
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 546

**The Feed (Hygiene and Enforcement)
Regulations (Northern Ireland) 2005**

PART 1

Preliminary

Citation and commencement

1. These Regulations may be cited as the Feed (Hygiene and Enforcement) Regulations (Northern Ireland) 2005 and shall come into operation on 1st January 2006.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Agriculture Act 1970⁽¹⁾;

“the Agency” means the Food Standards Agency;

“agricultural analyst” means an agricultural analyst appointed under section 67 of the Act⁽²⁾;

“authorised officer” means a person (whether or not an officer of the enforcement authority) who is authorised by the enforcement authority, either generally or specially, to act in relation to matters arising under these Regulations;

“DARD” means the Department of Agriculture and Rural Development;

“the Department” means the Department of Health, Social Services and Public Safety;

“enforcement authority” means the body identified as having the duty to enforce under regulation 16;

“point 4 compliant laboratory” means a laboratory which complies with the fourth and fifth indents of Annex II to Commission Directive 2002/70/EC establishing requirements for the determination of levels of dioxins and dioxin-like PCBs in feedingstuffs⁽³⁾;

“premises” includes any establishment, any place, vehicle, stall or moveable structure and any ship or aircraft;

“prescribed manner” means the manner prescribed by the Feeding Stuffs (Sampling and Analysis) Regulations (Northern Ireland) 1999⁽⁴⁾ or otherwise in accordance with Article 11(1) of Regulation 882/2004;

(1) 1970 c. 40

(2) Section 67 in its application to Northern Ireland is substituted by section 86(3) of the Act

(3) O.J. No. L209, 6.8.2002, p. 15

(4) S.R. 1999 No. 296 as amended by S.R. 2001 No. 209, S.R. 2002 No. 263, S.R. 2003 No. 287, S.R. 2004 No. 345 and S.R. 2005 No. 545 (Feeding Stuffs Regs)

“Regulation 178/2002” means Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general requirements and principles of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety;

“Regulation 882/2004” means Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules⁽⁵⁾;

“Regulation 183/2005” means Regulation (EC) No. 183/2005 of the European Parliament and of the Council laying down requirements for feed hygiene⁽⁶⁾;

“sampled portion” has the meaning given in Part I of Schedule 1 to the Feeding Stuffs (Sampling and Analysis) Regulations (Northern Ireland) 1999;

“specified feed law” means the provisions listed in Schedule 1.

(2) Subject to paragraph (3), other expressions used in these Regulations and in Regulation 178/2002, Regulation 882/2004 or Regulation 183/2005 have the same meaning in these Regulations as in that Regulation.

(3) In these Regulations “feed” or “feeding stuff” does not include any of the following feed additives or premixtures consisting solely of such additives—

- (a) coccidiostats;
- (b) histomonostats; and
- (c) all other zootechnical additives except—
 - (i) digestibility enhancers,
 - (ii) gut flora stabilisers, and
 - (iii) substances incorporated with the intention of favourably affecting the environment.

(4) Where, apart from this paragraph, any period of less than seven days which is specified in these Regulations would include any day which is—

- (a) a Saturday, a Sunday, Christmas Day or Good Friday; or
- (b) a day which is a bank holiday under the Banking and Financial Dealings Act 1971⁽⁷⁾,

that shall be excluded from the period.

(5) The Interpretation Act (Northern Ireland) 1954⁽⁸⁾ shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

⁽⁵⁾ O.J. No. L191, 28.5.2004, p. 1

⁽⁶⁾ O.J. No. L35, 8.2.2005, p. 1

⁽⁷⁾ 1971 c. 80

⁽⁸⁾ 1954 c. 33 (N.I.)