
WELSH STATUTORY INSTRUMENTS

2016 No. 386

**The Animal Feed (Composition, Marketing
and Use) (Wales) Regulations 2016**

PART 6

[^{F1}Undesirable substances in products intended for animal feed]

Control of animal feeds containing undesirable substances

15.—(1) A person who—

- (a) places on the market any feed that is specified in column 2 of [^{F1}a table in Schedule 1B]; or
- (b) uses any such feed,

commits an offence if it contains any undesirable substance listed in column 1 of that [^{F2}table] in excess of the relevant maximum content specified in column 3.

(2) A person who places on the market or uses any complementary feed commits an offence if—

- (a) having regard to the quantity of it recommended for use in a daily ration, it contains any undesirable substance listed in column 1 of [^{F3}a table in Schedule 1B] in excess of the maximum content specified for it in column 3 in relation to complete feeds; and
- (b) there is no provision relating to any complementary feed in the corresponding entry in column 2 of that [^{F4}table].

(3) A person who for the purpose of dilution mixes any feed with a feed that is specified in column 2 of [^{F5}a table in Schedule 1B] and which contains any undesirable substance listed in column 1 of that [^{F6}table] in excess of the maximum content specified for it in column 3 commits an offence.

(4) A person who places on the market or uses any feed which is not sound and genuine and of merchantable quality commits an offence.

(5) For the purposes of paragraph (4) a feed listed in column 2 of [^{F7}a table in Schedule 1B] shall be deemed not to be sound, genuine and of merchantable quality if it contains any undesirable substance specified in column 1 of that [^{F8}table] in excess of the maximum content specified in relation to it in column 3.

(6) A person who has, for the purpose of a trade or business, possession or control of any of the feeds specified in paragraph (7) must, if required by an inspector, procure and produce to the inspector an analysis in order to demonstrate that the content of inorganic arsenic in the feed specified in that paragraph is less than 2 parts per million.

(7) The feeds are—

- (a) palm kernel expeller;
- (b) feeds obtained from the processing of fish and other marine animals;
- (c) seaweed meal and feed materials derived from seaweed; ^{F9}...
- (d) complete feeds for fish or for fur-producing animals.

[^{F10}(e) peat;

(f) leonardite.]

(8) A person who, without reasonable excuse, fails to comply with a requirement made under paragraph (6) commits an offence.

[^{F11}(9) In order to reduce or eliminate sources of undesirable substances in products intended for animal feed, feed authorities must carry out investigations to identify the sources of undesirable substances, in cases where the maximum levels are exceeded and in cases where increased levels of such substances are detected, taking into account background levels.

(10) In cases of increased levels of undesirable substances listed in Schedule 1C, action thresholds to trigger investigations are set out in that Schedule.

(11) Feed authorities must send to the Agency all relevant information and findings of the source and the measures taken to reduce the level of, or eliminate, undesirable substances.]

Textual Amendments

- F1** Words in reg. 15(1)(a) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(a\)\(i\)](#)
- F2** Word in reg. 15(1) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(a\)\(ii\)](#)
- F3** Words in reg. 15(2)(a) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(b\)\(i\)](#)
- F4** Word in reg. 15(2)(b) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(b\)\(ii\)](#)
- F5** Words in reg. 15(3) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(c\)\(i\)](#)
- F6** Word in reg. 15(3) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(c\)\(ii\)](#)
- F7** Words in reg. 15(5) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(d\)\(i\)](#)
- F8** Word in reg. 15(5) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(d\)\(ii\)](#)
- F9** Word in reg. 15(7) omitted (31.12.2022) by virtue of [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(e\)\(i\)](#)
- F10** Reg. 15(7)(e)(f) inserted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(e\)\(ii\)](#)
- F11** Reg. 15(9)-(11) inserted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, [4\(7\)\(f\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Animal Feed (Composition, Marketing and Use) (Wales) Regulations 2016, Section 15.