

2008 No. 215

AGRICULTURE

The Feeding Stuffs (Scotland) Amendment Regulations 2008

Made - - - - *3rd June 2008*

Laid before the Scottish Parliament *4th June 2008*

Coming into force - - *30th July 2008*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 66(1), 68(1), 74A and 84 of the Agriculture Act 1970^(a) and all other powers enabling them to do so.

There has been consultation as required by section 84(1) of the Agriculture Act 1970 with such persons or organisations appearing to represent the interests concerned and as required 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^(b).

Citation and Commencement

1. These Regulations may be cited as the Feeding Stuffs (Scotland) Amendment Regulations 2008 and come into force on 30th July 2008.

(a) 1970 c.40. Section 66(1) contains definitions of the expressions “the Ministers”, “prescribed” and “regulations”; it was relevantly amended by S.I. 1982/980, 1995/1412, 1996/1342, 1999/1663 and 2004/3254 and S.S.I. 2000/453. Section 74A was inserted by the European Communities Act 1972 (c.68), Schedule 4, paragraph 6. The functions of the Secretary of State insofar as exercisable within devolved competence were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). In so far as not so transferred and in so far as relating to animal feeding stuffs, which are not veterinary medicinal products or specified feed additives as defined in the Veterinary Medicines Regulations 2005 (S.I. 2005/2745), the functions were transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2006 (S.I. 2006/304).

(b) O.J. No. L 31, 1.2.02, p.1, as amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (O.J. No. L 245, 29.9.03, p.4), Commission Regulation (EC) No. 575/2006 (O.J. No. L 100, 7.4.06, p.3) and Commission Regulation (EC) No. 202/2008 (O.J. No. L 60, 5.3.2008, p.17).

Amendment of the Feeding Stuffs (Scotland) Regulations 2005

2. In Chapter A of Schedule 7 (permitted feeding stuffs intended for particular nutritional purposes and provisions relating to their use) to the Feeding Stuffs (Scotland) Regulations 2005(a), for the entries relating to reduction of the risk of milk fever, substitute the entries set out in the Schedule to these Regulations.

S ROBISON

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
3rd June 2008

(a) S.S.I. 2005/605 as amended by S.S.I. 2006/16, 516, 530 and 578 and 2007/492.

SCHEDULE

Regulation 2

Entries to be substituted in Chapter A of Schedule 7 to the Feeding Stuffs (Scotland) Regulations 2005

<i>Particular nutritional purpose</i>	<i>Essential nutritional characteristics</i>	<i>Species or category of animal</i>	<i>Labelling declarations</i>	<i>Recommended length of time for use</i>	<i>Other provisions</i>
Reduction of the risk of milk fever	<ul style="list-style-type: none"> – Low level of calcium <p style="text-align: center;">and/or</p> <ul style="list-style-type: none"> – Low cations/anions ratio <p style="text-align: center;">or</p> <ul style="list-style-type: none"> – High level of zeolite (synthetic sodium aluminium silicate) <p style="text-align: center;">or</p> <ul style="list-style-type: none"> – High level of calcium in the form of highly available calcium salts 	Dairy cows	<ul style="list-style-type: none"> – Calcium – Phosphorus – Magnesium – Calcium – Phosphorus – Sodium – Potassium – Chlorides – Sulphur <p>Content of synthetic sodium aluminium silicate</p> <p>Total calcium content, sources and respective quantity of calcium</p>	<ul style="list-style-type: none"> 1 to 4 weeks before calving 1 to 4 weeks before calving The 2 weeks before calving From first signs of parturition to 2 days after parturition 	<p>Indicate in the instructions for use:</p> <ul style="list-style-type: none"> – “Stop feeding after calving.” <p>Indicate in the instructions for use:</p> <ul style="list-style-type: none"> – “Stop feeding after calving.” <p>Indicate in the instructions for use:</p> <ul style="list-style-type: none"> – “The amount of feed shall be restricted to ensure that a daily intake of 500g sodium aluminium silicate per animal is not exceeded.” – “Stop feeding after calving.” <p>Indicate on the package, container or label:</p> <ul style="list-style-type: none"> – The instructions for use, i.e. the number of applications and the time before and after calving; – The text “It is recommended that a nutritional expert’s opinion be sought before use.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make further amendments to the Feeding Stuffs (Scotland) Regulations 2005 (“the Feeding Stuffs Regulations”).

These Regulations provide for the implementation of Commission Directive 2008/4/EC (“the Directive”) amending Directive 94/39/EC as regards feedingstuffs intended for the reduction of the risk of milk fever (O.J. No. L6, 10.1.2008, p.4) (as corrected by a Corrigendum (O.J. No. L 22, 25.1.2008, p.21)). The Directive permits, subject to specified labelling requirements, two additional types of dietetic feed to be marketed for the reduction of milk fever in dairy cows.

These Regulations amend the table in Schedule 7 (permitted feeding stuffs intended for particular nutritional purposes and provisions relating to their use) to the Feeding Stuffs Regulations, by replacing the existing entries relating to the reduction of the risk of milk fever with the revised entries contained in the Directive (regulation 2).

A regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of business.

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