

The Proposed Animal Feed (Miscellaneous Amendments) (Wales) Regulations 2020

Summary of stakeholder responses

11 February 2021

Introduction

This consultation was issued on 2 October 2020 and closed on 13 November 2020

The purpose of the consultation was to seek comments from industry, enforcement authorities, consumers and other interested stakeholders on the proposal to draft domestic legislation enforcing Regulation (EU) 2020/354 establishing a list of intended uses of feed intended for particular nutritional purposes and repealing Directive 2008/38/EC

Stakeholders were invited to respond to the consultation via email or post.

The FSA is grateful to those stakeholders who responded and sets out in the table below responses in order of the group responding

The key proposals on which the consultation sought views were:

- To draft domestic legislation providing for the enforcement of Regulation (EU) 2020/354 establishing a list of intended uses of feed intended for particular nutritional purposes and repealing Directive 2008/38/EC in Wales.

The Food Standards Agency's considered responses to stakeholders' comments are given in the last column of the table.

A list of stakeholders who responded can be found at the end of the document.

Summary of substantive comments

Group

Respondent	Comment	Response
<p>National Office for Animal Health</p>	<p>Yes, NOAH is supportive of the assessment of the impact of the Regulation and the proposals outlined by the Food Standards Agency.</p> <p>NOAH members believe that implementation and enforcement of Regulation (EU) 2020/354 across the UK is necessary and appropriate.</p> <p>While NOAH members recognise that Feed and food safety and standards are devolved matters in the UK, in the interests of animal health and welfare and ensuring product availability, a uniform approach to this matter should be taken across the UK.</p> <p>It is essential that these regulatory changes do not lead to existing products needing to be withdrawn or in any way reassessed particularly where there are no animal or human safety concerns following their use on the market for a number of years. Clarification is needed on the process and how companies must apply for an intended use to be submitted for the UK market after the end of the transition period.</p> <p>There is also a concern that some changes will be significant requirements for businesses and the regulatory approaches they must undertake. This may not be the case for all companies, but will be for some and the FSA needs to take account of</p>	<p>Commission Regulation (EU) 2020/354 repeals and replaces Directive 2008/38/EC and establishes a clearer list of intended uses of animal feeding stuffs for PARNUTS by providing amendment to the provisions concerning the essential nutritional characteristics and the labelling declarations.</p> <p>It has been necessary to clarify the very general descriptions of a small number of PARNUTS by including more specific specifications to enable authorities to verify that certain products would fulfil their respective particular nutritional purpose and to provide clearer guidelines to businesses wishing to market PARNUTS.</p> <p>A lengthy transition period is provided for in the new legislation and this is intended to minimise the risk of products not compliant with the new regulation having to be removed from sale. Feed intended for particular nutritional purposes which has been labelled before 25 March 2022 in accordance with the rules applicable before 25 March 2020 may continue to be placed on the market and used until the existing stocks are exhausted.</p>

Respondent	Comment	Response
	<p>this, particularly to ensure that the needs of small and medium enterprises are met and are not undermined by the new regulatory changes.</p> <p>For some of the smaller NOAH members these proposed regulations are a significant change to the requirements for business which could result in the loss of PARNUT products. A pragmatic approach by the FSA is needed to ensure that well established products are not undermined by the way in which this regulation is applied in the UK.</p>	

Summary of changes made

- No changes to the SI were necessary as a result of the consultation responses.

Actions to be implemented

- The FSA in Wales has reviewed all responses, none of which opposed drafting domestic legislation to enforce Regulation (EU) 2020/354 in Wales. The FSA in Wales will proceed with drafting domestic legislation enforcing Regulation (EU) 2020/354 in Wales.

List of respondents

1. National Office of Animal Health (NOAH)