
STATUTORY INSTRUMENTS

1998 No. 1049

The Feeding Stuffs (Establishments and Intermediaries) Regulations 1998

PART I GENERAL

Title and commencement

1. These Regulations may be cited as the Feeding Stuffs (Establishments and Intermediaries) Regulations 1998 and shall come into force on 6th May 1998.

Commencement Information

II Reg. 1 in force at 6.5.1998, see [reg. 1](#)

General interpretation

2.—(1) In these Regulations—

“the Act” means the Agriculture Act 1970(1);

“additive” has the meaning given by Article 2(a) of Directive 70/524;

“agricultural analyst” means an agricultural analyst appointed under section 67 of the Act, and includes a deputy agricultural analyst so appointed for the same area, but in Northern Ireland does not include the Chief Agricultural Analyst;

“animal” includes any bird, insect or fish;

“the Annex” means the Annex to Directive 95/69;

“Article 12 establishment” means an establishment to which Article 12 of Directive 95/69 applies;

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

“the Chief Agricultural Analyst” means the Chief Agricultural Analyst for Northern Ireland;

“the competent body” means—

(a) in Great Britain—

(i) in the case of establishments, the body referred to in section 67(1), (1A) or (2) of the Act in the area of which the establishment concerned is, and

- (ii) in the case of intermediaries, the body referred to as aforesaid in the area of which an intermediary is exercising, or, as the case may be, proposes to exercise, any activity the exercising of which by intermediaries is controlled by these Regulations; and
- (b) in Northern Ireland, the Department of Agriculture for Northern Ireland;
- “complementary feeding stuff” means a mixture of feeding stuffs which has a high content of certain substances and which, by reason of its composition, is sufficient for a daily ration only if it is used in combination with other feeding stuffs;
- “complete feeding stuff” means a compound feeding stuff which, by reason of its composition, is sufficient to ensure a daily ration;
- “compound feeding stuff” means a mixture of products of vegetable or animal origin in their natural state, fresh or preserved, or products derived from the industrial processing thereof, or organic or inorganic substances, whether or not containing additives, for oral feeding, as a complete or a complementary feeding stuff, to any pet animals or any farmed creatures;
- “controlled product” means any additive, premixture, Directive 82/471 product or compound feeding stuff, which is subject to any of the controls contained in these Regulations;
- “daily ration” means the average total quantity of feeding stuff, expressed on a 12 per cent moisture basis, required daily by an animal of a given kind, age group and level of production, in order to satisfy all its nutritional needs;
- “Directive 70/524” means Council Directive [70/524/EEC](#) concerning additives in feeding stuffs⁽²⁾;
- “Directive 82/471” means Council Directive [82/471/EEC](#) concerning certain products used in animal nutrition⁽³⁾;
- “Directive 82/471 product” means a product regulated by Directive 82/471;
- “Directive 95/69” means Council Directive [95/69/EC](#) laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector and amending Directives [70/524/EEC](#), [74/63/EEC](#), [79/373/EEC](#) and [82/471/EEC](#)⁽⁴⁾;
- “feeding stuff” means—
- (a) a product of vegetable or animal origin in its natural state (whether fresh or preserved);
- (b) a product derived from the industrial processing of such a product; or
- (c) an organic or inorganic substance, used singly or in a mixture, whether or not containing additives, for oral feeding to any pet animals or any farmed creatures;
- “fish” includes shellfish;
- “member state” means a member state other than the United Kingdom;
- “the Minister” means the Minister of Agriculture, Fisheries and Food;
- “official checks” means official checks of the kinds specified in Article 13 of Directive 95/69 and Article 21.1 of Directive 70/524;
- “pet animal” means any animal belonging to a species normally kept and nourished, but not consumed, by man;
- “premises” includes any land, vehicle, vessel, aircraft or hovercraft;

(2) OJNo. L270, 14.12.70, p.11 (OJ/SE Vol. 18, p.4), last amended by Council Directive [96/51/EC](#) (OJ No. L235, 17.9.96, p.39).

(3) OJ No. L213, 21.7.82, p.8, last amended by Council Directive [96/25/EC](#) (OJ No. L125, 23.5.96, p.35).

(4) OJ No. L332, 30.12.95, p.15.

“premixture” means a mixture of additives, or a mixture of one or more additives with substances used as carriers, intended for the manufacture of feeding stuffs;

“putting into circulation” has the meaning given by Article 1.3(a) of Directive 95/69;

“retained part of the sample” means that part of a sample retained by an authorised person pursuant to regulation 84(d);

“third country” means a country other than a member state;

“zootechnical additive” means an antibiotic, a coccidiostat or other medicinal substance, or a growth promoter;

“zootechnical premixture” means a premixture that contains a zootechnical additive.

(2) Unless the context otherwise requires, in these Regulations—

(a) any reference to a numbered regulation or Schedule is a reference to the regulation or Schedule so numbered in these Regulations,

(b) any reference in a regulation to a numbered paragraph is a reference to the paragraph so numbered in the regulation in which the reference occurs,

(c) the expressions listed in Part I of Schedule 1 have the same meaning as in Directive 70/524, and

(d) the expressions listed in Part II of Schedule 1 have the same meaning as in Directive 95/69.

(3) In these Regulations, any reference to a European Community Directive is a reference to that Directive as amended as at the date these Regulations are made.

Commencement Information

I2 Reg. 2 in force at 6.5.1998, see [reg. 1](#)

Definition of “establishment” and related definitions

3. In these Regulations, “establishment” has the meaning given by Article 1.3 of Directive 95/69 and—

“EC approved Article 2.2(a)(A) establishment” means an establishment listed on a register of approved establishments, maintained by a competent authority in a Member State, in implementation of Article 5 of Directive 95/69, as an establishment on which an additive, of any kind referred to in Chapter I.1(a) of the Annex, may be manufactured with a view to putting it into circulation;

“EC approved Article 2.2(a)(P) establishment” means an establishment listed on a register of approved establishments, maintained by a competent authority in a Member State, in implementation of Article 5 of Directive 95/69, as an establishment on which a Directive 82/471 product, of any kind referred to in Chapter I.1(a) of the Annex, may be manufactured with a view to putting it into circulation;

“EC approved Article 2.2(b) establishment” means an establishment listed on a register of approved establishments, maintained by a competent authority in a Member State, in implementation of Article 5 of Directive 95/69, as an establishment on which a premixture, which contains additives of any kind referred to in Chapter I.2(a) of the Annex, may be manufactured with a view to putting it into circulation;

“EC permitted Article 2.2(a)(A) establishment” means—

(a) before 1st September 1998, an establishment located in a Member State (other than an EC approved Article 2.2(a)(A) establishment or an establishment which a competent authority in the Member State has declined to approve as such an establishment) if an

additive, of any kind referred to in Chapter I.1(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and

- (b) on and after 1st September 1998, an establishment located in a Member State if—
 - (i) an additive, of any kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, an application (which is pending) in respect of the establishment, has been made to a competent authority in the Member State, in accordance with any requirements in the Member State for the making of such applications, to approve the establishment, pursuant to Directive 95/69, as an establishment on which an additive of any such kind may be manufactured with a view to putting it into circulation;

“EC permitted Article 2.2(a)(P) establishment” means—

- (a) before 1st September 1998, an establishment located in a Member State (other than an EC approved Article 2.2(a)(P) establishment or an establishment which a competent authority in the Member State has declined to approve as such an establishment) if a Directive 82/471 product, of any kind referred to in Chapter I.1(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in a Member State if—
 - (i) a Directive 82/471 product, of any kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, an application (which is pending) in respect of the establishment, has been made to a competent authority in the Member State, in accordance with any requirements in the Member State for the making of such applications, to approve the establishment, pursuant to Directive 95/69, as an establishment on which a Directive 82/471 product of any such kind may be manufactured with a view to putting it into circulation;

“EC permitted Article 2.2(b) establishment” means—

- (a) before 1st September 1998, an establishment located in a Member State (other than an EC approved Article 2.2(b) establishment or an establishment which a competent authority in the Member State has declined to approve as such an establishment) if a premixture, which contained additives of any kind referred to in Chapter I.2(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in a Member State if—
 - (i) a premixture, of the kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, an application (which is pending) in respect of the establishment, has been made to a competent authority in the Member State, in accordance with any requirements in the Member State for the making of such applications, to approve the establishment, pursuant to Directive 95/69, as an establishment on which a premixture of that kind may be manufactured with a view to putting it into circulation;

“EC permitted Article 7.2(a) establishment” means—

- (a) before 1st September 1998, an establishment located in a Member State (other than an EC registered Article 7.2(a) establishment) if an additive, of any kind the manufacture of which is regulated by Article 7.2(a) of Directive 95/69, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in a Member State if—
 - (i) an additive, of any kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration (consideration of which is pending) in respect of the establishment, has been submitted to a competent authority in the Member State, in accordance with any requirements in the Member State for the submission of such declarations, with a view to registration of the establishment, pursuant to Directive 95/69, as an establishment on which an additive of any such kind may be manufactured with a view to putting it into circulation;

“EC permitted Article 7.2(b) establishment” means—

- (a) before 1st September 1998, an establishment located in a Member State (other than an EC registered Article 7.2(b) establishment) if a premixture, which contained additives of any kind referred to in Chapter II(a) of the Annex, but did not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in a Member State if—
 - (i) a premixture, of the kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration (consideration of which is pending) in respect of the establishment, has been submitted to a competent authority in the Member State, in accordance with any requirements in the Member State for the submission of such declarations, with a view to registration of the establishment, pursuant to Directive 95/69, as an establishment on which a premixture of that kind may be manufactured with a view to putting it into circulation;

“EC permitted Article 7.2(c)(PA) establishment” means—

- (a) before 1st September 1998, an establishment located in a Member State (other than an EC registered Article 7.2(c)(PA) establishment) if a compound feeding stuff, containing a premixture which contained additives of any kind referred to in Chapter II(b) of the Annex, but did not contain a zootechnical additive, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in a Member State if—
 - (i) a compound feeding stuff, of the kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration (consideration of which is pending) in respect of the establishment, has been submitted to a competent authority in the Member State, in accordance with any requirements in the Member State for the submission of such declarations, with a view to registration of the establishment, pursuant to Directive 95/69, as an establishment on which a compound feeding stuff of that kind may be manufactured with a view to putting it into circulation;

“EC permitted Article 7.2(d)(PA) establishment” means—

- (a) before 1st September 1998, an establishment located in a Member State (other than an EC registered Article 7.2(d)(PA) establishment) if a compound feeding stuff, containing a premixture which contained additives of any kind referred to in Chapter II(b) of the Annex, but did not contain a zootechnical additive, was being produced on the establishment, for the exclusive requirements of the producer's holding, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in a Member State if—
 - (i) a compound feeding stuff, of the kind referred to in sub-paragraph (a) above, was being produced on the establishment, for the exclusive requirements of the producer's holding, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration (consideration of which is pending) in respect of the establishment, has been submitted to a competent authority in the Member State, in accordance with any requirements in the Member State for the submission of such declarations, with a view to registration of the establishment, pursuant to Directive 95/69, as an establishment on which a compound feeding stuff of that kind may be produced for the exclusive requirements of the producer's holding;

“EC registered Article 7.2(a) establishment” means an establishment included in a list of registered establishments, maintained by a competent authority in a Member State, in implementation of Article 10 of Directive 95/69, as an establishment on which an additive, of any kind the manufacture of which is regulated by Article 7.2(a) of Directive 95/69, may be manufactured with a view to putting it into circulation;

“EC registered Article 7.2(b) establishment” means an establishment included in a list of registered establishments, maintained by a competent authority in a Member State, in implementation of Article 10 of Directive 95/69, as an establishment on which a premixture, which contains additives of any kind referred to in Chapter II(a) of the Annex, but does not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, may be manufactured with a view to putting it into circulation;

“EC registered Article 7.2(c)(PA) establishment” means an establishment included in a list of registered establishments, maintained by a competent authority in a Member State, in implementation of Article 10 of Directive 95/69, as an establishment on which a compound feeding stuff, containing a premixture which contains additives of any kind referred to in Chapter II(b) of the Annex, but does not contain a zootechnical additive, may be manufactured with a view to putting it into circulation;

“EC registered Article 7.2(d)(PA) establishment” means an establishment included in a list of registered establishments, maintained by a competent authority in a Member State, in implementation of Article 10 of Directive 95/69, as an establishment on which a compound feeding stuff, containing a premixture which contains additives of any kind referred to in Chapter II(b) of the Annex, but does not contain a zootechnical additive, may be produced for the exclusive requirements of the producer's holding;

“UK approved Article 2.2(a)(A) establishment” means an establishment approved, pursuant to regulation 6 or 7, as an establishment on which an additive, of any kind referred to in the fourth to the ninth indents of Chapter I.1(a) of the Annex, may be manufactured with a view to putting it into circulation;

“UK approved Article 2.2(a)(P) establishment” means an establishment approved, pursuant to regulation 6 or 7, as an establishment on which a Directive 82/471 product, of any kind referred to in Chapter I.1(a) of the Annex, may be manufactured with a view to putting it into circulation;

“UK approved Article 2.2(b) establishment” means an establishment approved, pursuant to regulation 6 or 7, as an establishment on which a premixture, which contains additives of any kind referred to in the fourth or fifth indent of Chapter I.2(a) of the Annex, but does not contain a zootechnical additive, may be manufactured with a view to putting it into circulation;

“UK approved Article 2.2(d) establishment” means an establishment approved, pursuant to regulation 6 or 7, as an establishment on which a compound feeding stuff, of any kind the manufacture of which is regulated by Article 2.2(d) of Directive 95/69, may be manufactured with a view to putting it into circulation;

“UK approved Article 2.2(f) establishment” means an establishment approved, pursuant to regulation 6 or 7, as an establishment on which a compound feeding stuff, of any kind the production of which is regulated by Article 2.2(f) of Directive 95/69, may be produced for the exclusive requirements of the producer’s holding;

“UK permitted Article 2.2(a)(A) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK approved Article 2.2(a)(A) establishment or an establishment which the competent body has declined to approve as such an establishment) if an additive, of any kind referred to in Chapter I.1(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) an additive, of any kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, an application under regulation 5(1)(a), or a corresponding application under regulation 7(1) (which in either case is pending), made in accordance with regulation 5(2) or, as the case may be, 7(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 2.2(a)(P) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK approved Article 2.2(a)(P) establishment or an establishment which the competent body has declined to approve as such an establishment) if a Directive 82/471 product, of any kind referred to in Chapter I.1(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) a Directive 82/471 product, of any kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, an application under regulation 5(1)(b), or a corresponding application under regulation 7(1) (which in either case is pending), made in accordance with regulation 5(2), or, as the case may be, 7(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 2.2(b) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK approved Article 2.2(b) establishment or an establishment which the competent body has declined to approve as such an establishment) if a premixture, which contained additives of any kind referred to in Chapter I.2(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—

- (i) a premixture, of the kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (ii) before 1st September 1998, an application under regulation 5(1)(c), or a corresponding application under regulation 7(1) (which in either case is pending), made in accordance with regulation 5(2), or, as the case may be, 7(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 2.2(d) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK approved Article 2.2(d) establishment or an establishment which the competent body has declined to approve as such an establishment) if a compound feeding stuff, of any kind the manufacture of which is regulated by Article 2.2(d) of Directive 95/69, was being manufactured on the establishment, with a view to putting it into circulation on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) a compound feeding stuff, of any kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, an application under regulation 5(1)(d), or a corresponding application under regulation 7(1) (which in either case is pending), made in accordance with regulation 5(2), or, as the case may be, 7(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 2.2(f) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK approved Article 2.2(f) establishment or an establishment which the competent authority has declined to approve as such an establishment) if a compound feeding stuff, of any kind the production of which is regulated by Article 2.2(f) of Directive 95/69, was being produced on the establishment, for the exclusive requirements of the producer’s holding, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) a compound feeding stuff, of any kind referred to in sub-paragraph (a) above, was being produced on the establishment, for the exclusive requirements of the producer’s holding, on 1st April 1998, and
 - (ii) before 1st September 1998, an application under regulation 5(1)(e), or a corresponding application under regulation 7(1) (which in either case is pending), made in accordance with regulation 5(2) or, as the case may be, 7(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 7.2(a) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK registered Article 7.2(a) establishment) if an additive, of any kind the manufacture of which is regulated by Article 7.2(a) of Directive 95/69, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) an additive, of any kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and

- (ii) before 1st September 1998, a declaration under regulation 19(1)(a), or a corresponding declaration under regulation 21(1) (consideration of which in either case is pending), made in accordance with regulation 19(2), or, as the case may be, 21(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 7.2(b) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK registered Article 7.2(b) establishment) if a premixture, which contained additives of any kind referred to in Chapter II(a) of the Annex, but did not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) a premixture, of the kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration under regulation 19(1)(b), or a corresponding declaration under regulation 21(1) (consideration of which in either case is pending), made in accordance with regulation 19(2), or, as the case may be, 21(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 7.2(c)(A) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK registered Article 7.2(c)(A) establishment) if a compound feeding stuff, which contained an additive of any kind (other than copper, selenium, vitamin A and vitamin D) referred to in Chapter II(a) of the Annex, but did not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) a compound feeding stuff, of the kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration under regulation 19(1)(e), or a corresponding declaration under regulation 21(1) (consideration of which in either case is pending), made in accordance with regulation 19(2), or, as the case may be, 21(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 7.2(c)(PA) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK registered Article 7.2(c)(PA) establishment) if a compound feeding stuff, containing a premixture which contained additives of any kind referred to in Chapter II(b) of the Annex, but did not contain a zootechnical additive, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) a compound feeding stuff, of the kind referred to in sub-paragraph (a) above, was being manufactured on the establishment, with a view to putting it into circulation, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration under regulation 19(1)(c), or a corresponding declaration under regulation 21(1) (consideration of which in either case is pending), made in accordance with regulation 19(2), or, as the case may be, 21(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 7.2(d)(A) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK registered Article 7.2(d)(A) establishment) if a compound feeding stuff, which contained an additive of any kind (other than copper, selenium, vitamin A and vitamin D) referred to in Chapter II(a) of the Annex, but did not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, was being produced on the establishment, for the exclusive requirements of the producer’s holding, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) a compound feeding stuff, of the kind referred to in sub-paragraph (a) above, was being produced on the establishment, for the exclusive requirements of the producer’s holding, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration under regulation 19(1)(f), or a corresponding declaration under regulation 21(1) (consideration of which in either case is pending), made in accordance with regulation 19(2), or, as the case may be, 21(2), has been submitted to the competent body in respect of the establishment;

“UK permitted Article 7.2(d)(PA) establishment” means—

- (a) before 1st September 1998, an establishment located in the United Kingdom (other than a UK registered Article 7.2(d)(PA) establishment) if a compound feeding stuff, containing a premixture which contained additives of any kind referred to in Chapter II(b) of the Annex, but did not contain a zootechnical additive, was being produced on the establishment, for the exclusive requirements of the producer’s holding, on 1st April 1998, and
- (b) on and after 1st September 1998, an establishment located in the United Kingdom if—
 - (i) a compound feeding stuff, of the kind referred to in sub-paragraph (a) above, was being produced on the establishment for the exclusive requirements of the producer’s holding, on 1st April 1998, and
 - (ii) before 1st September 1998, a declaration under regulation 19(1)(d), or a corresponding declaration under regulation 21(1) (consideration of which in either case is pending), made in accordance with regulation 19(2), or, as the case may be, 21(2), has been submitted to the competent body in respect of the establishment;

“UK registered Article 7.2(a) establishment” means an establishment registered, pursuant to regulation 20 or 21, as an establishment on which an additive, of any kind the manufacture of which is regulated by Article 7.2(a) of Directive 95/69, may be manufactured with a view to putting it into circulation;

“UK registered Article 7.2(b) establishment” means an establishment registered, pursuant to regulation 20 or 21, as an establishment on which a premixture, which contains additives of any kind referred to in Chapter II(a) of the Annex, but does not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, may be manufactured with a view to putting it into circulation;

“UK registered Article 7.2(c)(A) establishment” means an establishment registered, pursuant to regulation 20 or 21, as an establishment on which a compound feeding stuff, which contains an additive of any kind (other than copper, selenium, vitamin A and vitamin D) referred to in Chapter II(a) of the Annex, but does not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, may be manufactured with a view to putting it into circulation;

“UK registered Article 7.2(c)(PA) establishment” means an establishment registered, pursuant to regulation 20 or 21, as an establishment on which a compound feeding stuff, containing a premixture which contains additives of any kind referred to in Chapter II(b) of the Annex,

but does not contain a zootechnical additive, may be manufactured with a view to putting it into circulation;

“UK registered Article 7.2(d)(A) establishment” means an establishment registered, pursuant to regulation 20 or 21, as an establishment on which a compound feeding stuff, which contains an additive of any kind (other than copper, selenium, vitamin A and vitamin D) referred to in Chapter II(a) of the Annex, but does not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, may be produced for the exclusive requirements of the producer’s holding;

“UK registered Article 7.2(d)(PA) establishment” means an establishment registered, pursuant to regulation 20 or 21, as an establishment on which a compound feeding stuff, containing a premixture which contains additives of any kind referred to in Chapter II(b) of the Annex, but does not contain a zootechnical additive, may be produced for the exclusive requirements of the producer’s holding.

Commencement Information

I3 Reg. 3 in force at 6.5.1998, see [reg. 1](#)

Definition of “intermediary” and related definitions

4. In these Regulations, “intermediary” has the meaning given by Article 1.3 of Directive 95/69 and—

“EC approved Article 3.1(A) intermediary” means an intermediary listed on a register of approved intermediaries, maintained by a competent authority in a Member State, in implementation of Article 5 of Directive 95/69, as an intermediary who may wrap, package, store and put into circulation an additive of any kind referred to in Chapter I.1(a) of the Annex;

“EC approved Article 3.1(P) intermediary” means an intermediary listed on a register of approved intermediaries, maintained by a competent authority in a Member State, in implementation of Article 5 of Directive 95/69, as an intermediary who may wrap, package, store and put into circulation a Directive 82/471 product of any kind referred to in Chapter I.1(a) of the Annex;

“EC approved Article 3.1(PA) intermediary” means an intermediary listed on a register of approved intermediaries, maintained by a competent authority in a Member State, in implementation of Article 5 of Directive 95/69, as an intermediary who may wrap, package, store and put into circulation a premixture which contains additives of any kind referred to in Chapter I.2(a) of the Annex;

“EC permitted Article 3.1(A) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in a Member State (other than an EC approved Article 3.1(A) intermediary or an intermediary whom a competent authority in a Member State has declined to approve as such an intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation an additive of any kind referred to in Chapter I.1(a) of the Annex, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in a Member State, who—
 - (i) on 1st April 1998 was wrapping, packaging, storing or putting into circulation an additive of any kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998 has submitted to a competent authority in the Member State an application (which is pending), made in accordance with any requirements in the Member State for the making of such applications, to be approved pursuant

to Directive 95/69 as an intermediary who may wrap, package, store and put into circulation an additive of any such kind;

“EC permitted Article 3.1(P) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in a Member State (other than an EC approved Article 3.1(P) intermediary or an intermediary whom a competent authority in the Member State has declined to approve as such an intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation a Directive 82/471 product of any kind referred to in Chapter I.1(a) of the Annex, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in a Member State, who—
 - (i) on 1st April 1998 was wrapping, packaging, storing or putting into circulation a Directive 82/471 product of any kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998 has submitted to a competent body in the Member State an application (which is pending), made in accordance with any requirements in the Member State for the making of such applications, to be approved pursuant to Directive 95/69 as an intermediary who may wrap, package, store and put into circulation a product of any such kind;

“EC permitted Article 3.1(PA) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in a Member State (other than an EC approved Article 3.1(PA) intermediary or an intermediary whom a competent authority in a Member State has declined to approve as such an intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation a premixture which contained additives of any kind referred to in Chapter I.2(a) of the Annex, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in a Member State, who—
 - (i) on 1st April 1998 was wrapping, packaging, storing or putting into circulation a premixture of the kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998 has submitted to a competent authority in the Member State an application (which is pending), made in accordance with any requirements in the Member State for the making of such applications, to be approved pursuant to Directive 95/69 as an intermediary who may wrap, package, store and put into circulation a premixture of that kind;

“EC permitted Article 8.1(A) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in a Member State (other than an EC registered Article 8.1(A) intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation an additive of any kind the wrapping, packaging, storing and putting into circulation of which is regulated by Article 8.1 of Directive 95/69, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in a Member State, who—
 - (i) on 1st April 1998 was wrapping, packaging, storing or putting into circulation an additive of any kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998 has submitted to a competent authority in the Member State a declaration (consideration of which is pending), made in accordance with any requirements in the Member State for the submission of such declarations, with

a view to his being registered pursuant to Directive 95/69 as an intermediary who may wrap, package, store and put into circulation an additive of any such kind;

“ermitted Article 8.1(PA) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in a Member State (other than an EC registered Article 8.1(PA) intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation a premixture which contained additives of any kind referred to in Chapter II(a) of the Annex, but did not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in a Member State, who—
 - (i) on 1st April 1998 was wrapping, packaging, storing or putting into circulation a premixture of the kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998 has submitted to a competent authority in the Member State a declaration (consideration of which is pending), made in accordance with any requirements in the Member State for the submission of such declarations, with a view to his being registered pursuant to Directive 95/69 as an intermediary who may wrap, package, store and put into circulation a premixture of that kind;

“EC registered Article 8.1(A) intermediary” means an intermediary included in a list of registered intermediaries, maintained by a competent authority in a Member State, in implementation of Article 10 of Directive 95/69, as an intermediary who may wrap, package, store and put into circulation an additive of any kind the wrapping, packaging, storing and putting into circulation of which is regulated by Article 8.1 of Directive 95/69;

“EC registered Article 8.1(PA) intermediary” means an intermediary included in a list of registered intermediaries, maintained by a competent authority in a Member State, in implementation of Article 10 of Directive 95/69, as an intermediary who may wrap, package, store and put into circulation a premixture which contains additives of any kind referred to in Chapter II(a) of the Annex, but does not contain an additive of any kind referred to in Chapter I.2(a) of the Annex;

“UK approved Article 3.1(A) intermediary” means an intermediary approved, pursuant to regulation 13 or 14, as an intermediary who may wrap, package, store and put into circulation an additive of any kind referred to in the fourth to the ninth indents of Chapter I.1(a) of the Annex;

“UK approved Article 3.1(P) intermediary” means an intermediary approved, pursuant to regulation 13 or 14, as an intermediary who may wrap, package, store and put into circulation a Directive 82/471 product of any kind referred to in Chapter I.1(a) of the Annex;

“UK approved Article 3.1(PA) intermediary” means an intermediary approved, pursuant to regulation 13 or 14, as an intermediary who may wrap, package, store and put into circulation a premixture which contains additives of any kind referred to in the fourth or fifth indent of Chapter I.2(a) of the Annex, but does not contain a zootechnical additive;

“UK permitted Article 3.1(A) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in the United Kingdom (other than a UK approved Article 3.1(A) intermediary or an intermediary whom the competent body has declined to approve as such an intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation an additive of any kind referred to in Chapter I.1(a) of the Annex, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in the United Kingdom, who—

- (i) on 1st April 1998, was wrapping, packaging, storing or putting into circulation an additive of any kind referred to in sub-paragraph (a) above, and
- (ii) before 1st September 1998, has submitted to the competent body an application under regulation 12(1)(a), or a corresponding application under regulation 14(1) (which in either case is pending), made in accordance with regulation 12(2), or, as the case may be, 14(2);

“UK permitted Article 3.1(P) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in the United Kingdom (other than a UK approved Article 3.1(P) intermediary or an intermediary whom the competent body has declined to approve as such an intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation a Directive 82/471 product of any kind referred to in Chapter I.1(a) of the Annex, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in the United Kingdom, who—
 - (i) on 1st April 1998, was wrapping, packaging, storing or putting into circulation a Directive 82/471 product of any kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998, has submitted to the competent body an application under regulation 12(1)(b), or a corresponding application under regulation 14(1) (which in either case is pending), made in accordance with regulation 12(2), or, as the case may be, 14(2);

“UK permitted Article 3.1(PA) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in the United Kingdom (other than a UK approved Article 3.1(PA) intermediary or an intermediary whom the competent body has declined to approve as such an intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation a premixture which contained additives of any kind referred to in Chapter I.2(a) of the Annex, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in the United Kingdom, who—
 - (i) on 1st April 1998, was wrapping, packaging, storing or putting into circulation a premixture of the kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998, has submitted to the competent body an application under regulation 12(1)(c), or a corresponding application under regulation 14(1) (which in either case is pending), made in accordance with regulation 12(2), or, as the case may be, 14(2);

“UK permitted Article 8.1(A) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in the United Kingdom (other than a UK registered Article 8.1(A) intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation an additive of any kind the wrapping, packaging, storing and putting into circulation of which is regulated by Article 8.1 of Directive 95/69, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in the United Kingdom, who—
 - (i) on 1st April 1998, was wrapping, packaging, storing or putting into circulation an additive of any kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998, has submitted to the competent body a declaration under regulation 26(1)(a), or a corresponding declaration under regulation 28(1)

(consideration of which in either case is pending), made in accordance with regulation 26(2), or, as the case may be, 28(2);

“UK permitted Article 8.1(PA) intermediary” means—

- (a) before 1st September 1998, an intermediary whose facilities are located in the United Kingdom (other than a UK registered Article 8.1(PA) intermediary) and who, on 1st April 1998, was wrapping, packaging, storing or putting into circulation a premixture which contained additives of any kind referred to in Chapter II(a) of the Annex, but did not contain an additive of any kind referred to in Chapter I.2(a) of the Annex, and
- (b) on and after 1st September 1998, an intermediary whose facilities are located in the United Kingdom, who—
 - (i) on 1st April 1998, was wrapping, packaging, storing or putting into circulation a premixture of the kind referred to in sub-paragraph (a) above, and
 - (ii) before 1st September 1998, has submitted to the competent body a declaration under regulation 26(1)(b), or a corresponding declaration under regulation 28(1) (consideration of which in either case is pending), made in accordance with regulation 26(2), or, as the case may be, 28(2);

“UK registered Article 8.1(A) intermediary” means an intermediary registered, pursuant to regulation 27 or 28, as an intermediary who may wrap, package, store and put into circulation an additive of any kind the wrapping, packaging, storing and putting into circulation of which is regulated by Article 8.1 of Directive 95/69;

“UK registered Article 8.1(PA) intermediary” means an intermediary registered, pursuant to regulation 27 or 28, as an intermediary who may wrap, package, store and put into circulation a premixture which contains additives of any kind referred to in Chapter II(a) of the Annex, but does not contain an additive of any kind referred to in Chapter I.2(a) of the Annex.

Commencement Information

I4 Reg. 4 in force at 6.5.1998, see [reg. 1](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Feeding Stuffs (Establishments and Intermediaries) Regulations 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 1999/1872 reg. 1\(2\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Act revoked by [S.I. 1999/1872 reg 1\(2\)](#)