

2009 No. 27

AGRICULTURE

The Feeding Stuffs (Amendment) Regulations (Northern Ireland) 2009

Made - - - - - *26th January 2009*

Coming into operation - - - - - *20th February 2009*

The Department of Health, Social Services and Public Safety^(a) makes the following Regulations in exercise of the powers conferred by sections 66(1), 68(1), 69(1), 74A and 84 of the Agriculture Act 1970^(b), as read with regulation 14 of the Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) Regulations (Northern Ireland) 2000^(c).

There has been consultation during the preparation of these Regulations in accordance with the requirements of section 84(1) of the Agriculture Act 1970 or, as appropriate, of Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council^(d) laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Feeding Stuffs (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 20th February 2009.

(2) The Interpretation Act (Northern Ireland) 1954^(e) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendments to the Feeding Stuffs Regulations (Northern Ireland) 2005

2. The Feeding Stuffs Regulations (Northern Ireland) 2005^(f) are amended in accordance with regulations 3 and 4.

3. In Schedule 5 —

(a) in Chapter A, in the entries relating to fluorine —

(i) after the last entry in Column 2 add “– complete feeding stuffs for fish”, and

(ii) after the last entry in Column 3 add “350”;

(b) in Chapter C —

(a) Formerly the Department of Health and Social Services; see S.I. 1999/283 (N.I. 1), Article 3
(b) 1970 c.40; sections 66(1) and 84 are modified in their application to Northern Ireland by section 86 of the Act; section 74A was inserted by paragraph 6 of Schedule 4 to the European Communities Act 1972 (c. 68)
(c) S.R. 2000 No. 78
(d) OJ No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No 202/2008 (OJ No. L60, 5.3.2008, p.17).
(e) 1954 c.33 (N.I.)
(f) S.R. 2005 No.545 as amended by S.R. 2006 No.18, S.R. 2006 No.427, S.R. 2006 No.471, S.R. 2007 No.450 and S.R. 2008 No. 260

- (i) omit the entries relating to Apricots, Bitter almond and Camelina;
- (ii) for the entries relating to Weed seeds etc substitute —

<i>Column 1</i> <i>Undesirable substances</i>	<i>Column 2</i> <i>Products intended for animal feed</i>	<i>Column 3</i> <i>Maximum content in mg/kg of feeding stuffs referred to a moisture content of 12%</i>
Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances, separately or in combination including: <i>Datura stramonium</i> L.	All feeding stuffs	3000 1000

- (c) in Chapter D, in the entries relating to DDT in column 1, for the expression in parenthesis substitute “(sum of DDT-, DDD- (or TDE-) and DDE-isomers, expressed as DDT)”.

4. In Schedule 7, for the entries in the first row of the table in Chapter A (relating to the support of renal function in the case of chronic renal insufficiency) substitute the entries set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 26th January 2009.



Michael McBride
A senior officer of the Department of Health, Social Services and Public Safety

SCHEDULE

Regulation 4

Entries to be substituted in Chapter A of Schedule 7 to the Feeding Stuffs Regulations (Northern Ireland) 2005

<i>Particular nutritional purpose</i>	<i>Essential nutritional characteristics</i>	<i>Species or category of animal</i>	<i>Labelling declarations</i>	<i>Recommended length of time for use</i>	<i>Other provisions</i>
Support of renal function in case of chronic renal insufficiency ⁽¹⁾	Low level of phosphorus and restricted level of protein but of high quality	Dogs and cats	<ul style="list-style-type: none"> – Protein source(s) – Calcium – Phosphorus – Potassium – Sodium – Content of essential fatty acids (if added) 	Initially up to 6 months ⁽²⁾	<p>Indicate on the package, container or label: “It is recommended that a veterinarian’s opinion be sought before use or before extending the period of use.”</p> <p>Indicate in the instructions for use: “Water should be available at all times.”</p>
or	Reduced phosphorus absorption by means of incorporation of Lanthanum carbonate octahydrate	Adult cats	<ul style="list-style-type: none"> – Protein source(s) – Calcium – Phosphorus – Potassium – Sodium – Lanthanum carbonate octahydrate – Content of essential fatty acids (if added) 	Initially up to 6 months ⁽²⁾	<p>Indicate on the package, container or label: “It is recommended that a veterinarian’s opinion be sought before use or before extending the period of use.”</p> <p>Indicate in the instructions for use: “Water should be available at all times.”</p>

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Feeding Stuffs Regulations (Northern Ireland) 2005 (S.R. 2005 No.545 as already amended by S.R. 2006 No.18, S.R. 2006 No. 427, S.R. 2006 No. 471, S.R. 2007 No. 450 and S.R. 2008 No. 260) (“the Feeding Stuffs Regulations”).

2. These Regulations provide for the implementation of—

- (a) Commission Directive 2008/76/EC amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal feed (OJ No. L198, 26.7.2008, p.37); and
- (b) Commission Directive 2008/82/EC amending Directive 2008/38/EC as regards feedingstuffs intended for the support of the renal function in case of chronic renal insufficiency (OJ No. L202, 31.7.2008, p.48).

3. In respect of paragraph 2(a), these Regulations amend Schedule 5 (prescribed limits for undesirable substances) to the Feeding Stuffs Regulations. The changes relate to fluorine, DDT and certain plant products.

4. In respect of paragraph 2(b), these Regulations amend the table in Schedule 7 (permitted feeding stoffs intended for particular nutritional purposes and provisions relating to their use) to the Feeding Stuffs Regulations, by replacing the existing entries relating to the support of renal function in cases of chronic renal insufficiency.

5. A full impact assessment has not been prepared for these Regulations as no impact on the voluntary or private sectors is foreseen.

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