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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 (OJNo. 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

**Status:** This is the original version (as it was originally made).

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.