

WELSH STATUTORY INSTRUMENTS

**2016 No. 386**

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

**PART 5**

Enforcement of Regulation 767/2009

**Interpretation of this Part and Schedule 1**

**11.** In this Part and in Schedule 1 any reference to a numbered Article or Annex is a reference to the Article or Annex so numbered in Regulation 767/2009.

**Offence of failing to comply with a specified provision of Regulation 767/2009**

**12.—(1)** [<sup>F1</sup>A] person who—

- (a) contravenes or fails to comply with a provision of Regulation 767/2009 specified in Schedule 1; or
- (b) places on the market or uses a feed that fails to comply with Article 6(1) or 8,

commits an offence.

(2) Where, pursuant to Article 17(2)(c), the name of a specific feed material may be replaced by the name of the category to which the feed material belongs, only the categories listed in [<sup>F2</sup>Schedule 1A] may be indicated.

**Textual Amendments**

- F1** Word in reg. 12 substituted (26.7.2018) by [The Food and Feed \(Miscellaneous Amendments and Revocations\) \(Wales\) Regulations 2018 \(S.I. 2018/806\)](#), regs. 1(3), **27**
- F2** Words in reg. 12(2) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1362\)](#), regs. 1, **4(3)**

**Competent authorities for the purposes of Regulation 767/2009**

**13.—(1)** Each feed authority in its area is the competent authority for the purposes of—

- (a) Article 5(3), 13(1)(a) and 17(3) and Annex VII, Chapter 1, paragraph 8; and
- (b) Article 13(1)(b) as the competent authority that may request scientific substantiation of a claim and to whose attention purchasers have the right to bring doubts regarding the truthfulness of a claim.

(2) The Agency is the competent authority for the purposes of—

- <sup>F3</sup>(a) .....

(b) Article 13(1)(b) as the competent authority that may submit to the [<sup>F4</sup>Welsh Ministers] doubts concerning the scientific substantiation of a claim.

(3) The Agency and each feed authority in its area is a competent authority for the purposes of Article 5(2).

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**Textual Amendments**

- F3** Reg. 13(2)(a) omitted (31.12.2020) by virtue of [The Food \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1046\)](#), regs. 1(3), **9(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 13(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(4)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Animal Feed (Composition, Marketing and Use) (Wales) Regulations 2016, PART 5.