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WELSH STATUTORY INSTRUMENTS

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**2002 No. 1797 (W.172)**

**AGRICULTURE, WALES**

**The Feeding Stuffs (Amendment) (Wales) Regulations 2002**

Made - - - - 9th July 2002  
Coming into force - - 5th August 2002

The National Assembly for Wales, acting in exercise of the powers conferred by sections 66(1), 68(1) and (1A), 69(1), 74A, 75(1), 76(1), 77(4), 78(6), 79(1) and 84 of the Agriculture Act 1970<sup>M1</sup> and now exercisable by it in relation to Wales<sup>M2</sup>, after consultation as required by section 84(1) of that Act with the persons or organisations appearing to represent the interests concerned<sup>M3</sup>, and having been designated<sup>M4</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>M5</sup> in relation to the common agricultural policy of the European Community, in exercise of the powers conferred by the said section 2(2) (in so far as these Regulations cannot be made under the powers in the Agriculture Act 1970 specified above), makes the following Regulations:

**Marginal Citations**

- M1** [1970 c. 40.](#)
- M2** By virtue of the National Assembly for Wales (Transfer of Functions) 1999 (S.I. No. 1999/672).
- M3** The requirement to consult must now be read in conjunction with Article 9 of Regulation (EC) No. 178/2002 (OJ No. L31, 1.2.2002, p.1).
- M4** [S.I. 1999/2788.](#)
- M5** [1972 c. 68.](#) The enabling powers conferred by section 2(2) were extended by virtue of section 1 of the [European Economic Area Act 1993 \(1993 c. 51\).](#)

**Title, commencement and extent** E+W

1. These Regulations may be cited as the Feeding Stuffs (Amendment) (Wales) Regulations 2002, shall come into force on 5th August 2002 and shall apply to Wales only.

**Amendment of the Feeding Stuffs (Wales) Regulations 2001** E+W

<sup>F1</sup>2. ....

*Status: Point in time view as at 25/01/2006.*

*Changes to legislation: There are currently no known outstanding effects for the The Feeding Stuffs (Amendment) (Wales) Regulations 2002. (See end of Document for details)*

**Textual Amendments**

**F1** [Regulations](#) revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**E+W**

<sup>F1</sup>**3.** .....

**Textual Amendments**

**F1** [Regulations](#) revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**E+W**

<sup>F1</sup>**4.** .....

**Textual Amendments**

**F1** [Regulations](#) revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**E+W**

<sup>F1</sup>**5.** .....

**Textual Amendments**

**F1** [Regulations](#) revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**E+W**

<sup>F1</sup>**6.** .....

**Textual Amendments**

**F1** [Regulations](#) revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**E+W**

<sup>F1</sup>**7.** .....

**Textual Amendments**

**F1** Regulations revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**E+W**

**F1**8. ....

**Textual Amendments**

**F1** Regulations revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**E+W**

**F1**9. ....

**Textual Amendments**

**F1** Regulations revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**E+W**

**F1**10. ....

**Textual Amendments**

**F1** Regulations revoked in so far as they amend the 2001 Regulations (25.1.2006) by [The Feeding Stuffs \(Wales\) Regulations 2006 \(S.I. 2006/116\)](#), **Sch. 9**

**Amendment of the Feeding Stuffs (Sampling and Analysis) Regulations 1999** **E+W**

**11.** The Feeding Stuffs (Sampling and Analysis) Regulations 1999 <sup>M6</sup> shall be amended in so far as they apply to Wales as follows—

- (a) in Part II of Schedule 1 (manner of taking, preparing, marking, sealing and fastening of samples), in paragraph 5(1), for the expression “section 76(1)(b) of the Act” there shall be inserted the expression “ section 76(7) of the Act as that section is modified by regulation 10 of the Feeding Stuffs (Enforcement) Regulations 1999 <sup>M7</sup> as amended ”;
- (b) in Part I of Schedule 2 (methods of analysis), at the end of paragraph 3(e)(ii), for the expression “Schedule 5 to the Feeding Stuffs Regulations 1995” there shall be substituted the expression “Schedule 7 to the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs and the Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001 <sup>M8</sup> and the Feeding Stuffs (Amendment) (Wales) Regulations 2002; and
- (c) in Part II of Schedule 3 (form of certificate of analysis), in note 11(a), for the expression “the Feeding Stuffs Regulations 1995” there shall be substituted the expression “ the Feeding Stuffs (Wales) Regulations 2001 as amended by the Feeding Stuffs and the

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**Changes to legislation:** There are currently no known outstanding effects for the The Feeding Stuffs (Amendment) (Wales) Regulations 2002. (See end of Document for details)

Feeding Stuffs (Enforcement) (Amendment) (Wales) Regulations 2001 and the Feeding Stuffs (Amendment) (Wales) Regulations 2002 ”.

**Marginal Citations**

- M6** [S.I. 1999/1663](#) (to which there are amendments not relevant to these Regulations).
- M7** [S.I. 1999/2325](#). The relevant amending instruments are [S.I. 2001/2253](#) (W.163) and [S.I. 2001/3461](#) (W.280).
- M8** [S.I. 2001/3461](#) (W.280).

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

+W

<sup>F2</sup>**12.** .....

**Textual Amendments**

- F2** [Regs. 12, 13](#) revoked (1.1.2006) by [The Feed \(Hygiene and Enforcement\) \(Wales\) Regulations 2005](#) (S.I. 2005/3368), [reg. 1](#), [Sch. 2](#)

**Amendment of the Feeding Stuffs (Enforcement) Regulations 1999** E+W

<sup>F2</sup>**13.** .....

**Textual Amendments**

- F2** [Regs. 12, 13](#) revoked (1.1.2006) by [The Feed \(Hygiene and Enforcement\) \(Wales\) Regulations 2005](#) (S.I. 2005/3368), [reg. 1](#), [Sch. 2](#)

<sup>M9</sup> Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998

*John Marek*  
The Deputy Presiding Officer of the National  
Assembly

**Marginal Citations**

- M9** [1998 c.38](#).

**Status:** Point in time view as at 25/01/2006.

**Changes to legislation:** There are currently no known outstanding effects for the The Feeding Stuffs (Amendment) (Wales) Regulations 2002. (See end of Document for details)

<sup>F1</sup>SCHEDULE 1 **E+W**

Regulation 7

**PROVISIONS SUBSTITUTED FOR PART IX OF THE TABLE  
TO SCHEDULE 3 TO THE PRINCIPAL REGULATIONS**

**“PART IX **E+W****

**EUROPEAN COMMUNITY REGULATIONS BY  
WHICH ADDITIVES ARE CONTROLLED {s001}**

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<sup>F1</sup>SCHEDULE 2 **E+W**

Regulation 8

**PROVISIONS SUBSTITUTED IN PARTS I AND II OF  
SCHEDULE 7 TO THE PRINCIPAL REGULATIONS**

<sup>F1</sup> .....

<sup>F1</sup>SCHEDULE 3 **E+W**

Regulation 10

**PROVISIONS SUBSTITUTED IN SCHEDULE 9 TO THE PRINCIPAL REGULATIONS**

<sup>F1</sup> .....

**Status:** Point in time view as at 25/01/2006.

**Changes to legislation:** There are currently no known outstanding effects for the The Feeding Stuffs (Amendment) (Wales) Regulations 2002. (See end of Document for details)

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations amend for the third time the Feeding Stuffs Regulations (Wales) 2001 (S.I. 2001/343 (W.15), “the principal Regulations”).

2. These Regulations apply to Wales only. The Feeding Stuffs (Amendment) Regulations 2002 (S.I. 2002/892, “the England and Wales Regulations”), which implement the same changes in England as are made in respect of Wales by these Regulations, contain two provisions which also apply to Wales and Northern Ireland. Regulation 3 of the England and Wales Regulations applies to England, Wales and Northern Ireland in so far as it relates to regulation 11 (as amended by the England and Wales Regulations) or 12 of the principal Regulations. Regulation 5 of the England and Wales Regulations also applies to England, Wales and Northern Ireland.

3. These Regulations implement—

a) Commission Directive [2001/79/EC](#) amending Council Directive [87/153/EEC](#) fixing guidelines for the assessment of additives in animal nutrition (OJ No. L267, 6.10.2001, p.1);

b) Council Directive [2001/102/EC](#) amending Directive [1999/29/EC](#) on the undesirable substances and products in animal nutrition (OJ No. L6, 10.1.2002, p.45); and

c) Commission Directive [2002/1/EC](#) amending Directive [94/39/EC](#) as regards animal feedingstuffs for the support of liver function in case of chronic liver insufficiency.

4. These Regulations also provide for the enforcement of the following Regulations—

a) Commission Regulation (EC) No. [2013/2001](#) concerning the provisional authorisation of a new additive use and the permanent authorisation of an additive in feedingstuffs (OJ No. L272, 13.10.2001, p.24);

b) Commission Regulation (EC) No. [2200/2001](#) concerning provisional authorisation of additives in feedingstuffs (OJ No. L299, 15.11.2001, p.1); and

c) Commission Regulation (EC) No. [256/2002](#) concerning the provisional authorisation of an additive and the permanent authorisation of an additive in feedingstuffs (OJ No. L41, 13.2.2002, p.6).

5. These Regulations—

a) modify the provisions of the principal Regulations which provide for the enforcement of the provisions of those Regulations which are made under the European Communities Act 1972 (*regulation 5*);

b) add three new Commission Regulations to the list of Commission Regulations under which authorisation for the marketing of feed additives has been granted which is contained in Schedule 3 to the principal Regulations (*regulation 7 and Schedule 1*);

c) modify the controls in the principal Regulations regulating the presence of undesirable substances in animal feed by specifying new maximum levels for Dioxin in feed (*regulation 8 and Schedule 2*);

d) modify the provisions of the principal Regulations regulating dietetic feeds as regards the required nutritional characteristics and labelling of feeds intended for the support of liver function in case of chronic liver insufficiency in dogs or cats (*regulation 10 and Schedule 3*);

e) make amendments to the principal Regulations to correct minor errors in them (*regulations 4 and 9*); and

f) make consequential amendments to those Regulations and to the Feeding Stuffs (Sampling and Analysis) Regulations 1999 (S.I.1999/1663), the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999 (S.I. 1999/1872) and the Feeding Stuffs (Enforcement) Regulations 1999 (S.I. 1999/2325) (*regulations 3, 6 and 11 to 13*).

g) Note also the effect of the England and Wales Regulations referred to in paragraph 2 above, which modify the provisions of the principal Regulations which specify the procedure to be followed in relation to the assessment of feed additives for which marketing authorisation has been sought and as regards applications for such authorisation (*regulations 3 and 5 of the England and Wales Regulations*).

6. A regulatory appraisal has been prepared in respect of these Regulations and a copy placed in the library of the National Assembly for Wales, together with a transposition note setting out how the main elements of the Directives referred to in paragraph 3 above are transposed into domestic law by these Regulations. Copies may be obtained on request from the Food Standards Agency (Wales), 1st Floor, Southgate House, Wood Street, Cardiff CF10 1EW.

**Status:**

Point in time view as at 25/01/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the The Feeding Stuffs (Amendment) (Wales) Regulations 2002.