitted Article 2.2(d) establishment; or
 - (iv) an EC approved or permitted Article 2.2(f) establishment;

and

- (b) is accompanied by a document stating —
 - (i) that it is intended for use by such establishments,
 - (ii) that it may not be fed unprocessed to livestock, and
 - (iii) the amount of the specified substance contained in the material.

(5) For the purposes of paragraph (4) above, no UK or EC establishment shall be considered an approved establishment unless —

- (a) in the case of a UK establishment, it is included in the most recently published national list (if any),
- (b) in the case of an EC establishment, it is included in the most recently published list (if any) equivalent in the Member State concerned to the national list.

(6) No person shall mix with any feeding stuff or feed material, any feed material specified in column 2 of Chapter A of Part II of Schedule 7, if the feed material so specified contains any substance specified in the corresponding entry in column 1 of that Part in excess of the level specified in relation thereto in column 3 thereof.

(7) No person shall put into circulation any feed material unless it is —

- (a) sound and genuine, and
- (b) of merchantable quality.

(8) For the purposes of paragraph (7) above, and without prejudice to the provisions of paragraph (3) above, a feed material is not sound, genuine and of merchantable quality if (were it to be incorporated into any compound feeding stuff specified in column 2 of Part I of Schedule 7) the level of any substance specified in column 1 of that Part, and contained in the feed material, would exceed the level specified for that substance in column 3 of that Part in relation to the compound feeding stuff in question.

(9) Where a person has or has had in his possession or control, for the purposes of a trade or business, any feeding stuff or feed material and becomes aware —

- (a) in the case of a feeding stuff, that it does not comply with any requirement of paragraphs (1) or (2) above; or
- (b) in the case of a feed material, that it does not comply with any requirement of paragraphs (3), (4), (7) or (8) above,

that person shall immediately notify the National Assembly, and an inspector appointed under section 67(3) by the authority which, by virtue of section 67(1A), has the duty to enforce Part IV of the Act in relation to the feeding stuff or feed material in question.

(10) For the purposes of the foregoing provisions of this regulation —

- (a) “feeding stuff” means —
 - (i) a product of vegetable or animal origin in its natural state (whether fresh or preserved);
 - (ii) a product derived from the industrial processing of such a product; or
 - (iii) an organic or inorganic substance, used singly or in a mixture, whether or not containing additives, for oral feeding to pet animals, to farmed creatures or to animals living freely in the wild, and “complementary feeding stuff”, “complete feeding stuff” and “compound feeding stuff” shall be construed accordingly; and
- (b) “feed material” means a product or substance within the definition of “feed materials” in Article 2(b) of Council Directive [1999/29/EC](#) on undesirable substances and products in animal nutrition⁽¹⁾.

(1) OJNo. L115, 4.5.1999, p.32.