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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations, which apply to Great Britain, consolidate with amendments the Feeding Stuffs Regulations 1988 as amended, and implement the European Community directives listed at the end of this note.

2. These Regulations apply to feeding stuffs for animals of the kinds specified in regulation 3 and for pet animals. Those feeding stuffs are prescribed for the purposes in particular of sections 68(1) and 69(1) of the Agriculture Act 1970 (“the Act”), which require the sellers of prescribed materials to give “statutory statements” as to the composition of those materials and information or instructions as to their storage, handling and use, and to mark them with that information (regulation 4). The contents of statutory statements and other declarations are prescribed by regulation 5 and Schedules 1, 6 and 9, and their form by regulation 6. Further provisions relating to statutory statements are contained in regulations 7, 8 and 9. Permitted limits of variation in mis-statements in statutory statements are prescribed (regulation 10 and Schedule 3).

3. The Regulations—

- (a) provide for the manner of packaging and sealing compound feeding stuffs, additives and pre-mixtures (regulation 11);
- (b) provide for the meaning of names for the purposes of Section 70 of the Act (which creates an implied warranty that material described by a name to which a meaning has been assigned pursuant to that section accords with that meaning), (regulation 12(1) and Schedule 2);
- (c) regulate the marketing of feeding stuffs containing additives (regulation 13 and Schedule 4);
- (d) restrict or prohibit the selling and use in feeding stuffs of certain undesirable substances (regulation 14 and Schedule 5);
- (e) restrict the sale, or use of certain protein sources and non-protein nitrogenous compounds in feeding stuffs (regulation 15 and Schedule 7);
- (f) control the labelling or marketing of additives and pre-mixtures of additives (regulation 16 and Schedule 8).

4. The Regulations modify section 66(1) of the Act so as to provide a new definition of “feeding stuff”; and modify section 66(2) so as to make it apply to the importation and use as well as the sale of feeding stuffs. They modify section 69 of the Act in its application to imported feeding stuffs. They also modify section 82 (which provides for defences to prosecutions brought under the Act) by applying it to additional sections of Part IV of the Act (regulations 19 and 20).

5. In addition to minor and drafting amendments, the Regulations make changes in the previous law to give effect to the following European Community Directives:

Council Directive [90/44/EEC](#)

Commission Directive [91/126/EEC](#)

Commission Directive [91/249/EEC](#)

Commission Directive [91/336/EEC](#)

Commission Directive [91/357/EEC](#)

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Commission Directive [91/508/EEC](#)

Commission Directive [91/516/EEC](#).

The principal changes are contained in—

- (a) Schedule 1—its provisions now apply to declarations and information not contained in the statutory statement, as well as to the statutory statement itself. All the ingredients in compound feeding stuffs for agricultural animals and for most pet animals must be declared. New labelling rules require the declaration of the maximum storage life, the batch number or date of manufacture; and the moisture content of animal feeds;
- (b) regulation 21—which provides inspectors appointed under section 67 of the Act with a power to inspect manufacturers' records relating to compound feeding stuffs.

## LIST OF DIRECTIVES

1. Council Directive [70/524/EEC](#) (OJNo. L270, 14.12.70, p.11 (OJ/SE Vol. 18, p.4)) concerning additives in feeding stuffs, as amended by:—

Commission Directive [91/248/EEC](#) (OJ No. L124, 18.5.91, p.1)

Commission Directive [91/249/EEC](#) (OJ No. L124, 18.5.91, p.43)

Commission Directive [91/336/EEC](#) (OJ No. L185, 11.7.91, p.31)

Commission Directive [91/508/EEC](#) (OJ No. L271, 27.9.91, p.67)

2. Council Directive [74/63/EEC](#) (OJ No. L38, 11.2.74, p.31) on undesirable substances and products in animal nutrition, as amended by:—

Commission Directive [76/934/EEC](#) (OJ No. L364, 31.12.76, p.20)

Council Directive [80/502/EEC](#) (OJ No. L124, 20.5.80, p.17)

Commission Directive [83/381/EEC](#) (OJ No. L222, 13.8.83, p.31)

Council Regulation [85/3768/EEC](#) (OJ No. L362, 31.12.85, p.8)

Commission Directive [86/299/EEC](#) (OJ No. L189, 11.7.86, p.40)

Council Directive [86/354/EEC](#) (OJ No. L212, 2.8.86, p.27)

Commission Directive [87/238/EEC](#) (OJ No. L110, 25.4.87, p.25)

Commission Directive [91/126/EEC](#) (OJ No. L60, 7.3.91, p.16)

Council Directive [91/132/EEC](#) (OJ No. L66, 13.3.91, p.16).

3. Council Directive [77/101/EEC](#) (OJ No. L32, 3.2.77, p.1) on the marketing of straight feeding stuffs, as amended by:—

Council Directive [79/372/EEC](#) (OJ No. L86, 6.4.79, p.29)

Commission Directive [79/797/EEC](#) (OJ No. L239, 22.9.79, p.53)

Commission Directive [80/510/EEC](#) (OJ No. L126, 21.5.80, p.12)

Commission Directive [82/937/EEC](#) (OJ No. L383, 31.12.82, p.11)

Council Regulation [85/3768/EEC](#) (OJ No. L362, 31.12.85, p.8)

Council Directive [86/354/EEC](#) (OJ No. L212, 2.8.86, p.27)

Commission Directive [87/234/EEC](#) (OJ No. L102, 14.4.87, p.31).

4. Council Directive [79/373/EEC](#) (OJ No. L86, 6.4.79, p.30) on the marketing of compound feeding stuffs, as amended or supplemented by:—

Commission Directive [80/509/EEC](#) (OJ No. L126, 21.5.80, p.9)

Commission Directive [80/695/EEC](#) (OJ No. L188, 22.7.80, p.23)

Commission Directive [82/475/EEC](#) (OJ No. L213, 21.7.82, p.27)  
Commission Directive [82/957/EEC](#) (OJ No. L386, 31.12.82, p.42)  
Council Regulation [85/3768/EEC](#) (OJ No. L362, 31.12.85, p.8)  
Commission Directive [86/174/EEC](#) (OJ No. L130, 16.5.86, p.53)  
Council Directive [86/354/EEC](#) (OJ No. L212, 2.3.86, p.27)  
Commission Directive [87/235/EEC](#) (OJ No. L102, 14.4.87, p.34)  
Council Directive [90/44/EEC](#) (OJ No. L27, 31.1.90, p.35)  
Commission Directive [91/334/EEC](#) (OJ No. L134, 6.6.91, p.27)  
Commission Directive [91/357/EEC](#) (OJ No. L93, 17.7.91, p.34)  
Commission Directive [91/516/EEC](#) (OJ No. L281, 9.10.91, p.23).

**5.** Commission Directive [80/511/EEC](#) (OJ No. L125, 21.5.80, p.14) authorising, in certain cases, the marketing of compound feeding stuffs in unsealed packages or containers.

**6.** Council Directive [82/471/EEC](#) (OJ No. L213, 21.7.81, p.8) concerning certain products used in animal nutrition, as amended by:—

Commission Directive [85/509/EEC](#) (OJ No. L314, 23.11.85, p.25)  
Council Regulation [85/3768/EEC](#) (OJ No. L362, 31.12.85, p.8)  
Commission Directive [86/530/EEC](#) (OJ No. L312, 7.11.86, p.39)  
Commission Directive [88/485/EEC](#) (OJ No. L239, 30.8.88, p.36)  
Commission Directive [89/520/EEC](#) (OJ No. L270, 19.9.89, p.13)  
Commission Directive [90/439/EEC](#) (OJ No. L227, 21.8.90, p.33).