

STATUTORY INSTRUMENTS

1999 No. 1528

The Feeding Stuffs (Amendment) Regulations 1999

Title and commencement

1. These Regulations may be cited as the Feeding Stuffs (Amendment) Regulations 1999, and shall come into force on 2nd July 1999.

Amendment of the Feeding Stuffs Regulations 1995

2. The Feeding Stuffs Regulations 1995 ^{M1} shall be further amended in accordance with regulations 3 to 5 below.

Marginal Citations

M1 [S.I. 1995/1412](#), amended by [S.I. 1996/1260](#), [S.I. 1998/104](#) and [S.I. 1998/2072](#).

3. In regulation 2(1) (interpretation)–

(a) after the definition of “daily ration” there shall be inserted the following definitions–

““EC approved Article 2.2(d) establishment” means an establishment listed on a register of approved establishments, maintained by a competent authority in a Member State, in implementation of Article 5 of the Establishments Directive, as an establishment on which a compound feeding stuff, of any kind the manufacture of which is regulated by Article 2.2(d) of that Directive, may be manufactured with a view to putting it into circulation;

“EC approved Article 2.2(f) establishment” means an establishment listed on a register of approved establishments, maintained by a competent authority in a Member State, in implementation of Article 5 of the Establishments Directive, as an establishment on which a compound feeding stuff, of any kind the production of which is regulated by Article 2.2(f) of that Directive, may be produced for the exclusive requirements of the producer’s holding;

“EC permitted Article 2.2(d) establishment” means an establishment located in a Member State (other than an EC approved Article 2.2(d) establishment or an establishment which a competent authority in the Member State has declined to approve as such an establishment) if–

- (a) a compound feeding stuff, of any kind the manufacture of which is regulated by Article 2.2(d) of the Establishments Directive, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) before 1st September 1998, an application (which is pending) in respect of the establishment, was made to a competent authority in the Member State, in accordance with any requirements in the Member State for the making of such applications, to approve the establishment, pursuant to the Establishments Directive, as an establishment on which a compound feeding stuff of any such kind may be manufactured with a view to putting it into circulation;

“EC permitted Article 2.2(f) establishment” means an establishment located in a Member State (other than an EC approved Article 2.2(f) establishment or an establishment which a competent authority in the Member State has declined to approve as such an establishment) if–

- (a) a compound feeding stuff, of any kind the manufacture of which is regulated by Article 2.2(f) of the Establishments Directive, was being produced on the establishment, for the exclusive requirements of the producer’s holding, on 1st April 1998, and
 - (b) before 1st September 1998, an application (which is pending) in respect of the establishment, was made to a competent authority in the Member State, in accordance with any requirements in the Member State, in accordance with any requirements in the Member State for the making of such applications, to approve the establishment, pursuant to the Establishments Directive, as an establishment on which a compound feeding stuff of any such kind may be produced for the exclusive requirements of the producer’s holding;”;
- (b) after the definition of “energy value” there shall be inserted the following definitions–
- ““establishment” has the meaning given by Article 1.3 of the Establishments Directive;
- “the Establishments Directive” means Council Directive [95/69/EC](#) laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector and amending Directives [70/524/EEC](#), [74/63/EEC](#), [79/373/EEC](#) and [82/471/EEC](#)^{M2};”;
- (c) after the definition of “feeding stuff intended for a particular nutritional purpose” there shall be inserted the following definition–
- ““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;”
- ^{M3}
- ;
- (d) after the definitions of “medicinal product” and “medicinal purpose” there shall be inserted the following definition–
- ““Member State” means a Member State other than the United Kingdom;”;
- (e) for the definition of “national list” there shall be substituted the following definition–
- ““national list” means the list of establishments published in London by the Minister of Agriculture, Fisheries and Food, for the purposes of Article 6.1 of the Establishments Directive;”;
- (f) after the definition of “protein equivalent of urea, biuret, urea phosphate and diureidoisobutane” there shall be inserted the following definition–
- ““put into circulation” means sell or otherwise supply, or have in possession with a view to selling or otherwise supplying, but in regulation 15(3), (4) and (6) also means import into Great Britain from a country other than an EEA State;”;
- (g) after the definition of “straight feeding stuff” there shall be added the following definitions–
- ““third country” means a country other than a Member State or the United Kingdom; subject to regulation 15(4A), “UK approved Article 2.2(d) establishment”, “UK approved Article 2.2(f) establishment”, “UK permitted Article 2.2(d) establishment” and “UK permitted Article 2.2(f) establishment” have the meanings given by regulation 3 of the Feeding Stuffs (Establishments and Intermediaries) Regulations 1998;”

M4

Marginal Citations

- M2** OJ No. L332, 30.12.95, p.17.
M3 OJ No. L115, 4.5.1999, p.32.
M4 [S.I. 1998/1049](#).

4. In regulation 15 (which deals with undesirable substances)–

(a) for paragraphs (3) to (6) there shall be substituted the following paragraphs–

“(3) No person shall put into circulation any feed material specified in column 2 of Chapter A of Part II of Schedule 5, which contains any substance specified in column 1 of that Part in excess of the maximum content specified in relation thereto in column 3 thereof.

(4) Subject to paragraph (4A) below, no person shall put into circulation any feed material specified in column 2 of Chapter A of Part II of Schedule 5, 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 maximum content specified in relation to the corresponding feed material in column 3 of Part I of that Schedule, unless the feed material put into circulation–

(a) is intended 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 it,
- or is intended for supply by way of export to a third country.

(4A) 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.

(5) 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 5, if the feed material so specified contains any substance specified in the corresponding entry in column 1 of that Part in excess of the maximum content specified in relation thereto in column 3 thereof.

(6) No person shall put into circulation any feed material unless it is–

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

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Feeding Stuffs (Amendment) Regulations 1999*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (b) in paragraphs (7), (9) and (10), for the expression “ingredient”, wherever it appears, there shall be substituted the expression “ feed material ”, with any immediately preceding indefinite article changed consequentially;
- (c) paragraph (8) shall be deleted;
- (d) in paragraph (9), for the words from “by virtue of” to the end there shall be substituted the words “ by virtue of section 67(1) or (1A) has the duty to enforce Part IV of the Act in relation to the feeding stuff or feed material in question. ”.

5. In Schedule 5 (prescribed limits for undesirable substances)–

- (a) in Part I, for the expression “straight feeding stuffs”, wherever it appears, and for the expression “feeding stuffs” where it appears immediately after the expression “except:” in the entries relating to Fluorine and Mercury, and in the third indent of the entry for Arsenic, there shall be substituted the expression “ feed materials ”; and
- (b) for Part II there shall be substituted the contents of the Schedule to these Regulations.

28th May 1999

Jeff Rooker
Minister of State, Ministry of Agriculture,
Fisheries and Food

28th May 1999

Sewel
Parliamentary Under Secretary of State, Scottish
Office

Signed by authority of the Secretary of State for Wales

3rd June 1999

Jon Owen Jones
Parliamentary Under Secretary of State, Welsh
Office

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Feeding Stuffs (Amendment) Regulations 1999. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2000/2481 reg. 26](#)
- Regulations revoked by [S.I. 2001/343 reg. 23](#)
- Regulations revoked in part by [S.S.I. 2000/453 reg. 26](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Act revoked by [S.S.I. 2000/453 reg.26](#)
- Act revoked by [S.I. 2000/2481 reg.26](#)