
STATUTORY RULES OF NORTHERN IRELAND

1991 No. 540

**The Fertilisers (Sampling and Analysis)
Regulations (Northern Ireland) 1991**

Title, commencement and interpretation

1.—(1) These Regulations may be cited as the Fertilisers (Sampling and Analysis) Regulations (Northern Ireland) 1991, and shall come into operation on 17th February 1992.

(2) Any reference in these Regulations to a numbered section shall, unless the reference is to a section of a specified Act, be construed as a reference to the section bearing that number in the Agriculture Act 1970.

(3) The Interpretation Act (Northern Ireland) 1954(1) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Prescribed amount for the purposes of the definition of sampled portion

2.—(1) The prescribed amount of material for the purposes of the definition of sampled portion in section 66(1) shall be determined in accordance with the provisions of this regulation.

(2) In relation to solid fertiliser in a single container, the prescribed amount shall be the contents of the container.

(3) In relation to solid fertiliser in more than one container—

- (a) if all the containers together hold less than 5 tonnes the prescribed amount shall be the contents of all the containers;
- (b) if each container holds at least 5 tonnes, the prescribed amount shall be the contents of any one of the containers; and
- (c) in a case where neither sub-paragraph (a) nor (b) applies, the prescribed amount shall be the contents of a number of the containers together holding at least 5 tonnes.

(4) In relation to solid fertiliser which is loose in a single heap or bay, the prescribed amount shall be the contents of the heap or bay.

(5) In relation to solid fertiliser which is loose in more than one heap or bay—

- (a) if all the heaps and bays together hold less than 5 tonnes, the prescribed amount shall be the contents of all the heaps and bays;
- (b) if each heap and bay holds at least 5 tonnes, the prescribed amount shall be the contents of any one of the heaps or bays; and
- (c) in a case where neither sub-paragraph (a) nor (b) applies, the prescribed amount shall be the contents of a number of the heaps or bays together holding at least 5 tonnes.

(6) In relation to fluid fertiliser in a single container, the prescribed amount shall be the contents of the container.

(7) In relation to fluid fertiliser in more than one container—

- (a) if all the containers together hold less than 5,000 litres, the prescribed amount shall be the contents of all the containers;
- (b) if each container holds at least 5,000 litres, the prescribed amount shall be the contents of any one of the containers; and
- (c) in a case where neither sub-paragraph (a) nor (b) applies, the prescribed amount shall be the contents of a number of the containers together holding at least 5,000 litres.

Manner of taking, marking, sealing and fastening up of samples

3. The manner in which samples are to be taken, marked, sealed and fastened up in cases where, under Part IV of the Agriculture Act 1970, they are taken in the prescribed manner shall be as set out in Schedule 1.

Methods of sending part of a sample

4. Any part of a sample required to be sent to any person in pursuance of subsection (1)(b) or (2) of section 77 shall be sent by registered post or by the recorded delivery service or be delivered or given by hand.

Application of the methods of analysis

5.—(1) The methods by which analysis of fertilisers shall be made for the purposes of the Agriculture Act 1970 shall be those set out in Schedule 2 in accordance with the following provisions of this regulation.

(2) Analytical constituents of materials listed in Groups 1(a), 2(a) and 3(a) of Section A, Groups 1 to 4 of Section B and Groups 1(a), 1(b) and 2 of Section C of the table in Schedule 1 to the Fertilisers Regulations (Northern Ireland) 1990(2) shall be determined by the appropriate methods of analysis prescribed in Part I of Schedule 2.

(3) Subject to paragraph (4), analytical constituents of any materials, other than those referred to in paragraph (2), shall be determined by the appropriate methods of analysis prescribed in Part II of Schedule 2, save that the total amount of phosphorus pentoxide and the amount of phosphorus pentoxide soluble in a formic acid shall in all cases be determined by the methods prescribed in Part I of Schedule 2.

(4) In the case of “Basic slag medium concentration” and “Granular basic slag” in Group 2(b) of Section A of the said table, fineness shall be determined by the method prescribed in Part I of Schedule 2.

Form of certificate of analysis

6. The certificate of an agricultural analyst of the analysis shall be in the form set out in Schedule 3.

Modification of the Agriculture Act 1970

7. In relation to any material to which these Regulations apply the operation of the provisions of sections 66(1) and 76(5) shall be modified as follows:—

- (a) in the definition of “sampled portion” in section 66(1) for the words “five tons or 1,000 gallons or the prescribed metric substitution” there shall be substituted the words “five tonnes or 5,000 litres”;

- (b) in section 76(5), for the words “fourteen pounds or the prescribed metric substitution” there shall be substituted the words “six kilograms”.

Revocations

8. The Fertilisers (Sampling and Analysis) Regulations (Northern Ireland) 1978⁽³⁾ and the Fertilisers (Sampling and Analysis) (Amendment) Regulations (Northern Ireland) 1981⁽⁴⁾ are hereby revoked.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on

L.S.

19th December 1991.

I. C. Henderson
Assistant Secretary

⁽³⁾ S.R. 1978 No. 240
⁽⁴⁾ S.R. 1981 No. 58