STATUTORY RULES OF NORTHERN IRELAND

1996 No. 259

AGRICULTURE

Feeding Stuffs (Amendment) Regulations (Northern Ireland) 1996

Made - - - -	*27th June 1996*
Coming into operation	*31st July 1996*

The Department of Agriculture, being a Department designated(**1**) for the purposes of section 2(2)(**2**) of the European Communities Act 1972(**3**)(**d**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by that section and sections 66(1), 68(1), 73(3), 74(1), 74A(**4**), 84 and 86 of the Agriculture Act 1970(**5**) and of every other power enabling it in that behalf, after consultation with such persons or organisations as appear to it to represent the interests concerned, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Feeding Stuffs (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 31st July 1996.

(2) The Interpretation Act (Northern Ireland) 1954(**6**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the Feeding Stuffs Regulations (Northern Ireland) 1995

2. The Feeding Stuffs Regulations (Northern Ireland) 1995(**7**) shall be amended in accordance with regulations 3 to 8.

3. In regulation 2(1) (*Interpretation*), after the definition of "daily ration" there shall be inserted the following definitions—

> ""EEA Agreement" means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as amended by the Protocol signed at Brussels on 17th March 1993;

(**1**) S.I.1972/1811
(**2**) As read together with section 2(5) of the European Economic Area Act 1993
(**3**) 1972 c. 68; section 2 is subject to Schedule 2 to the Act and is to be read with S.I. 1984/703 (N.I. 3) and S.R. 1984 No. 253
(**4**) The enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act 1993 (c. 51)
(**5**) Inserted by 1972 c. 68 section 4(1) and Schedule 4, paragraph (6)
(**6**) 1970 c. 40 as amended by S.I. 1982/980
(**7**) 1954 c. 33 (N.I.)

"EEA State" means a State which is a Contracting Party to the EEA Agreement;"(**8**).

4. For regulation 10 (*Limits of variation*) there shall be substituted the following regulation:

"**10.** For the purposes of section 74, the limits of variation in relation to any mis-statement in a statutory statement or mark as to the nature, substance or quality of a feeding stuff, where the mis-statement relates to—

(a) an analytical constituent specified in the first column of any of Parts A to D of Schedule 3; or

(b) energy value of a feeding stuff specified in the first column of Part E of that Schedule,

shall be as set out with respect to that constituent or feeding stuff in the corresponding entry in the second column of the relevant Part of that Schedule.".

5. In regulation 15 (*Control of feeding stuffs and ingredients containing undesirable substances*) —

(a) in paragraphs (3), (4) and (6), for the words "a member State of the European Community" in each place where they occur, there shall be substituted "an EEA State";

(b) in paragraph (11) for sub-paragraph (*b*) there shall be substituted the following sub-paragraph:

"(b) hide treated with tanning substances and its waste;";

(c) for paragraph (12), there shall be substituted—

"(12) For the purposes of paragraph (11), except sub-paragraph (*e*), "waste" shall mean material of any applicable category listed in Annex 1 to Council Directive 75/442/EEC(**9**) on waste, as amended by Council Directive 91/156/EEC(**10**), which is discarded or intended or required to be discarded.".

6. In Schedule 4—

(a) in Part II ("PERMITTED COLOURANTS")—

(i) for the provisions in Columns 1 to 3 relating to the names or descriptions "Carotenoids and xanthophylls" and "Capsanthin" there shall be substituted the following provisions:

"E 160c	**1.** Carotenoids and xanthophylls: Capsanthin	$C_{40}H_{56}O_3$"

(ii) for the provisions in Column 2 relating to item 3 there shall be substituted the following provisions:

"All colourants (other than Patent Blue V and Acid Brilliant Green BS) at present permitted for use in human food by European Community legislation, as implemented by Regulations made under the Food Safety (Northern Ireland) Order 1991(**11**)

(b) in Part VI ("TRACE ELEMENTS"), for the provisions relating to the element Iodine-I there shall be substituted the contents of Schedule 1.

(**8**) S.R. 1995 No. 451
(**9**) The reference for the EEA Agreement is O.J. No. L1, 3.1.94, p. 1. The reference for the Protocol signed on 17th March 1993 is O.J. No. L1, 3.1.94, p. 571
(**10**) O.J. No. L194, 25.7.75, p. 39
(**11**) O.J. No. L78, 26.3.91, p. 32

7. In Schedule 5 ("PRESCRIBED LIMITS FOR UNDESIRABLE SUBSTANCES") in Part I Chapter B for the provisions relating to the substance Aflatoxin B_1 there shall be substituted the contents of Schedule 2.

8. In Schedule 7 ("CONTROL OF CERTAIN PROTEIN SOURCES")—

(a) after the provisions relating to item 1.1.1 ("Bacteria cultivated on methanol") there shall be inserted the contents of Schedule 3; and

(b) for the provisions in Column 5 relating to item 3.2.2 ("Concentrated liquid L-Lysine (base)") there shall be substituted the following provisions:

"L-Lysine:

min. 50%".

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 27th June 1996.

L. G. McKibben
Assistant Secretary