



## Trading Standards

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### Application for Registration under the Feed Hygiene Regulations (Annex C)

To: The Moray Council

I am applying for the following premises to be registered under the above legislation. The information required is set out below:

#### 1. Name of applicant (*Individual name, partners' names or limited company name*)

Name: .....

Address: .....

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#### 2. Address and associated details of the premises where the activity requiring registration or approval is undertaken or to be undertaken:

Address: *(Please leave blank if same as above)*

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Telephone No: ..... Fax No: .....

E-mail: .....

#### 3. Activity or activities carried out on the premises (please use the code and activity descriptions shown in Annex D)

Code: .....

Activity: .....

.....

<b>Signature(s) of Applicant(s):</b>	<b>Date:</b>
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### BACKGROUND NOTE ON THE EC FEED HYGIENE REGULATION (1831/2003)

*These notes are a brief guide to the salient points of the Regulation. They should not be relied upon as a detailed or authoritative interpretation.*

1. This Regulation is aimed at ensuring that controls throughout the feed chain are strengthened. In particular, it contains controls in relation to feed businesses' operational standards and provisions to help ensure that feeds can be traced and recalled in the event of a feed safety incident. It replaces the previous arrangements under Directive 95/69/EC which required feed businesses to be approved or registered if they were involved in the manufacture, use or marketing of certain feed additives.
2. A copy of the Regulation can be found at:

[http://europa.eu.int/eurllex/lex/LexUriServ/site/en/oj/2005/l\\_035/l\\_03520050208en00010022.pdf](http://europa.eu.int/eurllex/lex/LexUriServ/site/en/oj/2005/l_035/l_03520050208en00010022.pdf).

National Regulations (The Feed (Hygiene and Enforcement) (Scotland) Regulations 2005) are also to be made, which will provide for enforcement (offences and penalties) and other administrative provisions. The guidance does not cover arrangements for the approval of premises manufacturing, selling or using coccidiostats, histomonostats and growth promoters, which are covered by separate legislation enforced by the Animal Medicines Inspectorate (AMI).

#### Who is covered?

3. With a few exceptions (see paragraph 10 of the *'Notes on completion of application documents'* – Annex B) the Regulation will apply to all feed businesses. Feed businesses are defined as *'any undertaking, whether for profit or not and whether public or private, carrying out any operation of production, manufacture, processing, storage, transport or distribution of feed including any producer producing, processing or storing feed for feeding to animals on his own holding.'*
4. Examples of businesses that are covered include manufacturers of compound feeds, feed materials, feed additives and premixtures, and importers and sellers of these products. Also covered are transporters of feed (e.g. haulage companies), storers of feed, food companies selling co-products for use as feed and pet food manufacturers. Livestock farms, fish farms and arable farms growing and using or selling crops for feed use are also within the scope of the Regulation. Annex D sets out the Agency's categorisation of the activities for use by businesses and when they should apply for approval or registration.

#### Approval and Registration

5. The *Regulation* requires certain feed businesses' premises to be approved and others to be registered. Approval requires a prior inspection visit by a local authority before the premises are allowed to operate. This is to ensure that the premises are working to the required standards. Registration

involves the placing of premises on a list with follow-up checks. Generally, premises subject to approval are those which carry-out higher risk activities. Further information on how to apply for approval or registration is given in the attached '*Notes on completion of application documents*'.

## Conditions

6. The Regulation contains various conditions which feed businesses will have to comply with, as *appropriate*. These are set out in a number of Annexes to the Regulation, as follows:

**Annex I.** This covers provisions applicable to businesses involved in primary production (i.e. farms). It includes general hygiene and record-keeping requirements;

**Annex II.** This applies to businesses operating other than at the level of primary production. It contains standards similar to those that currently apply to premises that are approved or registered under Directive 95/69/EC. These relate to facilities, personnel, quality control, storage and transport and record-keeping; and

**Annex III.** This is a code on feeding food-producing animals which livestock farmers will have to comply with.

7. The Regulation will require feed businesses to put in place and operate procedures based on the principles of Hazard Analysis and Critical Control Points (HACCP). HACCP is a system of safety management based on the prevention of feed and food safety problems. It provides a documented, structured approach to ensuring food safety and places a requirement on *businesses* to identify, manage and control hazards inherent in the handling and production process. Feed businesses involved in primary production will **not** be required to apply HACCP (except for any farms which buy-in and use feed additives and premixtures as such).

## Dates of application

8. Feed *businesses* must be approved or registered by **1 January 2006**.
9. Feed businesses which were previously approved or registered under Directive 95/69/EC must comply *with* the conditions set out in the Regulation from **1 January 2006**.
10. Other feed businesses have until 1 January 2008 to comply with the conditions.
11. The Food Standards Agency intends to provide further guidance to help businesses comply with the conditions contained in the Feed Hygiene Regulation.

## Annex B

### **Notes on completion of application documents**

These notes do not apply to the approval of premises which use or manufacture specified feed additives (i.e. coccidiostats and histomonostats and growth promoters). These approvals are the responsibility of the Animal Medicines Inspectorate (AMI) and separate applications for approval should be made to that authority at the following address: Mr John Millward, Royal Pharmaceutical Society of Great Britain, Animal Medicines Inspectorate, National Agriculture Centre, Stoneleigh Park, Warwickshire CV8 2LZ.

We will provide you with an acknowledgement confirming that the application has been received.

**Section 2 of the application. Address of premises where the registration or approval activity is undertaken or to be undertaken.**

Approvals/registrations relate to premises (sometimes called establishments) where an activity is carried out and not to a company as a whole. For example, if a company owns several feed mills, a separate application will need to be made for each mill. This may require an application to more than one local authority. In the case of transport companies it is suggested that depots are registered (i.e. a point where enforcement authorities can make checks on lorries and records of feed transported).

**Section 3 of the application. Activity or activities carried on the premises.**

The activities covered by the scope of the Regulation are shown at Annex D. It may be that more than one activity is carried out on a premises - in this case each activity should be recorded in the application. It may also be the case that only part of an activity is carried out on a premises. For example, for the activity of 'the manufacture and/or placing on the market of feed additives', a premises may only be engaged in the manufacture of one or two kinds of additives (e.g. preservatives and emulsifiers). However, in these types of cases where registration or approval is granted it will be for the whole of the activity.

### **What is the difference between approval and registration?**

Approval requires a prior inspection visit by a local authority before the premises are allowed to operate. Registration involves the placing of premises on a list with follow-up checks. Generally, premises subject to approval are those which carry-out higher risk activities. The approval/registration activities are set out in Annex D. It is expected that the vast majority of businesses applying under the Feed Hygiene Regulation for the first time will be subject to registration.

Premises which already have an approval under the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999 will not be subject to the prior inspection requirement for the purposes of the Feed Hygiene Regulation. However, such premises are subject to future inspections by local authorities to check that they comply with the provisions of the Feed Hygiene Regulation.

## **Are some activities exempt from the approval/registration requirements?**

The following activities are outside the scope of the Feed Hygiene Regulation and therefore businesses do not have to seek formal approval/registration for carrying out these activities or to comply with the hygiene conditions contained in the Regulation:

- the private domestic production of feed for food-producing animals kept for private domestic production and for animals not kept for food production;
- the feeding of food-producing animals kept for private domestic consumption;
- the feeding of animals not kept for food production;
- the direct supply of small quantities of primary production of feed at local level by a producer to local farms for use on those farms;
- the direct supply, by the producer, of small quantities of primary products to local establishments directly supplying the final consumer (e.g. farms);
- the retailing and wholesaling of pet food.

(Regulations do not define 'small quantities'. However, the Agriculture Act 1970, section 68(2)(b) provides for an exemption of 25kg).

## **What are the registration conditions for farms?**

Farms which mix feeds using complementary feeds containing certain additives or incorporate feed additives directly are already subject to registration under the Feeding Stuffs (Establishments and Intermediaries) Regulations 1999. These farms must notify their local authority that they wish to continue their activities according to the requirements of the Feed Hygiene Regulation. This notification must be made by 1 January 2006.

Other livestock farms and arable farms growing and selling crops for feed are also subject to registration under the Feed Hygiene Regulation. However, the Feed Hygiene Regulation permits enforcement authorities to use existing official registration schemes including registration for the purposes of the EC *Food Hygiene Regulation* (852/2004). A list of examples of such schemes is appended at Annex E. It is expected that the majority of farms will already be part of one of these schemes and thus will not be required to register separately under the Feed Hygiene Regulation. However, before January 2008, such farms may be contacted by their local authority to check their activities and their compliance with the conditions of the Feed Hygiene Regulation.

There is a separate information sheet available providing more details on the implications of the Regulation for farm businesses which can be obtained from the address indicated at the end of this document.

## **What are the registration conditions in respect of food manufacturing companies?**

Businesses selling co-products from the food and drink industry for use as animal feed are subject to registration (co-products are products which have value in their own right as feed materials, e.g. soyabean meal, brewers' grains, wheat feed, bakery products). However, if a business is registered with their local authority as a food business including for the purposes of the EC Food Hygiene Regulation (852/2004), then there will be no requirement for food businesses to make a separate application to their local authority.

### **Is it possible to amend an approval or registration?**

Yes. For example, this might be where a new activity is to be carried out. In this case a new application should be completed. This will need to include similar details as in the original application on the identity of the premises (sections 1-2). However, the new activity should be indicated in section 3 of the application.

### **Is there a fee for registration or approval?**

There is a fee chargeable by the local authority for the first-time approval of premises and an amendment to such an approval. This is not a new requirement. The Feeding Stuffs (Establishments and Intermediaries) (Scotland) Regulations 2005 set out the provisions on approval fees. The majority of premises are subject to registration and there are no fees for this. Nor is there a fee chargeable for the notification of premises which are already approved under Directive 95/69/EC.

## Annex D (For information – Annex C is the application form)

### FEED HYGIENE REGULATIONS

#### Approval and Registration Activities

##### A. Approval Activities

<b>Code</b>	<b>Activity description</b>	<b>Notes</b>
	<u>Manufacture and/or placing<sup>1</sup> on the market of certain feed additives</u>	
A1	Manufacture and/or placing on the market of nutritional additives.	This includes: vitamins, pro-vitamins and chemically defined substances having a similar effect; trace elements; amino acids, their salts and analogues and urea and its derivatives.
A2	Manufacture and/or placing on the market of zootechnical additives: Digestibility enhancers, gut flora stabilisers and substances which favourably affect the environment.	This includes enzymes and micro-organisms.
A3	Manufacture and/or placing on the market of antioxidant additives with a maximum content in feeds specified in EC Regulation 1831/2003.	This covers propyl gallate, octyl gallate, dodecyl gallate, butylated hydroxyanisole (BHA), butylated hydroxytoluene (BHT), ethoxyquin.
A4	Manufacture and/or placing on the market of colorant additives: carotenoids and xanthophylls.	
A5	Manufacture and/or placing on the market of proteins obtained from micro-organisms belonging to groups of bacteria, yeast, algae and lower fungi.	
A6	Manufacture and/or placing on the market of co-products of the manufacture of amino acids by fermentation.	These products were previously covered by Council Directive 82/471/EEC on Certain Products (Bioproteins) and are now authorised under the EC Feed Additives Regulation (1831/2003).

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<sup>1</sup> These activities cover premises that both manufacture and place such products on the market (sell) and also those premises that do not manufacture but buy and sell products.

Manufacture and/or placing<sup>1</sup> on the market of premixtures containing certain feed additives<sup>(1)</sup>

- A7 Manufacture and/or placing on the market of premixtures containing vitamins A and D.
- A8 Manufacture and/or placing on the market<sup>1</sup> of premixtures containing copper and selenium.

## R. Registration Activities

<b>Code</b>	<b>Activity description</b>	<b>Notes</b>
R1	Manufacture and/or placing on the market <sup>1</sup> of feed additives (other than those subject to approval )	This includes preservatives, emulsifiers, stabilisers, thickeners, gelling agents, binders, anticaking agents, acidity regulators, antioxidants (not subject to a maximum permitted level), silage agents, denaturants, substances to control radionuclide contamination, colourants (except carotenoids and xanthophylls).
R2	Manufacture and/or placing on the market <sup>1</sup> of premixtures (other than those subject to approval)	This includes premixtures containing any feed additive excluding vitamins A and D and copper and selenium.
R3	Manufacture and/or placing on the market <sup>1</sup> of bioproteins ("certain products") not subject to approval.	This includes urea and its salts, ammonium salts, amino acids and their salts, analogues of amino acids.
R4	Manufacture of compound feedingstuffs (other than those subject to approval).	This includes the manufacture of complete and complementary feeds, with or without additives.
R5	Placing on the market of compound feeds.	Covers premises engaged in the buying and selling of compound feeds but not manufacturing such feeds.
R6	Manufacture of pet foods	Includes the manufacture of complete and complementary feeds with or without additives.
R7	Manufacture and/or placing on the market <sup>1</sup> of feed materials.	Feed materials are products which are intended as ingredients of compound feeds or which can be fed singly to animals (e.g. cereal

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<sup>1</sup> These activities cover premises that both manufacture and place such products on the market (sell) and also those premises that do not manufacture but buy and sell products.

or cereal products).

- R8 Transport of feed and feed products This includes the premises of businesses that transport feed materials, compound feed, feed additives and premixtures.
- Transport of feed and feed products by manufacturers own vehicles are covered by the approval/registration of the manufacturer's premises.*
- R9 Storage of feed and feed products. Only covers premises not covered by another approval/registration activity relating to the manufacture or placing on the market of the products in question.
- In other words , it excludes storage facilities at a manufacturer's or transporter's premises.*

### Farms

- R10 Mixing feeds, on farms, with additives and premixtures. This activity is subject to registration under existing legislation (EC Directive 95/69 as implemented by the Feeding Stuffs (Establishment and Intermediaries) Regulations 1999). It covers cases where farms buy-in additives and premixtures products (i.e. not contained in a compound feed) and mix them with feeds (forage, cereals etc.)
- R11 Mixing feeds, on farms, with compound feedingstuffs which contain additives. This activity is subject to registration under existing legislation (EC Directive 95/69 as implemented by the Feeding stuffs (Establishment and Intermediaries) Regulations 1999).

Note: Certain other activities are subject to the provisions of the Feed Hygiene Regulation which have not been specifically identified above. This includes:

- R12 Food Businesses selling co-products of the food industry which are destined as feed materials. This includes brewers, distillers, dairies and food manufacturers carrying out such an activity.
- R13 Livestock farms which do not mix feeds or mix feeds without additives This includes fish farms.
- R14 Arable farms growing or selling crops for feed.

However, most of these premises will be registered under other official schemes and if this is the case no application for registration under the Feed Hygiene Regulation needs to be made. This includes food businesses registered under the Food Hygiene Regulations.