STATUTORY INSTRUMENTS

1998 No. 1046

The Medicated Feedingstuffs Regulations 1998

PART II

APPROVAL OF PREMISES

Applications for the approval of premises

3.—(1) A person may apply to the relevant authority to approve premises as premises on which medicated feedingstuffs may be manufactured.

(2) An application made under paragraph (1) shall be in writing, in the English language, signed by or on behalf of the applicant, and shall contain the name and address of the applicant and be accompanied by particulars that seek to demonstrate that the premises are suitable and adequate premises on which to manufacture medicated feedingstuffs.

Approval of premises

4.—(1) Subject to paragraph (3) and regulation 35, where an application is made under regulation 3 the relevant authority shall approve the premises in respect of which the application is made as premises on which medicated feedingstuffs may be manufactured if it is satisfied that the premises are suitable and adequate premises on which to manufacture medicated feedingstuffs.

(2) In deciding whether premises are suitable and adequate premises on which to manufacture medicated feedingstuffs, the relevant authority shall take into account the matters specified in Schedule 3.

(3) Where an application is made under regulation 3 in respect of a farm, the relevant authority may make the approval of the premises subject to such additional guarantees, if any, as it considers appropriate.

(4) An approval granted pursuant to paragraph (1) shall remain valid until withdrawn pursuant to regulation 8, so long as proper renewal applications are made under regulation 5 or 6 and are granted or await a decision.

Renewal of approvals

5.—(1) To renew a valid approval granted pursuant to regulation 4(1), a person shall apply to the relevant authority in the month of April in each financial year subsequent to the financial year in which approval was first granted.

(2) An application made under paragraph (1) shall be in writing, in the English language, signed by or on behalf of the applicant, and shall contain the name and address of the applicant and be accompanied by particulars that seek to demonstrate that the premises continue to be suitable and adequate premises on which to manufacture medicated feedingstuffs, and, if applicable, that each additional guarantee to which the approval is subject continues to be met.

Late renewal

6. Where a person has failed to make proper application under regulation 5, he may apply to the relevant authority in accordance with regulation 5(2) for late renewal of a valid approval, but such application must be made no later than the end of the financial year in which he was required to apply for renewal in accordance with regulation 5.

Grant of renewal

7.—(1) Subject to paragraph (3) and regulation 35, where an application is made under regulation 5 or 6, the relevant authority shall renew the approval granted pursuant to regulation 4, if it is satisfied that the premises continue to be suitable and adequate premises on which to manufacture medicated feedingstuffs.

(2) In deciding whether premises continue to be suitable and adequate premises on which to manufacture medicated feedingstuffs, the relevant authority shall take into account the matters specified in Schedule 3.

(3) Where an application is made under regulation 5 or 6 in respect of a farm, the relevant authority may make the renewal of approval of the premises subject to such additional guarantees, if any, as it considers appropriate.

Withdrawal of approvals

8.—(1) The relevant authority may withdraw an approval granted in respect of premises pursuant to regulation 4, whether or not it has been renewed pursuant to regulation 7 if, following the procedure in regulation 9, it is not satisfied as to the relevant condition.

(2) For the purposes of this regulation and regulation 9, "the relevant condition" means the condition that the premises are suitable and adequate premises on which to manufacture medicated feedingstuffs and (if applicable) that each additional guarantee to which the approval is subject is being met.

Procedure relating to the withdrawal of approvals

9.—(1) Where the relevant authority proposes to withdraw an approval granted pursuant to regulation 4, whether or not it has been renewed pursuant to regulation 7, it shall not withdraw the approval unless—

(a) it serves a notice complying with the requirements of paragraph (2) on the person manufacturing medicated feedingstuffs on the premises, and

(b) it is not satisfied, after the time for compliance with the notice has expired, that he has complied with the requirements specified in the notice.

(2) A notice served by the relevant authority under paragraph (1) shall—

(a) state that it proposes to withdraw the approval of the premises because it is not satisfied as to the relevant condition;

(b) specify why the relevant authority is not satisfied as to the relevant condition;

(c) specify the requirements to be complied with by him to satisfy it as to that condition; and

(d) specify that, unless it is satisfied that he has complied with the requirements specified in the notice within such reasonable time as is specified in the notice, the approval of the premises as premises on which medicated feedingstuffs may be manufactured will be withdrawn.