
WELSH STATUTORY INSTRUMENTS

2006 No. 116

The Feeding Stuffs (Wales) Regulations 2006

PART 1

INTRODUCTORY AND GENERAL

Interpretation

2.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Agriculture Act 1970;

“additive” (“*ychwanegyn*”) subject to regulation 21(4), means a feed additive to which the Additives Regulation applies, with the exception of any additive in categories (d) or (e) of Article 6(1) of that Regulation other than those in the functional groups listed in paragraph 4(a), (b) and (c) of Annex 1 to that Regulation;

“the Additives Directive” (“*y Gyfarwyddeb Ychwanegion*”) means Council Directive [70/524/EEC](#) concerning additives in feeding stuffs⁽¹⁾;

“the Additives Regulation” (“*y Rheoliad Ychwanegion*”) means Regulation [\(EC\) No. 1831/2003](#) of the European Parliament and of the Council on additives for use in animal nutrition⁽²⁾;

“ash” (“*lludw*”) means the matter which results from the treatment of a feeding stuff in accordance with the appropriate procedure set out in the method of analysis for ash specified in Point 5 of the Annex to Directive [71/250/EEC](#)⁽³⁾;

“the Certain Products Directive” (“*y Gyfarwyddeb Cynhyrchion Penodol*”) means Council Directive [82/471/EEC](#) concerning certain products used in animal nutrition⁽⁴⁾;

“complementary feeding stuff” (“*bwyd anifeiliaid cydategol*”) means a compound feeding stuff which has a high content of certain substances and which, by reason of its composition, is sufficient for a daily ration only if it is used in combination with other feeding stuffs;

“complete feeding stuff” (“*bwyd anifeiliad cyflawn*”) means a compound feeding stuff which, by reason of its composition, is sufficient for a daily ration;

“compound feeding stuff” (“*bwyd anifeiliad cyfansawdd*”) subject to regulation 14(6), means a mixture of feed materials, whether or not containing any additive, for oral feeding to pet animals or farmed creatures in the form of complementary feeding stuffs or complete feeding stuffs;

(1) OJ No. L270, 14.12.70, p.1 (OJ/SE Vol. 18, p.4), as last amended by Council Directive [1999/20/EC](#) (OJ No. L80, 25.3.1999, p.20).

(2) OJ No. L268, 18.10.2003, p.29.

(3) OJ No. L155, 12.7.71, p.13 (OJ/SE 1971(II), p.480).

(4) OJ No. L213, 21.7.82, p.8, as last amended by Commission Directive [2004/116/EC](#) (OJ No. L379, 24.12.2004, p.81).

“the Compound Feeding Stuffs Directive” (“*y Gyfarwyddeb Bwydydd Anifeiliaid Cyfansawdd*”) means Council Directive [79/373/EEC](#) on the circulation of compound feeding stuffs(5);

“daily ration” (“*dogn dyddiol*”) means the average total quantity of feeding stuff, expressed on a 12% moisture basis, required daily by an animal of a given kind, age group and level of production in order to satisfy all its nutritional needs;

“EEA State” (“*Gwladwriaeth yr Ardal Economaidd Ewropeaidd*”) means a Member State of the European Economic Area, Norway, Iceland or Liechtenstein;

“energy value” (“*gwerth egni*”) means the energy value of a compound feeding stuff calculated in accordance with the relevant method specified in Schedule 1;

“establishment” (“*sefydliad*”) has the meaning given by Article 3(d) of Regulation (EC) No. [183/2005](#) of the European Parliament and of the Council laying down requirements for feed hygiene(6);

“fat” (“*braster*”) means the extract obtained following the treatment of a feeding stuff in accordance with the appropriate procedure set out in the method of analysis for oils and fats specified in Part IV of the Annex to Directive [71/393/EEC](#)(7);

“feed material” (“*deunydd bwyd anifeiliaid*”) means—

“the Feed Materials Directive” (“*y Gyfarwyddeb Deunydd Bwyd Anifeiliaid*”) means Council Directive [96/25/EC](#) on the circulation of feed materials(8);

“feeding stuff intended for a particular nutritional purpose” (“*bwyd anifeiliaid a fwriedir ar gyfer diben maethiadol penodol*”) means a compound feeding stuff, the composition or method of manufacture of which distinguishes it from other feeding stuffs and from the type of products covered by Council Directive [90/167/EEC](#) laying down the conditions governing the preparation, placing on the market and use of medicated feeding stuffs in the Community(9), and in respect of which any indication is given that it is intended for a particular nutritional purpose;

(a) any product of vegetable or animal origin, in its natural state, fresh or preserved;

(b) any product derived from such a product by industrial processing; or

(c) any organic or inorganic substance,

(whether or not containing any additive) and for use in oral feeding to pet animals or farmed creatures, directly as such, or after processing, in the preparation of a compound feeding stuff or as a carrier of a premixture;

“fibre” (“*ffeibr*”) means the organic matter calculated following the treatment of a feeding stuff in accordance with the procedure set out in the method of analysis for fibre specified in Point 3 of Annex 1 to Directive [73/46/EEC](#)(10);

“mammalian meat and bone meal” (“*blawd cig ac esgyrn mamaliaid*”) has the meaning given in Regulation 3(1) of the TSE (Wales) Regulations 2002(11);

(5) OJ No. L86, 6.4.79, p.30. Last amended by Directive [2002/2/EC](#) of the European Parliament and of the Council (OJ No. L63, 6.3.2002, p.23).

(6) OJ No. L35, 8.2.2005, p.1.

(7) OJ No. L279, 20.12.71, p.7 (OJ/SE 1971(III), p.987). (Part IV was replaced entirely by Annex 1 to Directive [84/4/EEC](#) (OJ No. L15, 18.1.84, p.28. That Annex was in turn replaced entirely by Part B of the Annex to Directive [98/64/EC](#) (OJ No. L257, 19.9.98, p.14)).

(8) OJ No. L125, 23.5.96, p.35. Last amended by Council Regulation (EC) No. [806/2003](#) (OJ No. L122, 16.5.2003, p.1).

(9) OJ No. L92, 7.4.90, p.42.

(10) OJ No. L83, 30.3.73, p.21. (Point 3 of Annex 1 was replaced entirely by the Annex to Directive [92/89/EEC](#)) (OJ No. L344, 26.11.92, p.35)).

(11) [S.I. 2002/1416 \(W.142\)](#), as amended by [S.I. 2004/2735 \(W.242\)](#).

“Member State” (“*Aelod-Wladwriaeth*”) means a Member State other than the United Kingdom;

“micro-organism” (“*micro-organedd*”) has the meaning given by Article 2(2)(m) of the Additives Regulation;

“milk replacer feed” (“*bwyd anifeiliaid sy'n cymryd lle llaeth*”) means a compound feeding stuff administered in dry form, or after reconstitution with a given quantity of liquid, for feeding young animals as a supplement to, or substitute for, post-colostral milk or for feeding calves intended for slaughter;

“mineral feeding stuff” (“*bwyd anifeiliaid mwynol*”) means a complementary feeding stuff which is composed mainly of minerals and which contains at least 40% by weight of ash;

“minimum storage life” (“*isafswm oes storio*”) means, in relation to a compound feeding stuff, the date until which, under proper storage conditions, that feeding stuff retains its specific properties;

“molassed feeding stuff” (“*bwyd anifeiliaid triagl*”) means a complementary feeding stuff prepared from molasses and which contains at least 14% by weight of total sugar expressed as sucrose;

“moisture” (“*lleithedd*”) means water and other volatile material determined in accordance with the procedure set out in the method of analysis for moisture specified in Part I of the Annex to Directive [71/393/EEC\(12\)](#);

“oil” (“*olew*”) means the extract obtained following the treatment of a feeding stuff in accordance with the appropriate procedure set out in the method of analysis for oils and fats specified in Part IV of the Annex to Directive [71/393/EEC\(13\)](#);

“particular nutritional purpose” (“*diben maethiadol penodol*”) means the purpose of satisfying any nutritional requirement of pet animals or productive livestock, the process of assimilation or absorption of which, or the metabolism of which, may be temporarily impaired, or is temporarily or permanently impaired, and which may therefore benefit from ingestion of a feeding stuff capable of achieving that purpose;

“pet food” (“*bwyd anifeiliaid anwes*”) means a feeding stuff for pet animals and “compound pet food” is construed accordingly;

“premixture” (“*rhag-gymysgedd*”) has the meaning given by Article 2(2)(e) of the Additives Regulation, excluding any premixture containing an additive belonging to category (d) or (e) of Article 6(1) of that Regulation other than those in the functional groups listed in paragraph 4(a), (b) and (c) of Annex 1 to that Regulation;

“prescribed material” (“*deunydd rhagnodedig*”) means material described in regulation 5(1);

“product intended for animal feed” (“*cynnyrch a fwriedir ar gyfer bwyd anifeiliaid*”) means any product used or intended for use in feed for pet animals, farmed creatures or animals living freely in the wild;

“protein” (“*protein*”), except in paragraphs 7, 8, 9 and 10 of Part I of Schedule 3 where it has the meaning given to it by regulation 3(1) of the TSE (Wales) Regulations 2002, means the matter obtained as a result of treatment of a feeding stuff in accordance with the procedure set out in the method of analysis for protein specified in Point 2 of Annex 1 to Directive [72/199/EEC\(14\)](#);

(12) OJ No. L279, 20.12.71, p.7 (OJ/SE 1971(III), p.987), amended by Article 1 of Directive [73/47/EEC](#) (OJ No. L83, 30.3.73, p.35).

(13) OJ No. L279, 20.12.71, p.7 (OJ/SE 1971(III), p.987). (Part IV was replaced entirely by Annex 1 to Directive [84/4/EEC](#) (OJ No. L15, 18.1.84, p.28). That Annex was in turn replaced entirely by Part B of the Annex to Directive [98/64/EC](#) (OJ No. L257, 19.9.98, p.14)).

(14) OJ No. L123, 29.5.72, p.6 (OJ/SE 1966-1972 supplement, p.74), (Point 2 of Annex 1 has been replaced by the Annex to Directive [93/28/EEC](#) (OJ No. L179, 22.7.93, p.8)).

“put into circulation” (“*rhoi mewn cylchrediad*”) means sell or otherwise transfer, have in possession with a view to selling or otherwise transferring, or offer for sale, in each case to a third party, and in regulations 13(8) and 14 also means import into Wales from a state other than an EEA State;

“starch” (“*starts*”) means the matter obtained as the result of treatment of a feeding stuff in accordance with the procedure set out in the method of analysis for starch specified in Point 1 of Annex 1 to Directive [72/199/EEC](#);

“the 2001 Regulations” (“*Rheoliadau 2001*”) means the Feeding Stuffs (Wales) Regulations 2001(15);

“undesirable substance” (“*sylwedd annymunol*”) means any substance or product, not being a pathogenic agent, which is present in or on a product intended for animal feed and—

- (a) constitutes a potential danger to animal or human health or the environment; or
- (b) could adversely affect livestock production;

(2) Any reference in these Regulations to a numbered regulation or Schedule must, unless the context otherwise requires, be construed as a reference to the regulation or Schedule bearing that number in these Regulations.

(3) Where, in any tabular or other entry in a Schedule to these Regulations, a numbered reference to a footnote appears, the footnote so numbered must be treated as included in or amplifying the text to which it relates.

(4) Any reference in these Regulations to a numbered section must, unless otherwise indicated, be construed as a reference to the section bearing that number in the Act.

(5) Any reference in these Regulations to a Community instrument must be construed as a reference to that instrument as amended on or before the date that these Regulations are made.