

2003 No. 475

AGRICULTURE

**Feeding Stuffs (Amendment No. 3) Regulations
(Northern Ireland) 2003**

Made - - - - - 10th November 2003

Coming into operation 22nd December 2003

The Department of Health, Social Services and Public Safety in exercise of the powers conferred by sections 66(1), 74A, 84 and 86 of the Agriculture Act 1970(a) (as read with regulation 14 of the Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) Regulations (Northern Ireland) 2000(b)) and of all other powers enabling it in that behalf, after consultation as required by section 84(1) of that Act and by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(c), and being a Department designated(d) for the purposes of section 2(2) of the European Communities Act 1972(e) in relation to the Common Agricultural Policy of the European Community, in exercise of the powers conferred on it by that last mentioned section (in so far as these Regulations cannot be made under the powers of the Agriculture Act 1970 specified above), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Feeding Stuffs (Amendment No. 3) Regulations (Northern Ireland) 2003 and shall come into operation on 22nd December 2003.

(2) The Interpretation Act (Northern Ireland) 1954(f) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment to the Feeding Stuffs Regulations (Northern Ireland) 2001

2.—(1) The Feeding Stuffs Regulations (Northern Ireland) 2001(g) shall be amended in accordance with paragraphs (2) and (3).

(2) For Part II of the Table set out in Schedule 3 (permitted additives and provisions relating to their use) there shall be substituted the Part set out in the Schedule to these Regulations.

(3) In Part IX of Schedule 3 –

(a) the following text shall be inserted immediately after the reference to Commission Regulation (EC) No. 668/2003 –

(a) 1970 c. 40; section 74A was inserted by the European Communities Act 1972 (1972 c. 68), Schedule 4, paragraph 6
(b) S.R. 2000 No. 78
(c) O.J. No. L31, 1.2.2002, p. 1. Under Article 3 of the EC Regulation “food law” extends to feed produced for, or fed to, food producing animals
(d) S.I. 2000/2812
(e) S.I. 1972 c. 68
(f) 1954 c. 33 (N.I.)
(g) S.R. 2001 No. 47, as amended by S.R. 2001 Nos. 209 and 428, S.R. 2002 No. 263 and S.R. 2003 Nos. 219, 287 and 306

“Commission Regulation (EC) No. 871/2003 permanently authorising a new additive manganomanganic oxide in feedingstuffs⁽¹⁷⁾.

Commission Regulation (EC) No. 877/2003 provisionally authorising the use of the acidity regulator “Benzoic acid” in feedingstuffs⁽¹⁸⁾.”; and

(b) the following text is inserted at the end –

“(17) O.J No. L125, 21.5.2003, p. 3

(18) O.J. No. L126, 22.5.2003, p. 24”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 10th November 2003.

(L.S.)

W. B. Smith

A Senior Officer of the Department of Health, Social Services and Public Safety

SCHEDULE

Regulation 2(2)

PART SUBSTITUTED FOR PART II OF THE TABLE SET OUT IN SCHEDULE 3 TO THE FEEDING STUFFS REGULATIONS (NORTHERN IRELAND) 2001

“PART II

PERMITTED COLOURANTS

| Column 1 <i>EEC No.</i> | Column 2 <i>Name or description</i> | Column 3 <i>Chemical formula, description</i> | Column 4 <i>Kind of animal permitted</i> | Column 5 <i>Maximum content (mg/kg in complete feedingstuffs)</i> | Column 6 <i>Conditions</i> |
|----------------------------|---|--|---|--|---|
| | 1. Carotenoids and xanthophylls: | | | | |
| E160c | Capsanthin | C ₄₀ H ₅₆ O ₃ | Poultry | 80 (alone or with the other carotenoids and xanthophylls) | - |
| E160e | Beta-apo-8'-carotenal | C ₃₀ H ₄₀ O | | | |
| E160f | Ethyl ester of beta- apo-8'-carotenoic acid | C ₃₂ H ₄₄ O ₂ | | | |
| E161b | Lutein | C ₄₀ H ₅₆ O ₂ | Poultry other than laying hens | 25 | The mixture of canthaxanthin with other carotenoids and xanthophylls is allowed provided that the total concentration of the mixture does not exceed 80 mg/kg in the complete feedingstuff |
| E161c | Cryptoxanthin | C ₄₀ H ₅₆ O | | | |
| E161g | Canthaxanthin | C ₄₀ H ₅₂ O ₂ | Laying hens | 8 | The mixture of canthaxanthin with other carotenoids and xanthophylls is allowed provided that the total concentration of the mixture does not exceed 80 mg/kg in the complete feedingstuff |
| | | | Salmon, trout | 25 | Use permitted from the age of 6 months onwards. The mixture of canthaxanthin with asthaxanthin is allowed provided that the total concentration of the mixture does not exceed 100 mg/kg in the complete feedingstuff |
| | | | Dogs, cats and ornamental fish | - | - |

| Column 1 EEC No. | Column 2 Name or description | Column 3 Chemical formula, description | Column 4 Kind of animal permitted | Column 5 Maximum content (mg/kg in complete feedingstuffs) | Column 6 Conditions |
|---------------------|--|--|---|--|--|
| E161h | Zeaxanthin | C ₄₀ H ₅₆ O ₂ | Poultry | 80 (alone or with other carotenoids and xanthophylls) | |
| E161i | Citranaxanthin | C ₃₃ H ₄₄ O | Laying hens | | |
| E161j | Astaxanthin | C ₄₀ H ₅₂ O ₄ | (a) Salmon, trout | 100 | Use only permitted from the age of 6 months onwards. the mixture of astaxanthin with canthaxanthin is allowed provided that the total concentration of the mixture does not exceed 100mg/kg in the complete feedingstuff |
| | | | (b) Ornamental fish | — | — |
| | 2. Other cololurants | | | | |
| E102 | Tartrazine | C ₁₆ H ₉ N ₄ N _{a3} O ₉ S ₂ | Ornamental fish | — | Permitted in animal feedingstuffs only in products processed from: (i) waste products of foodstuffs, (ii) denatured cereals or manioc flour, or (iii) other base substances denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture |
| E110 | Sunset yellow FCF | C ₁₆ H ₁₀ N ₂ N _{a2} O ₇ S ₂ | | | |
| E124 | Ponceau 4R | C ₂₀ H ₁₁ N ₂ N _{a3} O ₁₀ S ₃ | | | |
| E127 | Erythrosine | C ₂₀ H ₆ I ₄ N _{a2} O ₅ .H ₂ O | | | |
| E131 | Patent Blue V | Calcium salt of the disulphonic acid of m-hydroxytetra ethyl diamino triphenylcarbinol anhydride | | | |
| | | | (a) All species or categories of animals with the exception of dogs and cats | | |
| | | | (b) Dogs and cats | — | — |
| E132 | Indigotine | C ₁₆ H ₈ N ₂ N _{a2} O ₈ S ₂ | Ornamental fish | — | — |
| E141 | Chlorophyll copper complex | — | Ornamental fish | — | — |
| E142 | Acid Brilliant Green BS, (Lissamine Green) | Sodium sale of 4,4'-bis (dimethylamino) diphenylmethylene -2-naphthol-3,6- disulphonic acid | (a) All species or categories of animals with the exception of dogs, cats and ornamental fish | | Permitted in animal feedingstuffs only in products processed from: (i) waste products of foodstuffs, (ii) denatured cereals or manioc flour, or |

| Column 1 <i>EEC No.</i> | Column 2 <i>Name or description</i> | Column 3 <i>Chemical formula, description</i> | Column 4 <i>Kind of animal permitted</i> | Column 5 <i>Maximum content (mg/kg in complete feedingstuffs)</i> | Column 6 <i>Conditions</i> |
|----------------------------|---|--|---|--|---|
| | | | | | (iii) other base substances denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture |
| | | | (b) Dogs, cats and ornamental fish | — | — |
| E153 | Carbon black | C | } Ornamental fish | — | — |
| E160B | Bixin | C ₂₅ H ₃₀ O ₄ | | | |
| E172 | Iron oxide, red | Fe ₂ O ₃ | | | |
| | 3. All colourants (other than Patent Blue V and Acid Brilliant Green BS and Canthaxanthin) at present permitted for use in human food by European Community legislation as implemented by Regulations made under the Food Safety (Northern Ireland) Order 1991(a) | | (a) All species or categories of animals with the exception of dogs and cats | | Permitted in animal feedingstuffs only in products processed from: (i) waste products of foodstuffs, or (ii) other base substances, with the exception of cereals and manioc flour, denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture |
| | | | (b) Dogs and cats | — | — |
| | 3.1 Canthaxanthin authorised for colouring foodstuffs by Community rules | | All species or categories of animals other than poultry, salmon, trout, dogs and cats | — | Permitted in animal feedingstuffs only in products processed from: (i) waste products of foodstuffs, or (ii) other base substances, with the exception of cereals and manioc flour, denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture |

(a) S.I. 1991/762 (N.I. 7)

| Column 1 <i>EEC No.</i> | Column 2 <i>Name or description</i> | Column 3 <i>Chemical formula, description</i> | Column 4 <i>Kind of animal permitted</i> | Column 5 <i>Maximum content (mg/kg in complete feedingstuffs)</i> | Column 6 <i>Conditions</i> |
|----------------------------|--|--|---|--|--|
| | | | Dogs and cats Poultry other than laying hens, salmon, trout | – 25 | – Permitted in animal feedingstuffs only in products processed from: (i) waste products of foodstuffs, or (ii) other base substances, with the exception of cereals and manioc flour, denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture |
| | | | Laying hens | 8 | Permitted in animal feedingstuffs only in products processed from: (i) waste products of foodstuffs, or (ii) other base substances, with the exception of cereals and manioc flour, denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture |

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Feeding Stuffs Regulations (Northern Ireland) 2001 (SR 2001 No. 47, as already amended). They implement Commission Directive 2003/7/EC amending the conditions for authorisation of canthaxanthin in feedingstuffs in accordance with Council Directive 70/524/EEC (O.J. No. L22, 25.1.2003, p. 28) by modifying the controls in the Feeding Stuffs Regulations (Northern Ireland) 2001 regulating the presence of additives in feedingstuffs by specifying new maximum levels in feed for the colourant canthaxanthin (*regulation 2(2) and the Schedule*).

They also provide for the enforcement of Commission Regulation (EC) No. 871/2003 permanently authorising a new additive manganomanganic oxide in feedingstuffs (O.J. No. L125, 21.5.2003, p. 3) and Commission Regulation (EC) No. 877/2003 provisionally authorising the use of the acidity regulator “Benzoic acid” in feedingstuffs (OJ No. L126, 22.5.2003, p. 24) (*regulation 2(3)*).

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