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STATUTORY INSTRUMENTS

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**2005 No. 3281**

**The Feeding Stuffs (England) Regulations 2005**

**PART 2**

*Presentation and Composition of Feeding Stuffs*

**Control of feed materials**

**13.**—(1) In this regulation any reference to a numbered Part means a Part of Schedule 2.

(2) No person shall put into circulation any feed material of a description specified in column (3) of Part II under a name other than that specified in the corresponding entry in column (2) of that Part.

(3) No person shall put into circulation any feed material not listed in Part II under a name specified in column (2) of that Part or under a name or term which could otherwise mislead a purchaser as to the real identity of the material.

(4) Where the name of a feed material listed in column (2) of Part II includes a common name or term listed in column (4) of Part I no person shall put into circulation any such feed material or any compound feeding stuff containing such feed material unless the feed material was prepared by the process specified in columns (2) and (3) of Part I corresponding to that common name or term.

(5) No person shall put into circulation any feed material or any compound feeding stuff containing any feed material, unless—

(a) in the case of any feed material of a description specified in column (3) of Part II the botanical purity by weight of the feed material is not less than the percentage (if any) specified in relation to it in column (3) of Part II or, if none is specified, is not less than 95%; or

(b) in the case of any feed material of a description specified in column (1) of Part III the botanical purity by weight of the feed material is not less than 95%; and

the feed material also complies with the provisions regarding botanical and chemical purity set out in paragraph 1 of Section II of Part A of the Annex to the Feed Materials Directive.

(6) No person shall use any feed material to bind another feed material, if the quantity of the feed material so used exceeds 3% of the total weight of the feed material bound.

(7) Without prejudice to sections 73 and 73A, no person shall import into England from any state which is not an EEA State, supply (otherwise than on sale), have in possession with a view to so supplying or use any feed material which is deleterious or dangerous to farmed creatures, to pet animals or, through consumption of the products of any animal fed with the feed material, to human beings.

(8) No person shall put into circulation or use any feed material which presents a danger to the environment.

(9) No person shall put into circulation any feed material in a manner likely to mislead as to its properties.

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(10) In paragraph (5)(a) “description” shall be taken to exclude any botanical purity requirement, and for the purposes of this regulation and of Schedule 2 “botanical purity” shall be construed in accordance with paragraph 2 of Section II of Part A of the Annex to the Feed Materials Directive.