
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England, provide for the enforcement and execution of certain specified provisions (relating to animal feed) of Regulation (EC) No. 1829/2003 of the European Parliament and of the Council on genetically modified food and feed (OJ No. L268, 18.10.2003, p.1). Separate Regulations make provision for the enforcement of that part of Regulation (EC) No. 1829/2003 relating to food.

In particular these Regulations —

- (a) formally designate the Food Standards Agency as the national competent authority to receive applications for the authorisation of new genetically modified organisms for feed use, feed containing or consisting of genetically modified organisms, or feed produced from genetically modified organisms (*regulation 3*);
- (b) provide for enforcement authorities to enforce the provisions of these Regulations and Chapter III of Regulation (EC) No. 1829/2003 (*regulation 4*);
- (c) establish penalties for failing to comply with certain specified provisions of Regulation (EC) No. 1829/2003 (*regulation 5 and the Schedule*);
- (d) apply various provisions of the Agriculture Act 1970 with modification for the purposes of these Regulations (*regulation 6*);
- (e) apply various provisions of the Feeding Stuffs (Sampling and Analysis) Regulations 1999 (*regulation 7*);
- (f) provide powers and a procedure for the inspection, seizure and detention of suspected feed and for its destruction or disposal by order of a justice of the peace where it does not comply with specified provisions of Regulation (EC) No. 1829/2003 (*regulations 8 and 9*);
- (g) provide a time limit of three years from commission of the offence or one year from its discovery by the prosecutor, within which prosecutions for offences under the Regulations must be begun (*regulation 10*).

A Regulatory Impact Assessment has been prepared and placed in the Library of each House of Parliament. Copies may be obtained from the Animal Feed Unit, Primary Production Division of the Food Standards Agency, Aviation House, 125 Kingsway, London WC2B 6NH.