
WELSH STATUTORY INSTRUMENTS

2005 No. 3368

The Feed (Hygiene and Enforcement) (Wales) Regulations 2005

PART 3

Enforcement of Regulation 178/2002

Offences, penalties and enforcement

15.—(1) Any person who contravenes or fails to comply with any of the specified provisions of Regulation 178/2002 set out in paragraph (2) is guilty of an offence and liable—

- (a) in the case of paragraph (2)(a) and (b)
 - (i) on summary conviction to a term of imprisonment not exceeding three months or to a fine not exceeding the statutory maximum, or both; or
 - (ii) on conviction on indictment to a term of imprisonment not exceeding two years or to a fine, or both;
- (b) in the case of paragraph (2)(c), (d) and (e) on summary conviction to a term of imprisonment not exceeding three months or to a fine not exceeding level 5 on the standard scale, or both.

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

- (a) Article 12 in so far as it relates to feed (export or re-export to third countries);
- (b) Article 15, paragraph 1 (prohibition on the placing on the market or feeding to any food-producing animal of unsafe feed);
- (c) Article 16 in so far as it relates to feed (prohibition on misleading labelling, advertising or presentation);
- (d) Article 18, paragraphs 2 and 3 (requirements of traceability) in so far as it relates to feed business operators;
- (e) Article 20 (responsibilities of feed business operators).

(3) The competent authority for the purposes of Articles 15 and 18 is the enforcement authority and for the purposes of Article 20 is the enforcement authority or the Agency.

(4) In this regulation “feed” means feed for food-producing animals.