

SCOTTISH STATUTORY INSTRUMENTS

2022 No. 288

The Feed Additives (Authorisations) (Scotland) Regulations 2022

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Feed Additives (Authorisations) (Scotland) Regulations 2022 and come into force on 24 November 2022.

(2) These Regulations extend to Scotland only.

Commencement Information

I1 [Reg. 1](#) in force at 24.11.2022, see [reg. 1\(1\)](#)

Interpretation

2.—(1) In these Regulations—

“Regulation (EC) 1831/2003” means Regulation (EC) No. 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition, and

“Regulation (EC) 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(1).

(2) Unless the contrary intention appears, any expression used both in these Regulations and in Regulation (EC) 1831/2003 or Regulation (EC) 767/2009 has the same meaning as it has in those Regulations.

Commencement Information

I2 [Reg. 2](#) in force at 24.11.2022, see [reg. 1\(1\)](#)

Authorisations

3.—(1) The terms of modifications of authorisations in these Regulations are to be in the same form as authorisations under Article 9 of Regulation (EC) 1831/2003.

(2) Schedules 1 to 11 have effect.

(3) Subject to Article 14(4) (renewal of authorisation) of Regulation (EC) 1831/2003, the authorisations set out in schedules 1 to 11 cease to have effect at the end of 23 November 2032.

(1) EUR 767/2009 as amended by S.I. 2019/654. S.I. 2019/641 was amended by S.I. 2020/1504.

Commencement Information

I3 Reg. 3 in force at 24.11.2022, see [reg. 1\(1\)](#)

Amendment of Commission Implementing Regulation (EU) No. 306/2013

4.—(1) Commission Implementing Regulation (EU) No. 306/2013 concerning the authorisation of a preparation of *Bacillus subtilis* (ATCC PTA-6737) for weaned piglets and weaned Suidae other than *Sus scrofa domesticus* (holder of authorisation Kemin Europa N.V.)(2) is amended as follows.

(2) In the Annex, in the table, in the column headed—

- (a) “Additive”, for “*Bacillus subtilis*” substitute “*Bacillus velezensis*”, and
- (b) “Composition, chemical formula, description, analytical method”, for “*Bacillus subtilis*”, in each place it occurs, substitute “*Bacillus velezensis*”.

Commencement Information

I4 Reg. 4 in force at 24.11.2022, see [reg. 1\(1\)](#)

Amendment of Commission Implementing Regulation (EU) No. 787/2013

5.—(1) Commission Implementing Regulation (EU) No. 787/2013 concerning the authorisation of a preparation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for turkeys for fattening and turkeys reared for breeding (holder of authorisation Kemin Europa N.V.)(3) is amended as follows.

(2) In the Annex, in the table, in the column headed—

- (a) “Additive”, for “*Bacillus subtilis*” substitute “*Bacillus velezensis*”, and
- (b) “Composition, chemical formula, description, analytical method”, for “*Bacillus subtilis*”, in each place it occurs, substitute “*Bacillus velezensis*”.

Commencement Information

I5 Reg. 5 in force at 24.11.2022, see [reg. 1\(1\)](#)

Amendment of Commission Implementing Regulation (EU) 2015/1020

6.—(1) Commission Implementing Regulation (EU) 2015/1020 concerning the authorisation of the preparation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for laying hens and minor poultry species for laying (holder of the authorisation Kemin Europa NV)(4) is amended as follows.

(2) In the Annex, in the table, in the column headed—

- (a) “Additive”, for “*Bacillus subtilis*” substitute “*Bacillus velezensis*”, and
- (b) “Composition, chemical formula, description, analytical method”, for “*Bacillus subtilis*”, in each place it occurs, substitute “*Bacillus velezensis*”.

(2) EUR 306/2013.
(3) EUR 787/2013.
(4) EUR 2015/1020.

Commencement Information

I6 Reg. 6 in force at 24.11.2022, see [reg. 1\(1\)](#)

Amendment of Commission Implementing Regulation (EU) 2017/2276

7.—(1) Commission Implementing Regulation (EU) 2017/2276 concerning the authorisation of a new use of the preparation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for sows (holder of the authorisation Kemin Europa N.V.)(5) is amended as follows.

(2) In the Annex, in the table, in the column headed—

- (a) “Additive”, for “*Bacillus subtilis*” substitute “*Bacillus velezensis*”, and
- (b) “Composition, chemical formula, description, analytical method”, for “*Bacillus subtilis*”, in each place it occurs, substitute “*Bacillus velezensis*”.

Commencement Information

I7 Reg. 7 in force at 24.11.2022, see [reg. 1\(1\)](#)

Transitional provision: *Saccharomyces cerevisiae* (identification number 4b1702)

8.—(1) The relevant feed additive, and premixtures containing it, which are produced and labelled before the end of 23 May 2023 in accordance with the conditions of the prior authorisation, may continue to be placed on the market and used until the existing stocks are exhausted.

(2) Compound feed, and feed materials containing the relevant feed additive, intended for food-producing animals, which are produced and labelled before the end of 23 November 2023 in accordance with the conditions of the prior authorisation, may continue to be placed on the market and used until the existing stocks are exhausted.

(3) In this regulation—

“relevant feed additive” means the feed additive *Saccharomyces cerevisiae* CNCM I-4407, with the identification number 4b1702, which was previously authorised under the prior authorisation, and

“the prior authorisation” means [^{F1}an authorisation contained in][Commission Regulation \(EU\) No. 883/2010](#) concerning the authorisation of a new use of *Saccharomyces cerevisiae* NCYC Sc 47 as a feed additive for calves for rearing (holder of the authorisation Société industrielle Lesaffre)(6).

Textual Amendments

F1 Words in [reg. 8\(3\)](#) inserted (9.2.2023) by [The Food and Feed \(Miscellaneous Amendments\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/373\)](#), regs. 1(1), [5\(2\)](#)

Commencement Information

I8 Reg. 8 in force at 24.11.2022, see [reg. 1\(1\)](#)

(5) EUR 2017/2276.

(6) EUR 883/2010. This Regulation is revoked by regulation 11 of these Regulations.

Transitional: *Bacillus velezensis* (identification number 4b1823)

9.—(1) Any substance or product labelled “*Bacillus subtilis* (ATCC PTA-6737)”, or as containing “*Bacillus subtilis* (ATCC PTA-6737)”, but otherwise produced and labelled in accordance with an authorisation contained in [F²assimilated direct] legislation mentioned in regulations 4 to 7, may continue to be placed on the market and used under that authorisation.

(2) The relevant feed additive, and premixtures containing it, which are produced and labelled before the end of 23 May 2023 in accordance with the conditions of the prior authorisation, may continue to be placed on the market and used until the existing stocks are exhausted.

(3) Compound feed, and feed materials containing the relevant feed additive, intended for food-producing animals, which are produced and labelled before the end of 23 November 2023 in accordance with the conditions of the prior authorisation, may continue to be placed on the market and used until the existing stocks are exhausted.

(4) Compound feed, and feed materials containing the relevant feed additive, intended for non-food-producing animals, which are produced and labelled before the end of 23 November 2024 in accordance with the conditions of the prior authorisation, may continue to be placed on the market and used until the existing stocks are exhausted.

(5) In this regulation—

“relevant feed additive” means the feed additive *Bacillus velezensis* ATCC PTA-6737 or, as formerly designated, *Bacillus subtilis* ATCC PTA-6737, with the identification number 4b1823, which was previously authorised under the prior authorisation, and

“the prior authorisation” means [F³an authorisation contained in]—

Commission Regulation (EU) No. 107/2010 concerning the authorisation of *Bacillus subtilis* ATCC PTA-6737 as a feed additive for chickens for fattening (holder of authorisation Kemin Europa NV)(7), or

Commission Implementing Regulation (EU) No. 885/2011 concerning the authorisation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for chickens reared for laying, ducks for fattening, quails, pheasants, partridges, guinea fowl, pigeons, geese for fattening and ostriches (holder of the authorisation Kemin Europa N.V.)(8).

Textual Amendments

F2 Words in [reg. 9\(1\)](#) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendments\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/374\)](#), [reg. 1\(1\)](#), [sch. 2 para. 41\(2\)](#)

F3 Words in [reg. 9\(5\)](#) inserted (9.2.2023) by [The Food and Feed \(Miscellaneous Amendments\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/373\)](#), [regs. 1\(1\)](#), [5\(3\)](#)

Commencement Information

I9 [Reg. 9](#) in force at 24.11.2022, see [reg. 1\(1\)](#)

Transitional: Decoquinate (Deccox®) (identification number 51756i (formerly E756))

10.—(1) The relevant feed additive, and feed containing it, which are produced and labelled before the end of 23 May 2023 in accordance with the conditions of the prior authorisation, may continue to be placed on the market and used until the existing stocks are exhausted.

(2) In this regulation—

(7) EUR 107/2010 as amended by EUR 168/2011. EUR 107/2010 is revoked by regulation 11 of these Regulations.

(8) EUR 885/2011. This Regulation is revoked by regulation 11 of these Regulations.

“relevant feed additive” means the feed additive decoquinate (Deccox®), which was previously authorised under the prior authorisation with the identification number E756, and “the prior authorisation” means [^{F4}an authorisation contained in] Regulation (EC) No. 1289/2004 concerning the authorisation for 10 years of the additive Deccox® in feedingstuffs, belonging to the group of coccidiostats and other medicinal substances⁽⁹⁾.

Textual Amendments

F4 Words in [reg. 10\(2\)](#) inserted (9.2.2023) by [The Food and Feed \(Miscellaneous Amendments\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/373\)](#), regs. 1(1), **5(4)**

Commencement Information

I10 [Reg. 10](#) in force at 24.11.2022, see [reg. 1\(1\)](#)

Revocations

11. The [^{F5}assimilated direct] legislation listed in schedule 12 is revoked subject to regulations 8, 9(2) to (5) and 10.

Textual Amendments

F5 Words in [reg. 11](#) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendments\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/374\)](#), reg. 1(1), **sch. 2 para. 41(3)**

Commencement Information

I11 [Reg. 11](#) in force at 24.11.2022, see [reg. 1\(1\)](#)

St Andrew’s House,
Edinburgh
27th September 2022

MAREE TODD
Authorised to sign by the Scottish Ministers

⁽⁹⁾ EUR 1289/2004 as amended by EUR 552/2008, EUR 118/2012, EUR 1014/2013 and EUR 291/2014. EUR 1289/2004 is revoked by regulation 11 of these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Feed Additives (Authorisations) (Scotland) Regulations 2022.