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STATUTORY INSTRUMENTS

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**2003 No. 1296**

**The Feeding Stuffs (Sampling and Analysis), the Feeding Stuffs (Enforcement) and the Feeding Stuffs (Establishments and Intermediaries) (Amendment) (England) Regulations 2003**

**Amendment of the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999**

17. For paragraph (1) of regulation 106 (methods of analysis) there shall be substituted the following paragraph —

“(1) Subject to paragraph (2) below, for the purpose of determining, by means of analysis of a part of a sample taken in the course of the carrying out of official checks, whether a substance —

(a) of a class or description listed in column 1 of Annex I to Part II of Schedule 2 to the Feeding Stuffs (Sampling and Analysis) Regulations 1999 as amended by the Feedingstuffs (Zootechnical Products) Regulations 1999, the Feeding Stuffs (Sampling and Analysis) (Amendment) (England) Regulations 2001, the Feeding Stuffs (Amendment) Regulations 2002 and the Feeding Stuffs (Sampling and Analysis), the Feeding Stuffs (Enforcement) and the Feeding Stuffs (Establishments and Intermediaries) (Amendment) (England) Regulations 2003 and as modified by the Feeding Stuffs Regulations 2000; or

(b) to which the method of analysis specified in Annex II or as the case may be III to Part II of Schedule 2 to the Feeding Stuffs (Sampling and Analysis) Regulations 1999 as so amended and modified relates,

is present or active in it, or what quantity or proportion of such a substance is present or active in it, the provisions specified in Part I of Schedule 2 to those Regulations as so amended and modified, under the heading “GENERAL PROVISIONS” shall have effect, in the like manner as they have effect under those Regulations as so amended and modified in relation to feeding stuffs, and —

(c) in relation to a substance of a class or description listed (whether by itself or by reference to its activity) in column 1 of Annex I to Part II of Schedule 2 to those Regulations as so amended and modified, the relevant method of analysis set out in the Community provision specified in the corresponding entry in column 2 of that Annex shall be used; and

(d) in relation to a substance to which the method of analysis specified in Annex II or as the case may be III to Part II of Schedule 2 to those Regulations as so amended and modified relates, the method of analysis applicable to that substance shall be used,

and where more than one Community provision is specified in column 2 of Annex I to Part II of Schedule 2 to those Regulations as so amended and modified in relation to the same substance, the notes to that Annex shall have effect to specify which is the relevant method.”.