1982 No. 337

AGRICULTURE

The Feeding Stuffs Regulations (Northern Ireland) 1982

Made . . . . . *19th October 1982*

Coming into operation . . . *25th February 1983*

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The Department(a) of Agriculture, after consultation with such persons or organisations as appear to it to represent the interests concerned, in exercise of the powers conferred on it by sections 66(1), 68(1), (1A) and (3), 69(1) and (3), 70(1), 73(3), 74(1), 74A(b) and 84 of the Agriculture Act 1970(c) and of every other power enabling it in that behalf, hereby makes the following regulations:—

(a) Formerly Ministry: *see* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1)
(b) Inserted by 1972 c. 68 s. 4(1) and Sch. 4 para. 6
(c) 1970 c. 40 as amended by S.I. 1982/980

Citation and commencement

1. These regulations may be cited as the Feeding Stuffs Regulations (Northern Ireland) 1982 and shall come into operation on 25th February 1983.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

"the Act" means the Agriculture Act 1970;

"amount of protein" means—

(*a*) except in the case of compound feeding stuffs for bulls, cows, steers, heifers, calves, sheep or goats, the amount of nitrogen, other than urea, biuret, isobutylidenediurea, urea phosphate or uric acid nitrogen, multiplied by 6.25;

(*b*) in the case of compound feeding stuffs for bulls, cows, steers, heifers, calves, sheep or goats, the amount of nitrogen, including urea, biuret, isobutylidenediurea, urea phosphate and uric acid nitrogen but not including ammoniacal or nitrate nitrogen, multiplied by 6.25;

"amount of protein equivalent of urea, biuret, isobutylidenediurea, urea phosphate or uric acid" means the amount of urea, biuret, isobutylidenediurea, urea phosphate nitrogen or uric acid nitrogen and its salts multiplied by 6.25;

"antioxidant" means any substance which delays, retards or prevents the development in a feeding stuff of rancidity or other deterioration arising from oxidation;

"ash" means the matter which results from the treatment of the feeding stuff according to the procedure described in method 12 of Schedule 2 to the Feeding Stuffs (Sampling and Analysis) Regulations (Northern Ireland) 1982(a);

"binder" means any substance which is added to feeding stuffs essentially to aid compaction;

"colourant" means any substance, other than a basic feed ingredient, which is added to a feeding stuff essentially to impart colour to the feeding stuff or to an animal product, but does not include a substance which is added to material only for the purpose of indicating that the material is fit only for animal feeding;

"complementary feeding stuff" means a compound feeding stuff which, by reason of its composition, is not sufficient to ensure a daily ration unless it is used in combination with other feeding stuffs;

"complete feeding stuff" means a compound feeding stuff which, by reason of its composition, is sufficient to ensure a daily ration;

"compound feeding stuff" means organic or inorganic substances in mixtures, for oral animal feeding in the form of complete or complementary feeding stuffs;

"daily ration" means the total quantity of feeding stuff, expressed on 12 per cent. moisture basis, required by an animal of a given kind, age group and level of production in order to satisfy its average daily nutritional needs;

"emulsifier" means any substance, other than a basic feed ingredient, which aids the formation of the uniform dispersion of two or more immiscible substances;

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"fibre" means the organic matter calculated as a result of treatment of the feeding stuff according to the procedure described in method 9 of Schedule 2 to the Feeding Stuffs (Sampling and Analysis) Regulations (Northern Ireland) 1982;

"medicinal product" and "medicinal purpose" have the meanings assigned to them by section 130(1) and (2) respectively of the Medicines Act 1968(a);

"mineral feeding stuff" means a complementary feeding stuff which is composed mainly of minerals and which contains at least 40 per cent. by weight of ash;

"molassed feeding stuff" means a complementary feeding stuff prepared from molasses and which contains at least 14 per cent. by weight of total sugar expressed as sucrose;

"moisture" means water and other volatile material determined according to the procedure described in method 2 of Schedule 2 to the Feeding Stuffs (Sampling and Analysis) Regulations (Northern Ireland) 1982;

"oil" means the extract obtained as a result of treatment of the feeding stuff according to the procedure described in method 3 of Schedule 2 to the Feeding Stuffs (Sampling and Analysis) Regulations (Northern Ireland) 1982;

"pet food" means a feeding stuff for pet animals and "compound pet food" shall be construed accordingly;

"preservative" means any substance which delays, retards or prevents the development in a feeding stuff of rancidity or other deterioration arising from microbial activity, but excludes any antioxidant, colourant, emulsifier, stabiliser or binder permitted under these regulations;

"stabiliser" means any substance, other than a basic feed ingredient, which maintains the uniform dispersion of two or more immiscible substances; and

"straight feeding stuff" means a single substance of animal, vegetable or mineral origin in its natural state, fresh or preserved and its derivatives after industrial processing (whether or not including the substances controlled under regulation 14(1)), intended for sale or sold, to keepers or breeders for the feeding of any animal without mixing with any other material.

(2) Any reference in these regulations to a numbered regulation or Schedule shall, unless the context otherwise requires, be construed as a reference to the regulation or Schedule bearing that number in these regulations.

(3) Any reference in these regulations to a numbered section shall, unless the reference is to a section of a specified Act, be construed as a reference to the section bearing that number in the Act.

Descriptions of animals prescribed for the purpose of the definition of feeding stuff

3. For the purpose of the definition of feeding stuff in section 66(1), bulls, cows, steers, heifers, calves, sheep, goats, swine, horses, rabbits, mink, partridges, pheasants, poultry, bees, trout and salmon are prescribed animals.

Prescribed descriptions of material

4. The descriptions of material prescribed for the purposes of sections 68(1) and 69(1) shall be—

(*a*) until 30th June 1984 any material usable as a feeding stuff other than material intended for use as a pet food, and

(*b*) from 1st July 1984 any material usable as a feeding stuff other than a straight feeding stuff intended for use as a pet food.

(a) 1968 c. 67

Particulars, etc., required and permitted to be contained in a statutory statement

5. For the purposes of sub-sections (1) and (1A) of section 68 the particulars, information and instructions required, and the particulars, information and instructions permitted, to be contained in a statutory statement shall be those set out in Schedule 1.

Manner of marking material

6. The particulars required by section 68(1) and permitted by section 68(1A) to be contained in a statutory statement, whether that statement takes the form of an accompanying document for bulk deliveries or a label on a package or other container, or whether those particulars are marked directly on the package or other container shall—

(*a*) be clearly separate from any other information,

(*b*) be in English, and

(*c*) be legible and indelible.

Control of particulars concerning the ingredients of compound feeding stuffs

7. No person shall—

(*a*) sell a compound feeding stuff in relation to which the statutory statement, label or any document given to the purchaser in connection with a particular delivery, refers to the presence of any ingredient (other than a substance controlled under regulation 14(1)); or

(*b*) have on his premises for the purpose of selling it in the course of trade any compound feeding stuff which is ready for sale and marked so as to show the presence of any such ingredient,

unless the statutory statement or label or document or mark, as the case may be, lists all the ingredients present in the compound feeding stuff concerned, either individually or in appropriately described categories of ingredients of like characteristic or nature, or a combination thereof, in descending order of proportion by weight.

Time by which a statutory statement relating to certain material must be given

8. For the purpose of section 68(3), any statutory statement required to be given on the sale of any material, not being a compound feeding stuff, may be given as soon as practicable after delivery to the purchaser.

Register of marks

9.—(1) As respects any material (not being a compound feeding stuff) of a prescribed description the matters required by section 69(1) to be marked on that material may be denoted by a mark whose meaning can be ascertained by reference to a register kept in accordance with this regulation.

(2) In the case of any compound feeding stuff, not being of a standard formulation on general sale by the seller concerned, which is specially manufactured or mixed to the order of a particular purchaser, there shall be an indication in a document, ticket or notice which is readily apparent and unequivocally associated with the material, of the type of feeding stuff and of the name or trade name, and of the address or registered office of the manufacturer. The other matters required by section 69(1) to be marked on the material may be denoted by a mark whose meaning can be ascertained by reference to a register kept in accordance with this regulation.

(3) The register shall show those matters to which the mark relates, being matters required to be contained in a statutory statement relating to the material to which the mark relates, and the date of entry of those particulars in the register, and entries relating to material of a kind mentioned in paragraph (2) of this regulation shall

include the name and address of the purchaser, the date of the order and the amount ordered. The register shall be kept as a separate record in book form marked on the outside "Register of marks under section 69(6) of the Agriculture Act 1970" and shall be kept on the premises where the material is held for the purpose of selling it in the course of trade for use as a feeding stuff, save that if the material is in a public store the register shall be kept on the premises of the person who has the material for sale.

(4) The period for which the register is to be preserved in accordance with section 69(7) shall be a period of six months commencing on the first day on which none of the materials referred to in the register remains on the premises for sale as aforesaid.

(5) The register shall be made and kept by the seller concerned.

Limits of variation

10. For the purpose 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 which relates to an analytical constituent mentioned in the first column of Schedule 3 shall be as set out with respect to that constituent in the second column of the said Schedule.

Manner of packaging and sealing compound feeding stuffs

11.—(1) Subject to paragraphs (2) and (3) below no person shall sell a compound feeding stuff unless it is in a bag or container and unless that bag or container is sealed in such a way that when the bag or container is opened the seal is damaged and cannot be re-used.

(2) Compound feeding stuffs may be sold in bulk, in unsealed bags or in unsealed containers in the case of—

(*a*) deliveries between producers or sellers of compound feeding stuffs;

(*b*) deliveries from producers of compound feeding stuffs to packaging firms;

(*c*) compound feeding stuffs obtained by mixing grain or whole fruit;

(*d*) blocks or licks; and

(*e*) small quantities not exceeding 50 kg in weight, which are intended for the final user and are taken directly from a bag or container which before opening complied with the sealing provision of paragraph (1) above.

(3) Compound feeding stuffs may be sold in bulk, or in unsealed containers, but not in unsealed bags in the case of—

(*a*) direct deliveries from the producer to the final user;

(*b*) molassed feeding stuffs consisting of less than three ingredients; and

(*c*) pelleted feeding stuffs.

Meanings of names

12. For the purpose of section 70, any name of a material specified in the second column of Schedule 2 shall have the meaning assigned thereto in the third column of the said Schedule.

Control of the moisture content of certain compound feeding stuffs

13. No person shall sell or have in possession with a view to sale a compound feeding stuff which contains more than 40% of milk products by weight, unless the said feeding stuff contains 7% or less of moisture by weight.

Control of feeding stuffs containing added substances

14.—(1) No person shall sell or have in possession with a view to sale for use as a feeding stuff, or use as a feeding stuff, or import into Northern Ireland for such use any material containing any added antioxidant, colourant, copper, emulsifier,