
WELSH STATUTORY INSTRUMENTS

2007 No. 3171 (W.277)

AGRICULTURE, WALES

The Feed (Specified Undesirable Substances) (Wales) Regulations 2007

<i>Made</i>	- - - -	<i>7 November 2007</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>8 November 2007</i>
<i>Coming into Force</i>	- -	<i>30 November 2007</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 66(1), 68(1), 74A and 84 of the Agriculture Act 1970⁽¹⁾.

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⁽²⁾ 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.

Title, commencement and application

1.—(1) The title of these Regulations is the Feed (Specified Undesirable Substances) (Wales) Regulations 2007 and they come into force on 30 November 2007.

(2) These Regulations apply in relation to Wales.

Amendments to the Feeding Stuffs (Wales) Regulations 2006

2.—(1) The Feeding Stuffs (Wales) Regulations⁽³⁾ are amended in accordance with paragraphs (2) to (5).

(2) In paragraph 11(2)(c)(iv) of Part 1 of Schedule 3 (contents of the statutory statement or other declaration etc), for the word “soluble” substitute “insoluble”.

(1) 1970 c. 40. Section 66(1) contains the definitions of the expressions “the Ministers”, “prescribed” and “regulations”. The functions of the Ministers and the Secretary of State so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by S.I.1999/672 and were transferred to the Welsh Ministers by virtue of 162 of and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). Section 74A was inserted by the European Communities Act 1972 (c. 68), Schedule 4, paragraph 6.

(2) O.J No. L31, 1.2.2002, p.1, as last amended by Regulation (EC) No. 575/2006 (O.J. No. L100, 8.4.2006, p.3).

(3) S.I.2006/116 (W.14), as amended by S.I.2006/617 (W.69), S.I.2006/2928 (W.263) and S.I.2006/3256 (W.296).

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(3) The table entries and footnotes comprising Chapter D of Schedule 5 (prescribed limits for undesirable substances) are replaced by the entries and footnotes set out in Schedule 1 to these Regulations.

(4) The table entries set out in Schedule 2 to these Regulations are added at the end of the table in Schedule 6 (control of certain protein sources).

(5) In column 4 of Chapter A of Schedule 7 (permitted feeding stuffs intended for particular nutritional purposes and provisions relating to their use), opposite the entry in column 1 relating to reduction in cystine stones formation, for the word “acidifying” substitute “alkalising”.

G. Thomas

Under authority of the Minister for Health and
Social Services, one of the Welsh Ministers

7 November 2007

SCHEDULE 1

Regulation 2(3)

Entries to comprise Chapter D of Schedule 5 to the Feeding Stuffs (Wales) Regulations 2006

<i>“Column 1 Undesirable substances</i>	<i>Column 2 Products intended for animal feed</i>	<i>Column 3 Maximum content in mg/kg of feeding stuffs referred to a moisture content of 12%</i>
Aldrin ⁽¹⁾	All feeding stuffs	0.01 ⁽²⁾
Dieldrin ⁽¹⁾	except:	
	— fats and oils	0.1 ⁽²⁾
	— feeding stuffs for fish	0.02 ⁽²⁾
Camphechlor (toxaphene) — sum of indicator congeners CHB 26, 50 and 62 ⁽³⁾	Fish, other aquatic animals, their products and by-products	0.02
	except:	
	— fish oil	0.2
	Feeding stuffs for fish	0.05
Chlordane (sum of cis- and trans-isomers and of oxychlordane, expressed as chlordane)	All feeding stuffs	0.02
	except:	
	— fats and oils	0.05
DDT (sum of DDT-, TDE- and DDE- isomers, expressed as DDT)	All feeding stuffs	0.05
	except:	
	— fats and oils	0.5
Endosulphan (sum of alpha- and beta-isomers and of endosulphan sulphate, expressed as endosulphan)	All feeding stuffs	0.1
	except:	
	— maize and products derived from the processing thereof	0.2

(1) Singly or combined, expressed as dieldrin.

(2) Maximum level for aldrin and dieldrin, singly or combined, expressed as dieldrin.

(3) Numbering system according to Parlar, prefixed by either “CHB” or “Parlar”:
— CHB 26: 2-endo,3-exo,5-endo,6-exo,8,8,10,10-octochlorobornane,
— CHB 50: 2-endo,3-exo,5-endo,6-exo,8,8,9,10,10-nonachlorobornane,
— CHB 62: 2,2,5,5,8,9,9,10,10-nonachlorobornane.

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<i>“Column 1 Undesirable substances</i>	<i>Column 2 Products intended for animal feed</i>	<i>Column 3 Maximum content in mg/kg of feeding stuffs referred to a moisture content of 12%</i>
	— oilseeds and products derived from the processing thereof, with the exception of crude vegetable oil	0.5
	— crude vegetable oil	1.0
	— complete feeding stuffs for fish	0.005
Endrin (sum of endrin and delta-keto-endrin, expressed as endrin)	All feeding stuffs	0.01
	except:	
	— fats and oils	0.05
Heptachlor (sum of heptachlor and of heptachlorepoide, expressed as heptachlor)	All feeding stuffs	0.01
	except:	
	— fats and oils	0.2
Hexachlorobenzene (HCB)	All feeding stuffs	0.01
	except:	
	— fats and oils	0.2
Hexachlorocyclohexane (HCH)		
— alpha-isomers	All feeding stuffs	0.02
	except:	
	— fats and oils	0.2
— beta-isomers	All feed materials	0.01
	except:	
	— fats and oils	0.1
	All compound feeding stuffs	0.01
	except:	
	— compound feeding stuffs for dairy cattle	0.005
<p>(1) Singly or combined, expressed as dieldrin.</p> <p>(2) Maximum level for aldrin and dieldrin, singly or combined, expressed as dieldrin.</p> <p>(3) Numbering system according to Parlar, prefixed by either “CHB” or “Parlar”:</p> <ul style="list-style-type: none"> — CHB 26: 2-endo,3-exo,5-endo,6-exo,8,8,10,10-octochlorobornane, — CHB 50: 2-endo,3-exo,5-endo,6-exo,8,8,9,10,10-nonachlorobornane, — CHB 62: 2,2,5,5,8,9,9,10,10-nonachlorobornane. 		

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<i>“Column 1 Undesirable substances</i>	<i>Column 2 Products intended for animal feed</i>	<i>Column 3 Maximum content in mg/kg of feeding stuffs referred to a moisture content of 12%</i>
— gamma-isomers	All feeding stuffs except: — fats and oils	0.2 2.0”
<p>(1) Singly or combined, expressed as dieldrin.</p> <p>(2) Maximum level for aldrin and dieldrin, singly or combined, expressed as dieldrin.</p> <p>(3) Numbering system according to Parlar, prefixed by either “CHB” or “Parlar”: — CHB 26: 2-endo,3-exo,5-endo,6-exo,8,8,10,10-octochlorobornane, — CHB 50: 2-endo,3-exo,5-endo,6-exo,8,8,9,10,10-nonachlorobornane, — CHB 62: 2,2,5,5,8,9,9,10,10-nonachlorobornane.</p>		

SCHEDULE 2

Regulation 2(4)

Entries to be added to Schedule 6 to the Feeding Stuffs (Wales) Regulations 2006

<i>“Name of product group</i>	<i>Permitted products</i>	<i>Designation of nutritive principle or identity of micro- organisms</i>	<i>Culture substrate (specifications if any)</i>	<i>Composition characteristics of product</i>	<i>Animal species</i>	<i>Name of product and specified particulars</i>
2.2 By-products from the production of amino acids by fermentation	2.2.1 Concentrated liquid salts and other nitrogenous compounds from the production of L-glutamic acid by fermentation with	Sucrose, molasses, starch products and their hydrolysates		Nitrogen expressed as crude protein: minimum 48% Moisture: maximum 28%	Ruminants from the beginning of ruminant	Declarations to be made on the label or packaging of the product: — the name “by-products from the production

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<i>"Name of product group</i>	<i>Permitted products</i>	<i>Designation of nutritive principle or identity of micro-organisms</i>	<i>Culture substrate (specifications if any)</i>	<i>Composition characteristics of product</i>	<i>Animal species</i>	<i>Name of product and specified particulars</i>
	Corynebacterium melassecola					of L-glutamic acid" in the case of product 2.2.1; "by-products from the production of L-lysine" in the case of product 2.2.2; — nitrogen, expressed as crude protein; — crude ash; — moisture; — animal species or category; — approval number.
	2.2.2 Concentrated liquid by-products from the production of L-lysine monohydrochloride by fermentation	Concentrated salts and other nitrogenous compounds	Sucrose, molasses, starch products and their hydrolysates	Nitrogen expressed as crude protein: minimum 45%		Declarations to be made on the label or packaging of compound feeding stuffs: — percentage of the total

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<i>"Name of product group</i>	<i>Permitted products</i>	<i>Designation of nutritive principle or identity of micro-organisms</i>	<i>Culture substrate (specifications if any)</i>	<i>Composition characteristics of product</i>	<i>Animal species</i>	<i>Name of product and specified particulars</i>
	with Brevibacterium lactofermentum					crude protein provided by non-protein nitrogen; — indication, in the instructions for use, of the level of total non-protein nitrogen which should not be exceeded in the daily ration of each animal species or category."

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make further amendments to the Feeding Stuffs (Wales) Regulations 2006 (SI 2006/116 (W.14) as already amended by SI 2006/617 (W.69), SI 2006/2928 (W.263) and SI 2006/3256 (W.296) (“the Feeding Stuffs Regulations”).

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These Regulations provide for the implementation of Commission Directive [2006/77/EC](#) amending Annex I to Directive [2002/32/EC](#) of the European Parliament and of the Council as regards organochlorine compounds in animal feed (OJ No. L271, 30.9.2006, p.53).

The Regulations amend Chapter D of Schedule 5 to the Feeding Stuffs Regulations, principally by —

- (a) setting new limits in relation to aldrin and dieldrin;
- (b) setting new limits in relation to endosulphan in crude vegetable oil; and
- (c) replacing the term “fats” by the term “fats and oils”, (*regulation 2(3) and Schedule 1*).

The Regulations also correct an omission in Schedule 6 and typographical errors in Schedules 3 and 7 to the Feeding Stuffs Regulations (*regulation 2(2), (4) and (5)*).

A full regulatory impact assessment of the effect that this instrument will have on the costs of business has been prepared. Copies may be obtained from the Food Standards Agency, 11th Floor, Southgate House, Wood Street, Cardiff, CF10 1EW.