
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 5

The Animal Feed (Hygiene, Sampling etc. and Enforcement) Regulations (Northern Ireland) 2016

PART 1

Introductory

Interpretation

2.—(1) In these Regulations—

“the Act” means the Agriculture Act 1970;

“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(1);

“Regulation 183/2005” means Regulation (EC) No. 183/2005 of the European Parliament and of the Council laying down requirements for feed hygiene(2);

“Regulation 152/2009” means Commission Regulation (EC) No. 152/2009 laying down the methods of sampling and analysis for the official control of feed(3);

“Regulation 767/2009” means Regulation (EC) No. 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No. 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC(4);

“the Agency” means the Food Standards Agency;

“agricultural analyst” means an agricultural analyst appointed under section 67 of the Act(5) ;

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

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

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

-
- (1) OJ No. L165, 30.4.2004, p.1. The revised text of Regulation (EC) No. 882/2004 is now set out in a Corrigendum (OJ No. L191, 28.5.2004, p.1) which should be read with a further Corrigendum (OJ No. L204, 4.8.2007, p.29). This Regulation was last amended by Regulation (EU) No. 652/2014 of the European Parliament and of the Council (OJ No. L189, 27.6.2014, p.1)
- (2) OJ No. L35, 8.2.2005, p.1. This Regulation was last amended by Commission Regulation (EU) No. 225/2012 (OJ No. L77, 16.3.2012, p.1)
- (3) OJ No. L54, 26.2.2009, p.1. This Regulation was last amended by Commission Regulation (EU) No. 709/2014 (OJ No. L188, 27.6.2014, p.1)
- (4) OJ No. L229, 1.9.2009, p.1. This Regulation was last amended by Commission Regulation (EU) No. 939/2010 (OJ No. L277, 21.10.2010, p.4)
- (5) Section 67 is modified in its application to Northern Ireland by section 86(3) of the Act

“prescribed manner” means the manner prescribed by Regulation 152/2009;

“specified feed law” means the instruments specified in Schedule 1.

(2) Subject to paragraph (3), any other expression used in these Regulations and in Regulation 882/2004, Regulation 183/2005 or Regulation 152/2009 has the same meaning in these Regulations as it does in the EU Regulation.

(3) 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⁽⁶⁾, that shall be excluded from the period.

(4) 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 into feed with the intention of favourably affecting the environment.

(5) Any reference in these Regulations to Regulation 183/2005 or Regulation 152/2009 is a reference to that Regulation as any Annex to it may be amended from time to time.

(6) The Interpretation Act (Northern Ireland) 1954⁽⁷⁾ shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

⁽⁶⁾ 1971 c.80

⁽⁷⁾ 1954 c.33 (N.I.)