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+ Changes and Incorporations

RA LAW ON FEED

LAW**Of the Republic of Armenia**

Adopted on June 21, 2014

ON FEED**CHAPTER 1*****GENERAL PROVISIONS***

Article 1. Subject of the Law

1. This Law regulates relations pertaining to import and export, ensuring production (including - primary) safety, storing, storage, transporting, usage, marketing, marking, packaging and advertising of feed and feed additives.

Article 2. Scope of the Law

1. This Law covers all parties to the public relations arising out of production (including – primary) and introduction of feed and feed additives, including feed chain operators and persons (officials) responsible for feed safety.

2. This Law does not cover:

- 1) production, use or storing of feed for animals envisaged for domestic use;
- 2) relations concerning production, use (including sales in the market), import, export and transit of genetically modified feed;
- 3) feeding of those animals, which are not envisaged for food preparation;
- 4) retail sales of feed envisaged for domestic animals;
- 5) Transit of feed and feed additives on the territory of the Republic of Armenia, except for those cases, when transit is made with open containers, which can be dangerous for animal and human health, as well as environment.

Article 3. Basic concepts

1. Basic concepts used in this Law are as follows:

1) **Authorized Body:** State body authorized by the Government of the Republic of Armenia, policy-making in sphere of feed safety, implementing control and (or) providing services;

2) **feed or feeding means:** processed, partially processed or unprocessed materials, products or supplements envisaged for animal feeding;

3) **feed chain:** stages of production, treatment, processing, distribution, storing, storage, transporting, import, export and marketing, i.e. from primary production to marketing of feed and its components;

4) **feed chain operator:** any physical or legal person, performing operations in all stages of feed chain, which is responsible for complying with and implementing of requirements of legislation regulating feed safety in feed preparation and introduction stages under his supervision;

5) **feed hygiene:** all conditions of and measures for ensuring feed safety and fitness for use, as well as risk management;

6) **feed primary production:** production of agricultural products, including growing, harvesting, milking, which, apart from light physical treatment, are not being subject to further processes;

7) **delivering to market (marketing or market supply):** marketing of feed or its passing in any other form;

8) **animal feeding:** oral importation of feed into the gastrointestinal tract of the animal, in order to satisfy feeding requirements of the animal and (or) provide reproduction of animals meeting health standards;

9) **animal envisaged for food receiving:** any animal, which is fed, bred and kept to be used in food production for human consumption;

10) **animals not envisaged for food receiving:** animal, which is fed, bred and kept, and which is not used for human consumption, such as fur animals, domestic animals and animals kept in laboratories, zoos and circuses;

11) **fur animals:** animals not envisaged for food receiving, which are fed, bred or kept for fur production;

12) **domestic animals:** animals, which belong to the fed, bred or kept, but which, as a rule, do not belong to the type of animals, envisaged for food receiving;

13) **animal envisaged for family use:** animal kept for satisfying family needs, the production of which is not marketed;

14) **feed materials:** materials of vegetable or animal origin, as well as artificial (biological, bacteriological, chemical) materials, which are used as feed;

15) **combined feed:** mixture of feed materials containing or not containing at least two feed additives, which is providing the whole daily meals or additional feed for feeding an animal via oral method;

16) **feed providing the whole daily meals:** combined feed, which with its composition is sufficient for the daily meals;

17) **additional feed:** combined feed with high content of certain materials and sufficient with its composition for daily meals, if used in combination with other feed;

18) **mineral feed:** additional feed, which contains at least 40 percents of raw ash;

19) **pharmacological feed:** mixture of residues of premix and feed additives containing pharmacological base, which is envisaged for treatment of animals and rehabilitation of distorted physiological functions;

20) **milk substitute:** combined feed, which is used for young animals feeding;

21) **carrier medium:** material, which is used for solution, dilution, spreading or otherwise physically modifying it;

22) **specific purpose of nutrition:** satisfying special nutritional needs of animals with infringed digestive and metabolism system;

23) **feed envisaged for specific purpose of nutrition:** feed differing with its composition and special features from feed envisaged for ordinary consuming;

24) **contaminants:** any chemical, biological, mineral, of organic material and(or) element not included in feed composition, which during operations related to feed or as a result of environment contamination occurred in feed or feed additives and may cause harm to animal life or health;

25) **shelf-life of feed:** period, during which the feed is considered safe and fit for use according to its purpose;

26) **feed storing dates:** period, during which the feed maintains its features in case of

maintaining storing conditions laid down in normative documents: expiration of storing dates does not mean that it is not fit for use;

27) **batches:** certain quantity of the same purpose, produced by the same producer or importer with the same principle of activity, same composition and complying with safety requirements laid down in the Legislation of the Republic of Armenia, which is accompanied with one document;

28) **marking:** placement of information related to feed, word, element, trademark, name and logo on material in contact with feed, label or accompanying document;

29) **label:** any label, trademark, image or other descriptive material, which is handwritten, printed, drawn, mentioned, carved, stamped or posted on feed packaging or container;

30) **feed additives:** materials, usually not used as feed and not considered as its components, irrelevant of nutritional value of feed, which are intentionally added to feed during technological treatment or processing in order to receive desired features, including biologically active additives – vitamins, antibiotics, enzymes, hormones, amino acids, estrus derivates and other organic and synthetic compounds;

31) **genetically modified feed:**

a. feed received from genetically modified organism as a result of modification of genetic structure of live organisms through addition of extraneous gene or combination of genes;

b. feed received as a result of vital activity of live genetically modified organisms;

c. genetically modified organism and (or) feed containing the result of genetically modified organism's vital activity in feed composition;

32) **premixes:** mixtures of feed additives or mixtures of one or more feed additives with feed materials or water used as carriers, which are not envisaged for direct animal feeding;

33) **daily feed:** total average quantity of feed calculated on the basis of 12% humidity content, which is drawn based on type and gender and age composition;

34) **processing aids:** any material not used as feed, which is used in processing of feed or feed additives during treatment or processing for technological purposes;

35) **antimicrobials:** synthetically or naturally produced materials, which are used to fight microorganism, including microbes, viruses or fungi;

36) **antibiotic:** antimicrobials produced by or derived from a microorganism that destroy or inhibit the growth of other microorganisms;

37) **coccidiostates and hystomonostates:** materials envisaged for killing the protoanimals or hindering their growth;

38) **maximum residue amount:** maximum density of residue received in a result of additive in fodder;

39) **microorganism:** microorganisms forming a colony;

40) **first marketing:** After the production, initial marketing, import and marketing of feed, in which the additive is included without marketing;

41) **derogation:** implementation of planned measures during operation of the management system providing feed safety in order to check the process of measures and activities aimed at prevention or reduction of danger for feed safety or its reduction to permitted level;

42) **danger:** biological, chemical or physical material in feed and (or) feed condition, which may negatively affect the animal health;

43) **risk:** the probability of danger and the possible consequences of its potential impact on animal health;

44) **risk analyzes:** a process comprised of three separate interlinked stages of risk assessment, risk management and exchange of information on risk;

45) **risk assessment:** a scientifically justified process formed of stages of danger source identification, danger source description, being subject to danger or assessment of protection level from danger and risk description;

46) **risk management:** a process differing from risk assessment, when via consultations with beneficiaries possible policy measures aimed at risk management are

discussed, risk assessment results and other reasonable factors are considered, and if necessary, relevant activities aimed at risk prevention, elimination and reduction are selected and applied, including control measures;

47) **exchange of information on risks:** during risk analysis, exchange of information and opinions on risk, risk-related factors and risk perceptions, including explanations on risk assessment and risk management decisions among risk evaluators, risk managers, consumers, physical and legal persons implementing operations in feed chain stages, representatives of scientific (academic) networks, and other stakeholders;

48) **feed contacting materials:** any material, not considered a feed, which is used during production, storing, transportation, marketing, packaging and marking, and which is in direct contact with feed;

49) **harmful feed:** feed, feed contact materials and feed additives, which:

a. do not comply with the requirements of normative documents defining feed safety, are doubtful in terms of organoleptic indicators;

b. do not correspond to the information submitted with marking, and there are reasonable, obvious doubts in terms of their being counterfeit;

50) **feed safety:** such a condition of feed, which proves the absence of unpermitted risk, which will harmfully affect the animal health and life;

51) **technological process:** activities necessary for feed production, through which the feed materials are being subject to certain technological treatment;

52) **traceability:** the possibility to track the result of primary production of feed and feed additives in all stages of feed chain.

Article 4. Feed Legislation

1. The relations arising in sphere of feed safety are regulated with this Law and other legal acts.

2. If international treaties of the Republic of Armenia stipulate the norms other than

those stipulated in this Law, the norms of international treaties shall prevail.

Article 5. Authorities of the Government of the Republic of Armenia

1. The authorities of the Government of the Republic of Armenia in sphere of providing feed safety in the Republic of Armenia are as follows:

1) implementation of international cooperation in sphere of feed production and feed use, as well as feed marketing;

2) approval of organic, inorganic, toxic and undesirable materials used for feed production;

3) defining the procedure of feed expertise and sampling;

4) approval of requirements for technological instructions of feed production and description of composition;

5) approval of list of restricted materials in the Republic of Armenia for materials and feed additives of special purpose for use in food production;

6) approval of feed safety normatives;

7) establishment of the Hazard Analysis and Critical Control Points (HACCP) systems introduction schedule as per sphere of production;

8) laying down procedures of utilization and destroying of harmful feed;

9) laying down feed transportation and storing requirements;

10) laying down procedure of giving conclusions on activities of feed chain operator;

11) laying down procedure of feed and feed additives import, export and transit;

12) providing introduction of national standards and requirements consistent with international feed safety standards in the Republic of Armenia;

13) adoption of other legal acts deriving from this Law;

14) implementation of other authorities provided by this Law and other laws.

Article 6. Authorities of the Authorized Body

1. The Authorized Body:

- 1) exercises State control in stages of production and circulation of feed and feed additives, in cases and in a manner prescribed by the Law;
- 2) exercises State control over feed (including – genetically modified feed) and feed additives import, export, transit and marketing processes;
- 3) carries out registration and maintenance of data base of activities performed by feed chain operators in stages of feed and feed additives production and circulation;
- 4) gives conclusions on activities of feed chain operators involved in stages of feed additives, premixes, combined feed production and circulation;
- 5) exercises other authorities (activities) laid down in the Constitution and laws of the Republic of Armenia.

CHAPTER 2

REQUIREMENTS FOR FEED SAFETY

Article 7. Feed Safety

1. Feed production, technological operation (regime) and technological process shall be implemented according to and with the availability of technological instruction and composition description approved by the producer;
2. It is forbidden to put the harmful feed into circulation or to feed with them the animals envisaged for food receiving;
3. The feeds are considered harmful if, in a result of expertise, it was found out that:
 - 1) they can affect the health of an animal;
 - 2) the food received from an animal as a result of their use can have harmful effect for human life and health;
4. In cases and in a manner prescribed by the Legislation of the Republic of Armenia the harmful feed is subject to expertise, withdrawal, utilization or destroying;
5. Production of feed and feed additives, as well as requirements for use of feed and feed additives are established by the Government of the Republic of Armenia.

6. In order to provide feed safety, feed and feed additives producers are introducing the systems that are based on the Hazard Analysis and Critical Control Points (HACCP) systems.

7. The Hazard Analysis and Critical Control Points (HACCP) systems introduction works are supported by the Authorized Body or, as per production spheres, other bodies authorized to implement issuing of methodological manuals and organizing trainings.

8. The feed chain operator provides training and retraining of staff for the Hazard introduction and application of the Analysis and Critical Control Points (HACCP) systems.

Article 8. The Hazard Analysis and Critical Control Points (HACCP) system

1. The Hazard Analysis and Critical Control Points (HACCP) system is based on the following principles and steps:

1) risk analysis: identifies the potential danger source and assesses the possibility of its existence and defines control measures;

2) identification of the critical control points: those points, procedures and stages of production are identified, which are subject to control in order to prevent, eliminate the danger or reduce it to permitted level;

3) identification of critical limits for each critical control point: the critical limit is identified for each critical control point, with the standards of which it is possible to separate the acceptable and unacceptable limits of danger, or complying with which critical point control is ensured;

4) definition of derogation procedures for each critical control point;

5) definition of correction activities project for those cases, when it is revealed through the derogation, that the given critical point fell out of control (according to standards of critical point, the danger crossed the acceptable level);

6) definition of procedure of survey implemented with planned periodicity: the efficiency (evaluation) of HACCP system is justified, the objective of control, method, frequency, procedure, expertise and other assessment activities, as well as those responsible for their implementation are laid down;

7) Establishment of documentation and registration systems of the HACCP systems

steps and procedures.

2. The HACCP system is applied in stages of feed production, processing and distribution after the primary production operations.

3. In case changes are made in any stage of production process, the feed chain operator reviews the HACCP plan and makes corrections, if necessary.

Article 9. Requirements for safety, marking and packaging of feed marketed in the Republic of Armenia

1. The feed and feed additives marketed in the Republic of Armenia shall comply with the requirements laid down in the Legislation regulating feed safety sphere.

2. The marketing of feed and feed additives is prohibited, if:

1) they do not comply with the requirements laid down in normative legal acts in sphere of ensuring the feed safety;

2) there are clear signs of deterioration;

3) they do not have safety proving document;

4) they do not have fixed storing date, or the shelf-life has expired, except for those feeds and feed additives, which do not have storing or shelf-life dates.

5) they do not have marking.

3. The marketing of feed and feed additives with damaged packaging and marking is prohibited.

4. Marketing, processing and packaging of feed with the expired shelf-life date is prohibited.

5. Feed and feed additives produced, processed and packaged in the Republic of Armenia are marked in Armenian.

6. The marking of feed, feed contacting materials and feed additives in Armenian shall contain the following information:

1) name, net weight or volume;

2) list of main feed components;

3) list of biologically active materials, feed additives and veterinary medicines used in

feed (if there are such);

4) type of animals and age and gender group, for which the feed or feed additive is envisaged;

5) production year, month, day, storing conditions, special instructions for storing (if there are such) and expiry date;

6) instructions on use of feed, feed contacting materials and feed additives, if without them it cannot be used according to its purpose, special assignments on their use (if there are such), information on contraindications for their use (if there are such);

7) country of origin of feed, feed contacting material and feed additive, data on producer (location and company name);

8) marking of “genetically modified feed or feed additive”, if in the composition of a feed or feed additive its content is above 0,9 percent;

7. It is prohibited to change the information placed on labels of marketed feed and feed additives;

8. the data placed on packaging, consuming tare, additional label or insert of feed or feed additives shall be readable, complete and reliable.

9. Packaging of feed and feed additives shall provide their safety in all stages of production and circulation, according to the technological instruction.

Article 10. Withdrawal from the market, utilization and destroying of harmful feed

1. Harmful feed is subject to separate registration and storing, withdrawal from the market and expertise by feed chain operator.

2. Holder of harmful feed is obliged to immediately initiate the withdrawal process, taking the following steps:

1) make the feed of the given group and feed additives subject to separate registration and storing;

2) notify about it the supplier, purchaser of the given feed or feed additives and the Authorized Body.

3. the Authorized Body provides control over all the batch of harmful feed and feed additives detected, the analysis of type, scopes and degree of risk related to its circulation, as well as informs population about it via mass media, if necessary.

4. If the harmful feed has been sold to the consumer, the seller shall take that feed back and, in a manner prescribed by the RA Law “On Protection of Consumer Rights”, to satisfy the demands of consumers.

5. If in a result of expertise carried out by the testing laboratory certified in a manner prescribed by the Law, it becomes obvious that feed or feed additives are harmful, the feed of harmful batch and harmful feed additives are being subject to utilization or destroying.

6. Withdrawal, expertise, storing, utilization or destroying of harmful feed are carried out at the expense of a holder of that feed or feed additives.

Article 11. Requirements for feed transportation and storing

1. Feeds and feed additives are stored and transported in accordance with their safety proving requirements.

Article 12. Traceability

1. The traceability of feed and feed additives is laid down and applied in all stages of feed chain.

2. Feed chain operators develop and introduce the systems and procedures allowing identification of legal and physical persons supplying production to or receiving production from them.

3. The information received with feed and feed additives traceability procedures on legal and physical persons and (or) movement of their production shall be provided to the Authorized Body by the feed chain operators within one working day, according to the request of the latter.

Article 13. Requirements for feed and feed additives advertising

1. It is prohibited to advertise the feed and feed additives not having safety justifying documents issued in a manner prescribed by the Legislation of the Republic of Armenia.

2. It is prohibited to advertise the healing specifications of a feed, as well as feed envisaged for the special nutritional purposes, without coordination with the Authorized Body. The order and dates for coordinating are established by the Government of the Republic of Armenia.

3. It is prohibited to advertise the trademarks or company names of feed and feed additives, if with those trademarks and company names such feeds are produced for which certain restrictions are envisaged by the Law of the Republic of Armenia “On Advertisement”.

Article 14. Cooperation of State Bodies in sphere of feed safety

1. State Bodies implementing functions related to safety of production of feed and feed additives in stages of their production and circulation exchange with each other the information on surveys implemented within their authorities, analysis, revealed breaches and shortcomings, detected harmful feed and feed additives.

2. In stages of production and circulation of feed and feed additives, the State Bodies implementing functions related to their safety, in cases of food poisoning and epidemic outbreaks, jointly develop and implement preventive and ant epidemiological measures.

Article 15. Registration of feed chain operators involved in stages of production and circulation of feed and feed additives

1. Feed chain operators implementing operations in stages of production and circulation of feed and feed additives in the Republic of Armenia, provide information to the food chain operators registering authority on operations implemented by them and the areas of the implementation of those.

2. The information is provided within following dates:

1) legal persons and individual entrepreneurs implementing operations as of the day of entry into force of the Law – within one year following the day of entry into force of the Law;

2) legal persons and individual entrepreneurs initiating implementation of operations after the day of entry into force of the Law – prior to commencing the operations;

3. The information submitted for the registration shall contain the following data:

1) company name or name and surname of feed chain operator;

2) type of activity (operation);

3) place of activity implementation;

4) taxpayer identification number (TIN);

5) state registration number and state registration number of individual entrepreneur;

4. In case there are changes in submitted information data, feed chain operator additionally informs the registering authority about it within 3 days after making the changes;

5. Feed chain operator provides the information to the registering authority either in person or via electronic mail or registering online in an official web page;

6. Feed chain operator is considered registered from the moment of passing the information to the registering authority according to part 3 of this Article, and in case of online registration – from the moment of online registration;

7. Based on the received information, the registering authority establishes the data base of operations of feed chain operators and the areas of implementation of those.

Article 16. Giving conclusion on activity of feed chain operators involved in production and circulation stages of feed additives, premixes and combined fodder

1. The Authorized Body gives conclusion on feed chain operators involved in production and introduction stages of feed additives, premixes and combined fodder.

2. The conclusion on activity is given within following dates:

1) feed chain operators operating as of the day of entry into force of the Law – within one year following the day of entry into force of the Law;

2) feed chain operators established after the day of entry into force of the Law – prior to commencing the actual activity.

3. To give conclusion to feed chain operator on his activity the State fee is collected in accordance with the Law of the Republic of Armenia “On State Fee”.

4. The amount provided by part 3 of this Article is collected before submitting the reference on receiving the conclusion on activity.

Article 17. Import, export and transit of feed and feed additives

1. The imported feed shall comply with the requirements of the legal acts regulating feed safety, which are recognized internationally at least as equal to or requirements mutually agreed with importing and exporting countries.

2. The exported feed shall comply with production or internationally adopted requirements, as well as requirements of importing country, if those have been submitted.

3. The harmful feed may be exported only with authorization of Authorized Body of importing country, if previously the reasons and conditions excluding marketing possibilities were informed about.

Article 18. State Control of Feed Safety

1. The Authorized Body carries out state control of feed safety in all stages of production and introduction.

2. State control is implemented:

1) over transportation means, plants, warehouse and other facilities complying with the requirements and norms laid down in normative legal acts in stages of production and circulation of feed and feed additives;

2) over complying with normative legal acts' requirements on raw materials, water,

auxiliary materials, feed additives and processed feeds and on conditions of their storing;

3) over maintaining technological devices and operations (regimes) of technological devices laid down in technological instructions;

4) over complying with normative legal acts' requirements on use of decontaminating materials and means against rodents and pests, as well as conditions of their storing;

5) over complying with marking requirements;

6) over other procedures envisaged by Law;

3. State control over feed safety is carried out in a manner prescribed by the Law of the Republic of Armenia "On organizing and carrying out checks in the Republic of Armenia".

CHAPTER 3

RIGHTS AND DUTIES OF FEED CHAIN OPERATORS PERFORMING OPERATIONS AND PROVIDING SERVICES IN STAGES OF PRODUCTION AND CIRCULATION OF FEED AND FEED ADDITIVES

Article 19. Rights and duties of feed chain operators performing operations and providing services in stages of production and circulation of feed and feed additives

1. Feed chain operators performing operations and providing services in stages of production and circulation of feed and feed additives have the right to:

1) receive from the authority or Authorized Body the required information and consultation on legal acts of feed safety sphere, as well as on activities in stages of feed and feed safety production and circulation;

2) in the order of superiority or juridically to appeal the activities and decisions of the Authorized Body, Authorized Body and inspector exercising control;

2. The feed chain operator, in a manner prescribed by Law, is liable for production of harmful feed in production stage.

3. The applied measures aimed at elimination of the source of danger are carried out by the feed chain operator at his expense.

4. The feed chain operator shall:

1) ensure complying with the requirements of legal acts regulating operations related to production and circulation stages of the feed and feed additives, as well as providing services;

2) provide that feed and feed additives are safe, not counterfeit, comply with their purpose and quality, comply with labelling and packaging requirements;

3) take measures to prevent or minimize the presence of biological, chemical and physical contaminants in feed when feeding the animals envisaged for food;

4) provide necessary documents provided by this Law, ensure the access of inspectors of the Authorized Body to the relevant plants, provide free of charge samples that are required for expertise;

5) In accordance with the schedule defined by the Government of the Republic of Armenia, submit to the Authorized Body the information on the Hazard Analysis and Critical Control Points (HACCP) systems' introduction;

6) For risk analysis, submit data to the Authorized Body in order to identify the traceability of harmful feed;

7) provide environmental protection during their activity.

CHAPTER 4

FINAL PROVISIONS

Article 20. Liability for violation of this Law

1. Violators of the provisions of this Law are liable in a manner prescribed by the Law.

Article 21. Entry into force

1. This Law shall enter into force on the tenth day following that of its official publication.

2. After entering into force of this Law, the Law of the Republic of Armenia of June 9, 2008 Ho-118-N “On Fodder” shall be considered repealed.

3. Normative legal acts adopted in accordance (in implementation of) with the Law of the Republic of Armenia of June 9, 2008 Ho-118-N “On Fodder” are acting in so far as they do not contradict to this Law.

President of the Republic of Armenia

S. SARGSYAN

July 22, 2014

Yerevan

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