Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Feeding Stuffs (Sampling and Analysis) Amendment (Scotland) Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCOTTISH STATUTORY INSTRUMENTS

2001 No. 104

AGRICULTURE

The Feeding Stuffs (Sampling and Analysis) Amendment (Scotland) Regulations 2001

Made - - - -	*16th March 2001*
Laid before the Scottish Parliament - - - -	*16th March 2001*
Coming into force - -	*6th April 2001*

The Scottish Ministers, in exercise of the powers conferred by sections 66(1), 77(4), 78(6) and 84 of the Agriculture Act 1970[F1] and after consultation in accordance with section 84(1) of the said Act with such persons or organisations appearing to represent the interests concerned and in exercise of the powers conferred by section 2(2) of the European Communities Act 1972[F2], and of all other powers enabling them in that behalf, hereby make the following Regulations:

F1 1970 c.40; section 66(1) was amended by the Agriculture Act 1970 Amendment Regulations 1982 (S.I. 1982/980), the Feeding Stuffs Regulations 1995 (S.I. 1995/1412), the Fertilisers (Sampling and Analysis) Regulations 1996 (S.I. 1996/1342) and the Feeding Stuffs (Sampling and Analysis) Regulations 1999 (S.I. 1999/1663). Section 66(1) contains definitions of "prescribed" and "regulations". The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

F2 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46), **Schedule 8**, paragraph 15(3). The function conferred upon Ministers of the Crown by section 2(2) so far as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Feeding Stuffs (Sampling and Analysis) Amendment (Scotland) Regulations 2001 and shall come into force on 6th April 2001.

(2) These Regulations extend to Scotland only.

Amendment of the Feeding Stuffs (Sampling and Analysis) Regulations 1999

2. The Feeding Stuffs (Sampling and Analysis) Regulations 1999 [F3] shall be amended in accordance with regulations 3 and 4 below.

F3 S.I. 1999/1663; to which there are amendments not relevant to these Regulations.

3. In regulation 6 (application of methods of analysis)–

(a) in paragraph (1) after the words "pursuant to the Act," there shall be added the words " or, in the cases of the substances vitamin A and vitamin E, in a sample of a premixture to be analysed pursuant to Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs, "[F4]; and

(b) in paragraph (2), sub-paragraph (c) shall be omitted.

F4 O.J. No. L 174, 13.7.00, p.32.

4. Annex 1 to Part II of Schedule 2 shall be amended as follows:–

(a) after the entry for Theobromine there shall be added in columns 1 to 3 the following provisions:

"Tryptophan	Part C of the Annex to Directive 2000/45/EC	O.J. No. L 174, 13.7.00, p.32.";

(b) for the provisions in columns 2 and 3 relating to the entry for Vitamin A there shall be substituted the following provisions:

	"Part A of the Annex to Directive 2000/45/EC	O.J. No. L 174, 13.7.00, p.32.; and"

(c) after the entry for Vitamin A there shall be added in columns 1 to 3 the following provisions:

"Vitamin E	Part B of the Annex to Directive 2000/45/EC	O.J. No. L 174, 13.7.00, p.32.".

Amendment of the Feeding Stuffs (Enforcement) Regulations 1999

5. The Feeding Stuffs (Enforcement) Regulations 1999 [F5] shall be amended as follows:

(a) in regulation 11, for the words "not a feeding stuff", there shall be substituted the words " neither a feeding stuff, nor a premixture to which Part A or Part B of Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and trytophan in feedingstuffs applies "; and

(b) after regulation 11 there shall be added the following regulation–

"**11A.** For the purposes of sections 77(4) and 78(6) of the Act, analysis shall (as specified in regulation 7) be treated as carried out in the prescribed manner, in relation to a sample of a premixture to which Part A or Part B of Commission Directive 2000/45/EC establishing Community methods of analysis for the determination of vitamin A, vitamin E and tryptophan in feedingstuffs