

2002 No. 696

AGRICULTURE

**The Feedingstuffs (Zootechnical Products) (Amendment)
(England, Scotland and Wales) Regulations 2002**

<i>Made - - - - -</i>	<i>14th March 2002</i>
<i>Laid before Parliament</i>	<i>15th March 2002</i>
<i>Coming into force - -</i>	<i>31st March 2002</i>

The Secretary of State for Environment, Food and Rural Affairs, being designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the Common Agricultural Policy of the European Community, in exercise of the powers conferred on her by that section, having carried out any consultation required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council (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(c)) makes the following Regulations:

Title, commencement and extent

1. These Regulations may be cited as the Feedingstuffs (Zootechnical Products) (Amendment) (England, Scotland and Wales) Regulations 2002; they extend to England, Scotland and Wales and come into force on 31st March 2002.

Amendment of the Feedingstuffs (Zootechnical Products) Regulations 1999

2. In so far as they extend to England, Scotland and Wales, the Feedingstuffs (Zootechnical Products) Regulations 1999(d) (“the principal Regulations”) are amended in accordance with these Regulations.

Amendment and substitution of regulations

3. At the end of the definition of “the MF Regulations” in regulation 2(1) of the principal regulations there are inserted the words “as amended by the Medicated Feedingstuffs (Amendment) (England, Scotland and Wales) Regulations 2002”.

4. The following regulation is substituted for regulation 75 of the principal Regulations—

“75.—(1) The enforcement authority shall carry out official checks and enforce these Regulations.

(2) The occupier of premises specified in Part II of Schedule 3, and intermediaries specified in Part III, shall pay to the enforcement authority the annual fee specified in the Schedule for carrying out official checks within 30 days of the notice from the enforcement authority requiring it; except that this shall not apply in relation to premises approved for the manufacture of medicated premixes under the Medicine Act 1968(e).”.

(a) S.I. 1972/1811.

(b) 1972 c. 68.

(c) OJ No. L31, 1.2.2002, p. 1.

(d) S.I. 1999/1871.

(e) 1968 c. 67.

Substitution for Schedule 3

5. The Schedule to these Regulations is substituted for Schedule 3 to the principal Regulations.

14th March 2002

Whitty
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

SUBSTITUTED SCHEDULE 3

SCHEDULE 3

Regulations 6(8)(b), 9(1),
15(1), 23(1) and 75

FEES

PART I

Fees payable in relation to dossiers

<i>Application</i>	<i>Fee payable per dossier</i> £	<i>Previous fee</i> £
Application under regulation 5(3)	25,000	25,000
Application under regulation 6(1)	25,000	25,000
Application under regulation 7(1)(a)	25,000	25,000
Application under regulation 7(1)(b)	10,000	10,000
Application under regulation 8(1)	2,500	2,500

PART II

Fees payable in relation to the approval and official checks of establishments

<i>Application</i>	<i>Fee</i> £	<i>Previous fee</i> £
Application under regulation 10(1)(a) or 12 for the approval of an establishment to manufacture a zootechnical additive with a view to putting it into circulation, or the annual fee for the official check of that establishment under regulation 75(2)	497	£405 for the initial approval with no annual fee for the official check
Application under regulation 10(1)(b) or 12 for the approval of an establishment to manufacture a zootechnical premixture with a view to putting it into circulation, or the annual fee for the official check of that establishment under regulation 75(2)	497	£405 for the initial approval with no annual fee for the official check
Application under regulation 10(1)(c) or 12 for the approval of an establishment to manufacture a zootechnical compound feedingstuff with a view to putting it into circulation, or the annual fee for the official check of that establishment under regulation 75(2)	101	£113 for the initial approval with no annual fee for the official check
Application under regulation 10(1)(d) or 12 for the approval of an establishment to manufacture a zootechnical compound feedingstuff for the exclusive requirement of the applicant's holding, or the annual fee for the official check of that establishment under regulation 75(2)	79	£113 for the initial approval with no annual fee for the official check

<i>Application</i>	<i>Fee</i> £	<i>Previous fee</i> £
Application under regulation 10(1)(e) or 12 for the approval of an establishment to manufacture a zootechnical compound feedingstuff using a minimum proportion of 0.05% by weight of a premixture, or the annual fee for the official check of that establishment under regulation 75(2)	379	£405 for the initial approval with no annual fee for the official check

PART III

Fees payable in relation to the approval and official checks of intermediaries

<i>Application</i>	<i>Fee</i> £	<i>Previous fee</i> £
Application for approval under regulations 18 or 20 to exercise an intermediary activity, or the annual fee for the official check of that establishment under regulation 75(2)	95	£151 for the initial approval with no annual fee for the official check

Notes

1. If an application of an approval under regulation 10(1)(a) is made at the same time as an application relating to those premises for a manufacturer's licence to manufacture medicated premix under the Medicines Act 1968, no fee is payable under these Regulations.
2. If premises used for manufacturing zootechnical compound feedingstuffs are inspected for an official check at the same time as they are inspected for the renewal of an approval under the MF Regulations, no fee is payable in relation to the zootechnical compound feedingstuffs.
3. Where more than one of the above activities is carried out at one premises, only one fee is payable, which shall be the highest fee payable for any one of those activities.

EXPLANATORY NOTE

(This note is not part of the Regulation)

These Regulations amend the Feedingstuffs (Zootechnical Products) Regulations 1999 in so far as they extend to England, Scotland and Wales. The 1999 Regulations as amended continue to implement, in relation to zootechnical additives and products with those additives in them, a number of community instruments including in particular Council Directive 95/69 (OJ No. L332, 30.12.95, p.15) laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector.

They provide (at regulation 4 and 5 and the Schedule) for new fees for approval of, and official checks carried out at, premises manufacturing zootechnical additives, premixtures and/or feedingstuffs incorporating zootechnical additives or premixtures.

The existing fees structure for these matters is changed. Previously fees were payable under this legislation on application for approval, but not for the official checks carried out to ensure continuing compliance with the requirements of these Regulations. The new system specifies on fee payable under this legislation for initial approval and each year thereafter to cover the costs of these official checks.

These Regulations also set out the fees payable for the UK carrying out certain specified functions in connection with the application for the European Community authorisation of zootechnical feed additives.

A Regulatory Impact Assessment has been prepared and has been placed in the library of each House of Parliament. Copies are available from the Veterinary Medicines Directorate, Woodham Lane, New Haw, Addlestone, Surrey KT15 3LS.

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