
STATUTORY INSTRUMENTS

2015 No. 255

**The Animal Feed (Composition, Marketing
and Use) (England) Regulations 2015**

PART 6

[^{F1}Undesirable substances in products intended for animal feed]

Control of animal feeds containing undesirable substances

15.—(1) A person who —

- (a) places on the market any feed that is specified in column 2 of [^{F1}a table in Schedule 4]; or
- (b) uses any such feed,

commits an offence if it contains any undesirable substance listed in column 1 of that [^{F2}table] in excess of the relevant maximum content specified in column 3.

(2) A person who places on the market or uses any complementary feed commits an offence if —

- (a) having regard to the quantity of it recommended for use in a daily ration, it contains any undesirable substance listed in column 1 of [^{F3}a table in Schedule 4] in excess of the maximum content specified for it in column 3 in relation to complete feeds; and
- (b) there is no provision relating to any complementary feed in the corresponding entry in column 2 of that [^{F4}table].

(3) A person who for the purpose of dilution mixes any feed with a feed that is specified in column 2 of [^{F5}a table in Schedule 4] and which contains any undesirable substance listed in column 1 of that [^{F6}table] in excess of the maximum content specified for it in column 3 commits an offence.

(4) A person who places on the market or uses any feed which is not sound and genuine and of merchantable quality commits an offence.

(5) For the purposes of paragraph (4) a feed listed in column 2 of [^{F7}a table in Schedule 4] shall be deemed not to be sound, genuine and of merchantable quality if it contains any undesirable substance specified in column 1 of that [^{F8}table] in excess of the maximum content specified in relation to it in column 3.

(6) A person who has, for the purpose of a trade or business, possession or control of any of the feeds specified in paragraph (7) must, if required by an inspector, procure and produce to the inspector an analysis in order to demonstrate that the content of inorganic arsenic in the feed specified in that paragraph is less than 2 parts per million.

(7) The feeds are —

- (a) palm kernel expeller;
- (b) feeds obtained from the processing of fish and other marine animals;
- (c) seaweed meal and feed materials derived from seaweed; ^{F9}...

(d) complete feeds for fish or for fur-producing animals;

[^{F10}(e) peat;

(f) leonardite.]

(8) A person who, without reasonable excuse, fails to comply with a requirement made under paragraph (6) commits an offence.

[^{F11}(9) In order to reduce or eliminate sources of undesirable substances in products intended for animal feed, feed authorities must, in cooperation with feed business operators, carry out investigations to identify the sources of undesirable substances, in cases where the maximum levels are exceeded and in cases where increased levels of such substances are detected, taking into account background levels; for the purpose of ensuring a uniform approach in cases of increased levels, action thresholds to trigger investigations are set out in Schedule 5.

(10) Feed authorities must transmit to the Agency all relevant information and findings of the source and the measures taken to reduce the level of, or eliminate, undesirable substances.

(11) Where the Secretary of State has grounds to believe that a level fixed in Schedule 4 or 5, or an undesirable substance not listed in Schedule 4 or 5, presents a danger to animal or human health, or to the environment, the Secretary of State—

(a) may, pending amendment of Schedule 4 or 5—

(i) change an existing level;

(ii) introduce a level; or

(iii) prohibit the presence,

of the undesirable substance concerned in products intended for animal feed by issuing a direction; and

(b) must decide whether to make an amendment to Schedule 4 or 5 that corresponds with the direction issued under sub-paragraph (a).

(12) A direction issued under paragraph (11)(a)—

(a) must be in writing;

(b) may specify a period of time during which it has effect;

(c) may be revoked by the Secretary of State at any time, by way of a written notice;

(d) irrespective of any period of time specified under sub-paragraph (b), ceases to have effect upon the entry into force of any corresponding amendment of Schedule 4 or 5 made pursuant to paragraph (11)(b).

(13) A direction issued under paragraph (11)(a) and a revocation notice under paragraph (12)(c) must be published by the Secretary of State without delay.]

Textual Amendments

F1 Words in [reg. 15\(1\)\(a\)](#) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), [regs. 1\(1\)](#), [4\(6\)\(a\)\(i\)](#)

F2 Word in [reg. 15\(1\)](#) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), [regs. 1\(1\)](#), [4\(6\)\(a\)\(ii\)](#)

F3 Words in [reg. 15\(2\)\(a\)](#) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), [regs. 1\(1\)](#), [4\(6\)\(b\)\(i\)](#)

F4 Word in [reg. 15\(2\)\(b\)](#) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), [regs. 1\(1\)](#), [4\(6\)\(b\)\(ii\)](#)

F5 Words in [reg. 15\(3\)](#) substituted (31.12.2022) by [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), [regs. 1\(1\)](#), [4\(6\)\(c\)\(i\)](#)

- F6** Word in reg. 15(3) substituted (31.12.2022) by The Food and Feed (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1351), regs. 1(1), **4(6)(c)(ii)**
- F7** Words in reg. 15(5) substituted (31.12.2022) by The Food and Feed (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1351), regs. 1(1), **4(6)(d)(i)**
- F8** Word in reg. 15(5) substituted (31.12.2022) by The Food and Feed (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1351), regs. 1(1), **4(6)(d)(ii)**
- F9** Word in reg. 15(7)(c) omitted (31.12.2022) by virtue of The Food and Feed (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1351), regs. 1(1), **4(6)(e)(i)**
- F10** Reg. 15(7)(e)(f) inserted (31.12.2022) by The Food and Feed (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1351), regs. 1(1), **4(6)(e)(ii)**
- F11** Reg. 15(9)-(13) inserted (31.12.2022) by The Food and Feed (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1351), regs. 1(1), **4(6)(f)**

Commencement Information

- I1** Reg. 15 in force at 6.4.2015, see **reg. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Animal Feed (Composition, Marketing and Use) (England) Regulations 2015, Section 15.