Translation from Finnish
Legally binding only in Finnish and Swedish
Ministry of Agriculture and Forestry, Finland

Feed Act

(1263/2020; amendments up to 18/2022 included)

By decision of Parliament, the following is enacted:

Chapter I
General provisions

Section 1
Objective

The objective of this Act is to:

1) ensure the quality, safety and traceability of feeds and provision of appropriate information on feeds in order to safeguard the health of animals and good quality of foods of animal origin;
2) promote a good environment to operate for operators within the scope of application of the Act.

Section 2
Scope of application

This Act applies to feeds and their handling, and to feed business operators, laboratories and control in all production, manufacturing and distribution stages of feeds from primary production to placing on the market and use of feed.

This Act does not apply to feed that is used for the feeding of animals used for scientific or educational purposes. However, sections 23 and 24 of the Act apply to a substance to be used as an additive which has not been authorised for this purpose in feed for farmed animals in a scientific experiment.

Section 3

European Union feed legislation

Unless otherwise provided in other law, this Act also applies to the control of the compliance with the following regulations of the European Union concerning feeds, pursuit of activities in the feed sector and feed control and with the statutes issued under them:

1) Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (*General Food Law*);
2) Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (*Control Regulation*);
3) Regulation (EC) No 183/2005 of the European Parliament and of the Council laying down requirements for feed hygiene (*Feed Hygiene Regulation*);
4) Regulation (EC) No 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition (*Additives Regulation*);
5) Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (*Animal By-Products Regulation*);
6) Regulation (EC) No 396/2005 of the European Parliament and of the Council on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC;
7) Regulation (EC) No 1829/2003 of the European Parliament and of the Council on genetically modified food and feed (*GM Food and Feed Regulation*);
8) Regulation (EC) No 1830/2003 of the European Parliament and of the Council concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed

products produced from genetically modified organisms and amending Directive 2001/18/EC (*GMO Traceability Regulation*);
9) Regulation (EC) No 1946/2003 of the European Parliament and of the Council on transboundary movements of genetically modified organisms;
10) Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (*TSE Regulation*);
11) Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents;
12) Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC (*Placing on the Market and Use Regulation*);
13) Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs;
14) Commission Regulation (EU) No 68/2013 on the Catalogue of feed materials
15) Regulation (EU) No 2018/848 of the European Parliament and of the Council on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007; (18/2022)
16) Commission Regulation (EU) 2020/354 establishing a list of intended uses of feed intended for particular nutritional purposes and repealing Directive 2008/38/EC (*Particular Nutritional Purposes Regulation*); 18/2022
17) Regulation (EU) No 2019/4 of the European Parliament and of the Council on the manufacture, placing on the market and use of medicated feed, amending Regulation (EC) No 183/2005 of the European Parliament and of the Council and repealing Council Directive 90/167/EEC (*Medicated Feed Regulation*). (18/2022)

Section 4
Relationship to other legislation
(18/2022)

In addition to this Act, provisions on the import and import control of feeds imported from states outside the European Union are laid down in the Act on the Import Control of Animals and Certain

Commodities (1277/2019). Provisions on the criteria for assessing the radiation safety of feeds are laid down in the Radiation Act (859/2018). Provisions on the contained use and deliberate release into the environment of genetically modified organisms and commissioning and activities of an establishment or facility intended for the handling of genetically modified organisms are laid down in the Gene Technology Act (377/1995). Provisions on the manufacturing, import, distribution, sale and other release to consumption of medicated products are laid down in the Medicines Act (395/1987). Provisions on the use and control of medicines and other substances used for treating animals and on the use and control of implements to be used in the medication of animals are laid down in the Act on the Medication of Animals (387/2014). Provisions on the requirements for operators and establishments in the sector and on the granting of permits and control are laid down in the Act on Protection of Animals Used for Scientific and Education Purposes (497/2013). Provisions on the obligation to keep records on medicinal treatment of non-food-producing farmed animals are laid down in the Animal Welfare Act (247/1996).

Section 5
Definitions

In this Act:

1) *feed* means feed defined in Article 3(4) of the General Food Law;
2) *feed material* means feed material defined in Article 3(2)(g) of the Placing on the Market and Use Regulation;
3) *compound feed* means compound feed defined in Article 3(2)(h) of the Placing on the Market and Use Regulation;
4) *feed batch or lot* means a batch or lot defined in Article 3(2)(r) of the Placing on the Market and Use Regulation;
5) *feed additive* means a feed additive defined in Article 2(2)(a) of the Additives Regulation;
6) *genetically modified feed* means feed defined in Article 2(7) of the GM Food and Feed Regulation;
7) *medicated feed* means feed defined in Article 3(2)(a) of the Medicated Feed Regulation; (18/2022)
8) *feed intended for particular nutritional purposes* means feed intended for particular nutritional purposes defined in Article 3(2)(o) of the Placing on the Market and Use Regulation;

9) *undesirable substance, product and organism* means a substance, product and organism in feed which may endanger animal health or, via products of animal origin, human health or the environment;
10) *label* means a label defined in Article 3(2)(t) of the Placing on the Market and Use Regulation;
11) *feed business operator* means a natural or legal person who engages in any production, manufacturing or distribution stage of feed, and an operator who produces, manufactures or stores feed for the feeding of food-producing animals he or she owns or keeps; however, an operator shall not be considered a feed business operator if he or she engages solely in:
a) private, domestic production, manufacturing or storage of feed for the feeding of a food-producing animal intended for private household use;
b) direct deliveries of primary products produced annually in an area of no more than three hectares to a local farm to be used there;
c) fishing for stock management purposes or recreational fishing;
d) retail trade in pet food;
12) *primary production of feed* means primary production of feed defined in Article 3(f) of the Feed Hygiene Regulation;
13) *operator in the primary production of feed* means an operator engaged in activities referred to in Article 5(1)(a–c) of the Feed Hygiene Regulation;
14) *production, manufacturing and distribution stage* means any stage from the primary production of feed to the delivery of feed to the final user;
15) *establishment* means any unit of a feed business that implements a feed production, manufacturing and distribution stage;
16) *own-checks* mean a control system of a feed business operator by which the operator aims to ensure that the feed and its handling fulfil the requirements set for them;
17) *sample* means an entity composed of one or several incremental samples taken from a feed batch or lot or part thereof;
18) *country of origin* means the country from which a feed batch or lot is imported to Finland;
19) *calculation criteria* mean the formulae and constants of the Natural Resources Institute Finland, the digestibility coefficients given in the feed tables and, for ruminant feed, including the proportion of degradable protein;
20) *placing on the market* means the placing on the market of feeds defined in Article 3(8) of the General Food Law;
21) *traceability* means the possibility to trace feed in all production, manufacturing and distribution stages and to monitor it within these stages;

22) *internal market trade* means import from another Member State of the European Union to Finland and export from Finland to another Member State of the European Union;
23) *salmonella bacterium* means all bacteria of the genus Salmonella;
24) *farmed animal* means an animal referred to in Chapter 1, Article 3(6) of the Animal By-Products Regulation;
25) *high-risk feed* means feed that on the grounds of notifications under the rapid alert system for food and feed referred to in Article 50 of the General Food Law or scientific risk assessments involves a higher risk of salmonella than other feeds; (18/2022)
26) *veterinary medicinal product* means a veterinary medicinal product defined in Article 4(1) of Regulation (EU) 2019/6 of the European Parliament and of the Council on veterinary medicinal products and repealing Directive 2001/82/EC (*Veterinary Medicinal Products Regulation*); (18/2022)
27) *mobile mixer means* a feed business operator manufacturing feed with mobile milling and mixing equipment; (18/2022)
28) *on-farm mixer* means a feed business operator manufacturing feed for the exclusive use on its farm for food producing animals; (18/2022)
29) *on-farm feed manufacturing unit* means an on-farm feed manufacturing unit defined in section 3, paragraph 7 of the Act on Animal By-Products (517/2015) which a municipal veterinarian has registered and which manufactures medicated feed with mixing equipment for the exclusive use on its farm for fur animals. (18/2022)

The provisions laid down in this Act on the European Union or Member States of the European Union shall also apply to the European Economic Area and the states belonging to it.

Chapter 2
Requirements concerning feeds

Section 6
General quality requirements for feeds

Feeds shall be in compliance with the requirements of this Act and the legislation of the European Union concerning feeds, genuine, of good quality and safe, and appropriate for animal nutrition. Provisions on the general requirements concerning the safety of feeds are also laid down in

Articles 11 and 15 of the General Food Law and on the specific conditions for feeds exported from the Community in Article 12 of the General Food Law.

Feed may not contain undesirable substances, products or organisms in such a way that its use may cause danger to human or animal health or the environment or quality defects in products of animal origin. No salmonella bacteria may be present in the feed.

Provisions on the maximum content of undesirable substances and products in feeds are laid down in Commission Regulations amending Annex I to Directive of the European Parliament and of the Council 2002/32/EC on undesirable substances in animal feed.

Section 7
Feed materials

Feed materials shall be appropriate for the feeding of animals with respect to their quality, composition and other properties.

The European Union publishes a Community Catalogue of feed materials in accordance with Articles 24 and 26 of the Placing on the Market and Use Regulation.

Section 8
Feeds intended for particular nutritional purposes

Feeds intended for particular nutritional purposes shall be appropriate for the particular nutritional needs of animals with respect to their quality, composition and other properties.

Any feeds intended for particular nutritional purposes placed on the market shall be such that their intended uses and the most important nutritional properties correspond to a use referred to in the list of intended uses of feed intended for particular nutritional purposes.

Provisions on the list of intended uses of feed intended for particular nutritional purposes and general requirements concerning these feeds are laid down in Article 10 of the Placing on the Market and Use Regulation and in the Particular Nutritional Purposes Regulation.

Section 9
Feed additives

Provisions on the authorisation and placing on the market of feed additives are laid down in Articles 3–5 of the Additives Regulation.

Section 10
Genetically modified feeds

Provisions on the authorisation and placing on the market of feeds falling within the scope of the GM Food and Feed Regulation are laid down in Articles 17–19 of the GM Food and Feed Regulation.

Further provisions on the national contact authority, safety assessment of genetically modified feeds and establishment of the national position concerning the authorisation of genetically modified feeds required by the GM Food and Feed Regulation are issued by government decree.

Section 11
Compound feeds

Compound feeds shall be appropriate for the feeding of animals with respect to their quality, composition and other properties. Compound feed may contain only feeds referred to in sections 7–10 which fulfil the requirements laid down for feeds.

Section 12
Medicated feeds
(18/2022)

Only medicines whose sale or other placing on the market has been authorised under the Veterinary Medicinal Products Regulation or Medicines Act may be used for the manufacturing of medicated feed.

Medicated feed may be supplied to the owner or keeper of an animal only against a medicated feed prescription written by a veterinarian. An on-farm mixer, on-farm feed manufacturing unit and mobile mixer must have the medicated feed prescription in their possession before starting the manufacturing of medicated feed.

Unused or expired medicated feed shall be collected and appropriately disposed of.

In addition to the provisions in subsections 1–3, the provisions on feed materials and compound feeds apply to medicated feeds.

Further provisions on the requirements for the manufacturing of medicated feed may be issued by decree of the Ministry of Agriculture and Forestry.

Section 13
General requirements concerning information to be given on feed

In addition to the information to be given on feed elsewhere in the law, truthful and sufficient information on feed shall be given in the feed package, label, accompanying document, brochure, advertisement or otherwise in connection with the marketing and presentation of feed.

Provisions on the principles of the claims to be allowed in the labelling and presentation of feed materials and compound feeds are laid down in Article 13 of the Placing on the Market and Use Regulation. Provisions on the advertising of medicated feeds are laid down in Article 11 of the Medicated Feed Regulation. (18/2022)

Section 14
Labelling requirements for feeds

Provisions on the compulsory labelling of feeds and their presentation are laid down in the Placing on the Market and Use Regulation, TSE Regulation, GM Food and Feed Regulation, GMO Traceability Regulation, Animal By-Products Regulation and Medicated Feed Regulation. Other information may also be given on feed materials and compound feeds, if the general principles of the Placing on the Market and Use Regulation are complied with and the information is unambiguous, measurable and justifiable. Provisions on the labelling requirements for feed additives and premixtures are laid down in the Additives Regulation. (18/2022)

For compound feed intended for pets, the name of the category to which the feed material belongs may be used instead of the specific name of the feed material in accordance with Article 17 of the Placing on the Market and Use Regulation.

Provisions on the labelling of non-compliant feed material or compound feed are laid down in Article 20 of the Placing on the Market and Use Regulation.

Labels of feeds intended directly or indirectly to the final user shall be at least in the Finnish and Swedish language. However, in feed sold only in a monolingual municipality monolingual labels only in the language of the municipality may be used. In a bilingual municipality feed packaged at the place of sale and bulk feed delivered by the manufacturer of feed directly to the final user and feed delivered by an operator in primary production in the feed sector to another operator in primary production in the feed sector may be labelled using the language of the final user in question in either Finnish or Swedish.

The energy and protein values given for feed materials and compound feeds shall be based on the calculation criteria published by the Natural Resources Institute Finland, unless otherwise provided in the European Union legislation.

Further provisions on the determination, indication and labelling of the energy and protein values of feed materials and compound feeds and categories of feed materials in compound feeds for pets are issued by decree of the Ministry of Agriculture and Forestry.

Section 15
Packaging requirements for feeds

Feeds shall be packaged in a way that is safe and appropriate considering the properties of the product.

Provisions on the packaging requirements for feed materials and compound feeds are laid down in Article 23 of the Placing on the Market and Use Regulation, on the packaging requirements for additives and premixtures in Article 16 of the Additives Regulation and on the packaging requirements for medicated feeds in Article 10 of the Medicated Feed Regulation. (18/2020)

Section 16
Temporary restrictions

Where there is justifiable cause to suspect that feed may seriously endanger human or animal health or the environment, the Finnish Food Authority has the right to issue a temporary order that prohibits the manufacturing, placing on the market, use, import or export of the feed or restricts these, and order the prohibited feeds removed from the market or from the stocks of places of primary production and other parties keeping feed in their possession.

The Finnish Food Authority may in individual cases grant a derogation from the prohibition or restriction referred to in subsection 1 if it can be ensured that the feed concerned in the derogation does not endanger human or animal health or the environment.

Chapter 3
Requirements concerning the pursuit of activities

Section 17
Organisation of activities

A feed business operator is obliged to organise the activities in such a way that the requirements laid down for the activities and feeds in the European Union legislation concerning feeds and in this Act and under it are fulfilled.

A feed business operator shall have appropriate facilities, equipment and devices in the production, manufacturing and distribution stages of the feeds. Sufficient care and caution shall be

taken in the handling, use, transport and storage of feeds to prevent health, safety and environmental harm.

When exporting feeds to a state outside the European Union, a feed business operator is responsible for establishing and fulfilling the import requirements set by the authorities of the recipient state and any requirements relating to transit.

Further provisions on the handling, use, transport and storage requirements for feeds, own-checks by the operators and examinations to be made in quality control, and on measures when non-compliant feed is found are issued by decree of the Ministry of Agriculture and Forestry.

Provisions on intra-Union trade and import of medicated feeds are laid down in Article 12 of the Medicated Feed Regulation. (18/2022)

Section 18
Reliability of a feed business operator

A feed business operator shall be reliable. An operator shall not be considered reliable if he or she:

1) within the three years preceding the assessment has repeatedly shown manifest disregard of ensuring the safety of feeds in the business activities;
2) within the three years preceding the assessment has repeatedly or to a considerable extent neglected the registration, declaration or payment obligations relating to taxes, statutory contributions towards pension, accident or unemployment insurance, or charges collected by Customs; or
3) according to garnishment or other accounts is unable to honour his or her debts.

If the feed business operator is a legal person, the reliability requirement applies to the managing director and his or her deputy, members and deputy members of the board of directors, members and deputy members of a supervisory board or comparable corporate body, active partners and other members of senior management. The reliability requirement also applies to a person who directly or indirectly holds at least 25% of the shares in a limited liability company or the votes conferred by shares, or has equivalent ownership or control powers if it is a question of an entity other than a limited liability company.

For assessing reliability, matters referred to in subsection 1 can be established for registered businesses and organisations referred to in section 3 of the Business Information Act (244/2001) that are directly or indirectly linked to the feed business operator or persons referred to in subsection 2 of this section.

To establish the reliability of the operator, the Finnish Food Authority may request a Compliance Report referred to in section 5 of the Act on the Grey Economy Information Unit (1207/2010) from the Grey Economy Information Unit.

Section 19
Notification obligation of a feed business operator and on-farm feed manufacturing unit
(18/2022)

A feed business operator shall notify the Finnish Food Authority in writing of its activities and significant changes in them and of the termination of activities for registration as specified in Article 9 of the Feed Hygiene Regulation.

The notification shall include the following information:

1) the name and address of the operator and other contact information for each establishment;
2) the business or company identification number of the operator or, if none exists, personal identification number or farm identification number;
3) the type of activities or significant changes in these;
4) the time when the operation or a changed operation is to be started.

A feed business operator shall provide notification of the feeds used in the manufacturing and feeds manufactured and an on-farm feed manufacturing unit of the medicated feeds manufactured. The notification shall be made once a year in a way requested by the Finnish Food Authority. The feeds imported and exported and veterinary medicinal products used in the manufacturing of medicated feeds shall also be specified in the notification.

Further provisions on information to be notified concerning the type of activities and medicated feeds and the notification procedure are issued by decree of the Ministry of Agriculture and Forestry.

Section 20
Approval of a feed business operator
(18/2022)

A feed business operator shall before starting the activities apply to the Finnish Food Authority for the approval of the activities if the intention is to engage in activities referred to in Article 10 or subparagraph 10 of paragraph "Facilities and equipment" of Annex II to the Feed Hygiene Regulation, activities subject to approval referred to in Annex IV to the TSE Regulation or Article 8(2) of the Placing on the Market and Use Regulation, activities referred to in paragraph 1 of Annex VIII to the Placing on the Market and Use Regulation or activities subject to approval under Article 13 (1 and 2) of the Medicated Feed Regulation. Provisions on the conditions for the approval under the Feed Hygiene Regulation are laid down in Article 13 of the Feed Hygiene Regulation, on the conditions for approval under the TSE Regulation in Annex IV to the TSE Regulation and on the conditions for the approval under the Medicated Feed Regulation in Annex II to the Regulation.

The application concerning approval shall include the following information:

1) the name and address of the operator and other contact information for each establishment;
2) the business or company identification number of the operator or, if none exists, personal identification number or farm identification number;
3) the type of activities or significant changes in these;
4) time when the activities or activities subject to change are to be started.

A significant change in the activities of an approved establishment shall also have been approved before the activities subject to change are started. The operator shall provide the control authority with an opportunity to perform an inspection in the production units and other facilities before the activities are started.

A feed business operator shall be approved if the requirements laid down in the Feed Hygiene Regulation, TSE Regulation and Medicated Feed Regulation are fulfilled. The approval may be issued as a conditional one in accordance with Article 13(2) of the Feed Hygiene Regulation. For advance prevention of risks to human or animal health or the environment, requirements, restrictions and other conditions concerning the activities may be imposed to an approved operator.

Further provisions on the content of the information to be given in an application concerning the approval of an operator and the application procedure are issued by decree of the Ministry of Agriculture and Forestry.

Section 21
Requirements concerning the recording and traceability of information
(18/2022)

A feed business operator shall keep a file on information relating to its activities where information needed for the control and for the traceability of feeds can be accessed, where necessary. Provisions on the obligation to record information are also laid down in Article 18(2) and (3) of the General Food Law, Annexes I and II to the Feed Hygiene Regulation, Article 22 of the Animal By-Products Regulation, Section 6 of Annex I to the Medicated Feed Regulation and Article 108 of the Veterinary Medicines Regulation. The recording obligation applies to information which allows to trace the feed and monitor the use of production inputs and management of the production processes.

Further provisions on the content, organisation and storage of the file are issued by decree of the Ministry of Agriculture and Forestry.

Section 22
Obligation of a feed business operator to provide information

If a feed business operator has cause to suspect that feed it has placed on the market or used does not fulfil the requirements concerning the safety of feeds or it is found in own-checks that the maximum permitted levels of undesirable substances, products or organisms have been

exceeded, the Finnish Food Authority shall be notified of this immediately. To prevent risks caused by feed placed on the market, the operator who placed the feed on the market shall notify the operator to whom the feed was supplied immediately of any salmonella findings in the feed. The operator using the feed shall notify the manufacturer of the feed immediately if due to suspicion of salmonella infection or confirmed salmonella infection a decision concerning preventing the spread of a disease has been issued to the place where animals are kept referred to in Article 4(27) of the Regulation of the European Parliament and of the Council (EU) 2016/429 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law').

A feed business operator shall notify the Finnish Food Authority without delay of any test results indicating non-compliant feed if the test was performed by a laboratory referred to in section 37, and give instructions to the laboratory for submitting the notifications and summaries referred to in section 35.

Further provisions on making the notifications may be issued by decree of the Ministry of Agriculture and Forestry.

Provisions on withdrawing non-compliant feed from the market are laid down in Article 20 of the General Food Law.

Section 23
Permit to use an unauthorised feed additive

An operator who intends to use a substance as a feed additive which has not been authorised for this purpose in feeding farmed animals in a scientific experiment shall apply to the Finnish Food Authority for a permit for such use. The Finnish Food Authority may grant the permit if demonstrating its efficacy in a production experiment is required for the authorisation of the substance. The permit is granted if the experiment is not considered likely to have adverse impacts on the health of humans or farmed animals or the environment.

The applicant for the permit shall designate a person responsible for the experiment. The application for the permit shall contain the information on the substance to be used, its purpose of

use, use levels, farmed animals to be used in the experiment, experiment design and duration of the experiment.

Further provisions on the permit application procedure and content of the permit application are issued by decree of the Ministry of Agriculture and Forestry.

Section 24
Interrupting a scientific experiment

An experiment referred to in section 23 above shall be interrupted if during the experiment it turns out that the substance has significant adverse impacts on the health of humans or farmed animals or the environment which could not be foreseen when the permit was granted. The person responsible for the experiment shall notify the Finnish Food Authority of the interruption of the experiment without delay.

Chapter 4
Authorities and their tasks

Section 25
Ministry of Agriculture and Forestry

The Ministry of Agriculture and Forestry is tasked with the general guidance and monitoring of the enforcement of this Act and the European Union legislation concerning feeds.

The Ministry of Agriculture and Forestry shall designate the national reference laboratories in accordance with Article 100 of the Control Regulation.

Section 26
Finnish Food Authority

The Finnish Food Authority:

1) plans, guides and develops national feed control;
2) is responsible for the national control of the enforcement of and compliance with this Act and the European Union legislation concerning feeds;
3) manages the national communication activities and the publication of control results on an annual basis:
4) prepares the control plans and reports on the implementation of controls;
5) designates and approves the laboratories upon application;
6) controls that the laboratories referred to in sections 32 and 34 comply with the rules issued on feeds;
7) issues export certificates;
8) grants a permit for a substance that has not been authorised to be used in a scientific experiment;
9) acts as the national contact point for the rapid alert system under Article 50 of the General Food Law;
10) evaluates the national guides to good practice referred to in Article 21 of the General Food Law;
11) maintains the list of third country establishments referred to in Article 24 of the Feed Hygiene Regulation;
12) is responsible for the training of staff performing official controls referred to in Article 5(4) of the Control Regulation;
13) is responsible for the coordination and contacts with the Commission and with other Member States referred to in Article 4(2)(b) of the Control Regulation;
14) designates natural persons to whom certain official control tasks have been delegated under Article 28 of the Control Regulation;
15) acts as the liaison body for exchange of communications between competent authorities of Member States referred to in Article 103 of the Control Regulation;
16) is responsible for drawing up the national contingency plan for special situations referred to in Article 115 of the Control Regulation and submits this and any amendments to it to the Ministry of Agriculture and Forestry.

In addition, the Finnish Food Authority is responsible for tasks assigned to the competent authority in the European Union legislation concerning feeds, unless the task has in this Act been assigned to another authority.

Section 27
Centre for Economic Development, Transport and the Environment

Besides the Finnish Food Authority, the Centres for Economic Development, Transport and the Environment control feeds in their respective territories.

Section 28 was repealed by Act 18/2022.

Section 29
Customs

Besides the Finnish Food Authority, Customs controls the export of feeds of non-animal origin and the presence of salmonella bacterium in connection with import of high-risk feeds.

Section 30
Authorised inspectors

In accordance with Articles 28 and 30 of the Control Regulation, the Finnish Food Authority may designate in writing an external natural person to perform official control tasks to be specified separately (*authorised inspector*). Any administrative decisions to be issued based on inspections shall be made by the Finnish Food Authority.

Provisions on the criminal liability for acts in office apply to an authorised inspector when performing tasks under this Act. Provisions on the liability for damages are laid down in the Tort Liability Act (412/1974).

The provisions of the Administrative Procedure Act (434/2003), Language Act (423/2003), Sámi Language Act (1086/2003), Act on Information Management in Public Administration (906/2019) and Act on the Provision of Digital Services (306/2019) apply to an authorised inspector when performing tasks referred to in subsection 1. The provisions on the publicity of the documents given to or prepared by an authorised inspector, obligation of secrecy concerning an inspector and

enforcement of the publicity of a document are laid down in the Act on the Openness of Government Activities (621/1999).

When required by a feed business operator, the authorised inspector shall present written proof of his or her authorisation.

Section 31
Feed exports

Upon request by a feed business operator, the Finnish Food Authority issues export certificates concerning feeds if it is possible to verify the accuracy of the matters to be certified and the requirements set by the recipient state for issuing a certificate are fulfilled and, where necessary, participates in establishing the requirements set by the authorities referred to in section 17, subsection 3, unless there is another way to verify the requirements. In addition, the Finnish Food Authority participates, where necessary, in preparing documents that are the condition for the market access and market presence of feeds and in other work to establish facts.

The Finnish Food Authority may discontinue its participation in managing these tasks if the conditions for continuing the work to establish facts no longer exist.

Chapter 5
Laboratories

Section 32
Official laboratories and testing of official samples

Samples taken or commissioned to be taken by a control authority for control under this Act shall be tested at the Finnish Food Authority or in a laboratory designated by the Finnish Food Authority in Finland or in an official laboratory located in another Member State of the European Union. A laboratory testing the samples shall fulfil the requirements laid down in the Control Regulation. A laboratory may also have a mobile unit.

Section 33
Testing of own-check samples

Own-check samples concerning salmonella required by law shall be tested in an own-check laboratory approved by the Finnish Food Authority, at the Finnish Food Authority or in an official laboratory designated by the Finnish Food Authority. A laboratory may also have a mobile unit.

Provisions on testing own-check samples for dioxin are laid down in Annex II to the Feed Hygiene Regulation.

Section 34
Approval of an own-check laboratory

A condition for the approval of an own-check laboratory is that fulfilling the qualification requirements has been proven in accordance with the Act on Verifying the Competence of Conformity Assessment Services (920/2005) on the basis of accreditation or assessment of qualifications equivalent to accreditation. The qualifications of a laboratory that has been assessed shall be reassessed at least every three years.

If a laboratory does not fulfil the requirements laid down in subsection 1 but the shortcomings are such that the reliability of the tests is not compromised, the Finnish Food Authority may approve the laboratory for a fixed time period. The laboratory shall rectify the shortcomings and apply for the final approval within the fixed time period.

For advance prevention of risks to human or animal health or the environment, requirements, restrictions and other conditions concerning the activities may be imposed on an approved laboratory.

Further provisions on the standards describing the approved laboratories, requirements to be set for the quality systems of laboratories and other requirements for the approval of laboratories are issued by government decree.

Section 35

Notification obligation of an official laboratory and an approved own-check laboratory

An official laboratory and an approved own-check laboratory shall notify its client without delay of any test results indicating non-compliant feed, and the Finnish Food Authority of tests and their results relating to the monitoring and control of diseases or infections which may be transmitted directly or indirectly between humans and animals (zoonoses).

An official laboratory and an approved own-check laboratory shall deliver the microbial strains isolated in the tests to the national reference laboratory and, upon request by the Finnish Food Authority, a summary of the tests referred to in section 32 and 33 it has performed and their results to the Finnish Food Authority. The summaries of tests and their results referred to in section 33 above shall contain no personal data or identification data of the object of control.

An official laboratory and approved own-check laboratory shall notify the Finnish Food Authority without delay of any significant changes in activities, suspension of activities and termination of activities.

Further provisions on the content and submission of the notifications and summaries and delivery of microbial strains are issued by government decree.

Section 36
Notification obligation of a national reference laboratory

Upon request, a national reference laboratory shall notify the Finnish Food Authority and the Finnish Institute for Health and Welfare of information necessary for epidemiological monitoring, and the Finnish Food Authority of information on microbial strains referred to in section 35, subsection 2 necessary for guiding the control. The information to be submitted to the Finnish Institute for Health and Welfare shall contain no identification data on the objects of control.

Further provisions on the content and submission of the notifications may be issued by government decree.

Section 37

Designated laboratories

The Finnish Food Authority may designate a laboratory located in another Member State of the European Union to test own-check samples concerning salmonella required by law.

The Finnish Food Authority designates the laboratories referred to in subsection 1 upon application by the feed business operator. A condition for the designation is that the laboratory fulfils the requirements in Article 12(1) of Regulation of the European Parliament and of the Council (EC) No 2160/2003 on the control of salmonella and other specified food-borne zoonotic agents concerning the quality assurance system and the quality assurance system concerned has been certified by a competent body of the Member State concerned.

Designation need not be applied for if the laboratory fulfils the requirements laid down in Article 37(4)(e) of the Control Regulation.

Further provisions on the application procedure and designation of laboratories may be issued by decree of the Ministry of Agriculture and Forestry.

Chapter 6
Control

Section 38
Organisation of official control

Feeds and feed business operators shall be controlled in an equitable manner and on a regular basis. The control shall be intensified if it is to be suspected that the feed or the activities of the feed business operator do not fulfil the requirements laid down in the European Union legislation concerning feeds or in this Act or under it. Control measures shall be appropriate and they shall be targeted in a suitable manner to all production, manufacturing and distribution stages of feeds from primary production to placing on the market and use.

Further provisions on the organisation of the control may be issued by decree of the Ministry of Agriculture and Forestry.

Section 39

Prior notification and sampling of high-risk feed

Before the receipt of the batch or lot, a feed business operator shall notify the Finnish Food Authority of a high-risk feed batch or lot to be imported from outside the European Union for possible sampling.

The prior notification shall state the following information:

1) the name and address of the importer;
2) the business or company identification number of the importer or, if none exists, personal identification number or farm identification number;
3) the name and type of the feed;
4) the quantity of the feed batch or lot;
5) the country of origin;
6) the time and place of entry into the Finnish territory;
7) the method of import.

By order of the Finnish Food Authority, feed to be imported may be kept under the supervision of Customs in a place approved by the Finnish Food Authority until the Finnish Food Authority has received sufficient proof that the requirements laid down in the European Union legislation concerning feeds and in this Act are fulfilled.

Further provisions on how and when the prior notification by a feed business operator of feed batches or lots referred to in subsection 1 to the Finnish Food Authority is to be made and how the sampling and other import inspection are to be performed are issued by decree of the Ministry of Agriculture and Forestry.

Section 40

Control plan and reporting of the Finnish Food Authority

To guide and coordinate feed control, the Finnish Food Authority shall prepare a national control plan as part of the multi-annual national control plan referred to in Article 109 of the Control

Regulation. In addition, the Finnish Food Author shall prepare an annual control plan for the organisation of feed control and report on the implementation of feed control.

The annual control plan shall specify the content of the inspections to be performed and the number of inspections concerning the objects of control. In addition, the control plan shall present the grounds of the risk assessment concerning the objects of control and of the assessment of the realisation of the plan.

The annual reports shall contain the analysis results of feed samples and a summary of other results relevant for the control, significant changes, number and type of violations detected and measures imposed due to violations. The reports shall also contain information on the origin of feeds and statistics on feeds used for manufacturing and manufactured in Finland including specification of imported and exported feeds, and their quantities.

The Finnish Food Authority shall submit the control plan for the current year to the Ministry of Agriculture and Forestry by the end of March each year, and reports on the control in the preceding year by the end of June each year.

Section 41
Right of an authority to perform inspections

For official control purposes, the control authority and authorised inspectors have the right to undertake measures laid down in this Act and in the European Union legislation, gain access to premises where feeds and documents concerning them are handled, used or stored, inspect means of transport, bookkeeping of feed business operators and a file referred to in section 21, take necessary samples from feeds free of charge and, where necessary, issue requests to comply with the feed rules. The operator shall be given a record of the sampling.

An inspection may be performed concerning an object of control located in premises used for residential purposes on a permanent basis to implement the requirements set for official controls in Articles 9, 10 and 14 of the Control Regulation if performing the inspection is necessary to establish the facts concerned in the inspection. Such an inspection may only be performed by the competent control authority.

The control authority may order samples of feeds offered for sale through means of distance communication without identification. Samples can be used in official control. After having received the sample the control authority shall notify the operator that the sample was ordered for official control. The operators have the right to obtain a second expert opinion on the sample at their own cost.

The provisions in subsections 1 and 2 on the right of inspection of Finnish authorities also apply to inspectors referred to in the European Union legislation or in an international agreements binding on Finland if this is required by the obligation concerned that is binding on Finland. In these inspections the control authority shall cooperate with the inspectors in question.

Further provisions on the sampling and testing of samples and other inspection and control procedures may be issued by decree of the Ministry of Agriculture and Forestry.

Section 42
Right of an authority to obtain information

Notwithstanding secrecy provisions, the control authority and inspector of the European Union have the right to obtain information necessary for performing the control from a State and municipal authority, party managing a public task, feed business operator and operator referred to in section 5, paragraph 11 that is not considered a feed business operator. Notwithstanding secrecy provisions, authorised inspectors also have the right to obtain information necessary for performing the control from the operators referred to above.

Notwithstanding secrecy provisions, the control authority has the right to obtain from another authority and a party managing a public task information concerning the management of the registration, declaration and payment obligations of the feed business operator relating to taxes, statutory contributions towards pension, accident or unemployment insurance, or charges collected by Customs, and the activities, finances and linkages of the feed business operator that is necessary for establishing the reliability referred to in section 18 or for the suspension or withdrawal of registration or approval referred to in section 54.

Notwithstanding secrecy provisions, to impose the penalty payment referred to in section 51 the control authority has the right to obtain information from the register of fines referred to in section

46 of the Act on the Enforcement of a Fine (672/2002) that is necessary to ensure that the person has not been sentenced to a fine in court for the same crime.

Section 43
Executive assistance

The police and Customs are obliged to provide the control authority with executive assistance to perform a control task. Provisions on the obligation of the police to provide executive assistance are laid down in chapter 9, section 1, of the Police Act (872/2011) and on executive assistance by Customs in section 100 of the Customs Act (304/2016).

Section 44
The right of an authority to disclose information on its own initiative

Notwithstanding secrecy provisions, the control authority may on its own initiative disclose information obtained when performing tasks referred to in this Act concerning the financial position of a private person or corporation and a trade secret to another authority or a party managing a public task, if the information is necessary for the authority in question for establishing the reliability referred to in section 18 or for the suspension or withdrawal of registration or approval referred to in section 54.

Section 45
Control register

For the control, the Finnish Food Authority shall keep a national register of feed business operators subject to the notification obligation referred to in section 19 and laboratories referred to in sections 32, 34 and 37 (*control register*).

The control register is part of the information system of the rural business administration referred to in the Act on the Information System of the Rural Business Administration (284/2008).

Section 46
Information to be entered into the control register

Information on the feed business operator to be entered into the control register shall include:

1) the name and address and other contact information of the feed business operator;
2) the addresses and contact information of the places of business;
3) the business or company identification number of the feed business operator or, if none exists, personal identification number or farm identification number;
4) a description of the activities;
5) the approval number if it is a question of approval under the Feed Hygiene Regulation or approval under the Medicated Feed Regulation; (18/2022)
6) information on an order, prohibition, punishment and other sanction issued to the operator under sections 50–55 or 57–60 or Articles 14–16 of the Feed Hygiene Regulation;
7) control measures performed and other similar information under this Act necessary for the control.

Information on the official laboratories, approved own-check laboratories and designated laboratories to be entered into the control register shall include:

1) the name and address and other contact information of the laboratory;
2) determination methods covered by assessment or accreditation;
3) the determination method of a laboratory referred to in section 37;
4) the name of the person responsible for testing in the laboratory;
5) information on the withdrawal of approval under section 55 or withdrawal of designation under section 56, subsection 2 and other sanction;
6) information on control measures performed in official laboratories and approved own-check laboratories and other similar information under this Act necessary for the control.

On the basis of information referred to in subsections 1 and 2, the Finnish Food Authority shall publish a list of feed business operators and laboratories.

Information on feed business operators shall be removed from the register within ten years and information on laboratories within three years from the operator or laboratory having notified the control authority of the termination of activities, or from the activities being terminated. However,

a register entry on a punishment shall be removed when the punishability of the act that was the cause for sentencing to the punishment has been removed. If information entered into the register is based on a decision that is not yet final and the decision is subsequently repealed, the information shall be removed immediately when the decision concerning the repeal has become final.

Further provisions on entering feed business operators into the register may be issued by decree of the Ministry of Agriculture and Forestry.

Section 47
Obligation of an authority to provide information

If the control authority or authorised inspector knows or has cause to suspect that that feed or its use may endanger human or animal health or the environment, the control authority and authorised inspector shall immediately notify the competent environmental, food, veterinary, gene technology or health protection authority of this. The notification shall always be made to the Finnish Food Authority as well. The Finnish Food Authority shall notify the Finnish Institute for Health and Welfare if feed or its use may endanger human health. The notifications shall be made notwithstanding secrecy provisions.

The control authority or authorised inspector is obliged to notify the Finnish Food Authority of information needed for the control register. In addition, the control authority is obliged to notify, upon request, the Finnish Food Authority of other information concerning inspections, control measures, control staff, charges and control for the monitoring of the control under this Act.

The control authority and authorised inspector shall submit the information referred to in subsections 1 and 2 in a way required by the Finnish Food Authority.

Further provisions on the notification obligation of the control authority and authorised inspector may be issued by government decree.

Section 48
Publication of control results

The Finnish Food Authority shall publish the reports on the implementation of feed control referred to in section 40 on its website on an annual basis. However, secret information shall not be published.

Further provisions on the publication of control results may be issued by decree of the Ministry of Agriculture and Forestry.

Section 49
Electronic signature

Electronic signature created by means of automatic data processing may be used to sign a decision under this Act and the related documents.

Chapter 7
Administrative enforcement measures and sanctions

Section 50
Order

To fulfil the obligations, the control authority shall, considering the nature of the matter, impose an order referred to in Article 138(2) of the Control Regulation to a party who fails to comply with the provisions of this Act or the European Union legislation concerning feeds or issued under these.

The control authority may order a non-compliance to be rectified if feed or information provided on it, the production, manufacturing or distribution stage of feed or the production facilities, place of primary production or the activities practised in these may endanger health, compromise the correctness or sufficiency of information provided on feed or mislead the consumer, or otherwise fail to comply with the requirements of the legislation concerning feeds. A non-compliance shall be ordered to be rectified immediately or within a time period set by the control authority.

Section 51
Penalty payment in feed control

The competent authority may order a feed business operator to pay a penalty payment of at least EUR 300 and no more than EUR 5,000 if the operator:

1) neglects the obligation laid down in section 14 or 15 concerning the labelling or packaging of feed;
2) engages in activities in the feed sector without making the notification laid down in section 19;
3) neglects to apply for the approval for the activity laid down in section 20;
4) neglects the obligation to record information laid down in section 21;
5) neglects the notification obligation laid down in section 22;
6) contrary to section 24, neglects to interrupt an experiment or to notify of the interruption.

The nature, extent of harm and recurrence of the conduct shall be taken into account in determining the amount of the penalty payment. The payment may be waived or a payment that is less than the minimum amount may be imposed if the act can be considered minor and waiving the payment or imposing a payment that is less than the minimum amount is reasonable in view of the type, recurrence and deliberateness of the negligence and other circumstances. The penalty payment shall be payable to the State.

A penalty payment may not be imposed on a natural person who is suspected of the same act in a criminal matter in which pre-trial investigation, consideration of charges or a trial is pending or to whom a final judgement has been rendered for the same act. If a penalty payment has been imposed on a natural person, no punishment may be imposed by a court of law for the same act.

A penalty payment may not be imposed if more than a year has elapsed since the act. The penalty payment becomes time-barred in five years from the date on which the final decision concerning the penalty payment was given. The penalty payment lapses upon the death of the liable party. The provisions on the enforcement of the penalty payment are laid down in the Act on the Enforcement of a Fine (672/2002).

Section 52
Prohibition

The control authority may prohibit:

1) the production and manufacturing of feed if the production, manufacturing or storage facilities, manufacturing methods or equipment or the quality assurance systems or products of the manufacturer do not fulfil the requirements laid down for them in the European Union legislation concerning feeds or in this Act or under it;
2) handling of feed if the handling or storage facilities, handling methods or equipment or quality assurance methods or products of the feed business operator do not fulfil the requirements laid down for them in the European Union legislation concerning feeds or in this Act or under it;
3) placing on the market or use of feed if:
a) feed, its packaging or information provided on it do not fulfil the requirements laid down in the European Union legislation concerning feeds or in this Act or under it;
b) feed is used contrary to the instructions for its use;
c) the manufacturer, placer on the market or user of feed has neglected the notification obligation under section 19;
d) the manufacturer, placer on the market or user has not been approved in accordance with section 20; or
e) salmonella bacterium has been found in the production environment or transport equipment of feed;
4) transport or storage of feed if the transport equipment or storage facilities do not fulfil the requirements laid down in the European Union legislation concerning feeds or in this Act or under it;
5) internal market trade, import or export of feed if the feed does not fulfil the requirements laid down in the European Union legislation concerning feeds or in this Act or under it.

A prohibition may be issued only if the non-compliance may endanger human or animal health or the environment, if it continues or is repeated, or if it is caused intentionally.

A prohibition shall be issued as a temporary one if the non-compliance it is based on can be removed. A temporary prohibition remains in force until the control authority issues its final decision on the matter. A prohibition shall be withdrawn without delay if the non-compliance it is based on has been removed or if the non-compliance is no longer relevant with respect to imposing the prohibition.

A prohibition shall be complied with in spite of a request for a review or unless the reviewing authority prohibits the enforcement of the decision by the control authority or orders it suspended.

Section 53
Reprocessing, disposal and return of feed

If the control authority has issued a prohibition concerning the production, manufacturing, handling, placing on the market, use, internal market trade, import or export of feed under section 52, the Finnish Food Authority may order the feed to be reprocessed, disposed of, used for another purpose or returned to the country of origin in a way approved by the Finnish Food Authority and at the cost of the feed business operator. The decision may be accompanied by orders concerning the procedure to be followed in its enforcement.

Section 54
Suspension, amending and withdrawal of the registration and approval of a feed business operator

Provisions on the suspension, amending and withdrawal of the registration and approval of a feed business operator are laid down in Articles 14–16 of the Feed Hygiene Regulation. Provisions on the registration and approval under the TSE Regulation are laid down in Annex IV to the TSE Regulation.

In addition, the Finnish Food Authority may suspend of withdraw the registration or approval of a feed business operator if the operator is not reliable within the meaning of section 18 and the grounds for considering the operator as unreliable are significant and serious in nature and the operator has not rectified the neglect despite an order by an authority.

Section 55
Withdrawal of the approval of an own-check laboratory

The Finnish Food Authority shall withdraw the approval of an own-check laboratory if the laboratory terminates the activities on the grounds of which it has been approved.

In addition, the Finnish Food Authority may withdraw the approval of an own-check laboratory if the laboratory or activities practised in it significantly violate the requirements laid down in this Act or under it and the laboratory does not rectify the shortcomings within a reasonable time period despite an order of the Finnish Food Authority. However, the approval may be withdrawn immediately if this is necessary due to unreasonable damage caused by the activities to human or animal health or the environment.

The Finnish Food Authority may also withdraw the approval of an own-check laboratory for the time needed for processing a matter referred to in subsection 2 if the shortcoming in the activities of the laboratory is such that it may compromise the reliability of test results.

Section 56
Withdrawal of the designation of a laboratory

The Ministry of Agriculture and Forestry may withdraw the designation of a national reference laboratory if the reference laboratory or the activities practised in it do not fulfil the requirements laid down in section 36 or Article 100 and 101 of the Control Regulation, the non-compliance is significant and the reference laboratory does not rectify the non-compliance within a reasonable time period despite an order of the Ministry of Agriculture and Forestry.

In addition, the Finnish Food Authority may withdraw its decision concerning the approval of an official laboratory if the laboratory or activities practised in it significantly violate the requirements laid down in this Act or under it and the laboratory does not rectify the shortcomings within a reasonable time period despite an order of the Finnish Food Authority.

The Finnish Food Authority shall withdraw its decision concerning the designation of a laboratory referred to in section 37 upon request by a feed business operator or if the laboratory terminates its activities.

The Ministry of Agriculture and Forestry and Finnish Food Authority may also withdraw their decision concerning the designation of a laboratory for the time needed for processing the matter if this is necessary due to unreasonable damage caused by the activities to human or animal

health or the environment or the shortcoming in the activities of the laboratory is such that it may compromise the reliability of test results.

Section 57
Withdrawal of a permit to use a feed additive

The Finnish Food Authority may withdraw a permit referred to in section 23 if the permit holder significantly violates the permit conditions laid down in this Act.

Section 58
Closure of a website

The Finnish Food Authority may order a website managed or used by a feed business operator or a part of it closed if it is evident that feed offered for sale through the website or information given on the feed are such that they endanger or there is justifiable cause to suspect that they may endanger animal health or the quality of foods of animal origin, that they in a significant way mislead the buyer of feed, or that they otherwise in a significant way violate a provision or rule concerning feeds.

The part of the website to be ordered closed is the part where feeds that violate a provision or rule concerning feeds are offered for sale in the said manner. If the closure of a part of the website does not remove the violation of a provision or rule, the whole website shall be ordered closed, where necessary.

The order to close a website or part of it may be issued as a temporary one for the time when the matter is being examined or the violation rectified. The website or part of it shall be kept closed until the Finnish Food Authority gives its final decision on the matter.

Section 59
Notice of a conditional fine, notice of enforced compliance and notice of enforced suspension

The Finnish Food Authority may reinforce an order referred to in section 50, a prohibition referred to in section 52, or an order concerning reprocessing, disposal or return of feed referred to in section 53 by a notice of a conditional fine or notice of enforced compliance or notice of enforced suspension.

Provisions on the notice of a conditional fine, notice of enforced compliance and notice of enforced suspension are laid down in the Act on Conditional Fines (1113/1990).

Section 60
Offence against the Feed Act
(18/2022)

Anyone who intentionally or through gross negligence

1) produces, manufactures, places on the market, imports or exports feed which does not fulfil the requirements laid down in sections 6–15 or under them;
2) violates section 17, subsections 1 or 2 or a provision issued under subsection 4 concerning the manufacturing, handling, transport, storage, use or own-checks of feed;
3) violates a temporary prohibition issued under section 16;
4) neglects a notification obligation laid down in section 19, obligation to keep a file laid down in section 21, or obligation to provide information laid down in section 42, subsection 1;
5) neglects the application for approval of a feed business operator for the activities as referred to in section 20;
6) provides information contrary to sections 13 or 14 or otherwise misleading information concerning feed or its property;
7) neglects the compliance with the packaging requirement laid down in section 15;
8) violates an order issued under section 50, a prohibition issued under section 52, a reprocessing, disposal or return order issued under section 53, or continues the activities even if the registration or approval has been suspended under Article 14 or withdrawn under Article 15 of the Feed Hygiene Regulation; or
9) violates:
a) the general requirement concerning the safety of feeds in Article 15 of the General Food Law, Article 4 or Part A of Annex I, Annex II or Annex III of the Feed Hygiene Regulation, or Article 4 or 6 of the Placing on the Market and Use Regulation,

b) the requirement on the traceability of feed and recording of information in Article 18 of the General Food Law, Article 4, Chapter A or Article 5 of the GMO Traceability Regulation, paragraph II of Part A of Annex I or Annex II to the Feed Hygiene Regulation, Section 6 of Annex I to the Medicated Feed Regulation or Article 108 of the Veterinary Medicines Regulation,
c) the requirement on notification for registration in Article 9 of the Feed Hygiene Regulation,
d) the requirement on the approval of an establishment in Article 10 or subparagraph 10 of paragraph "Facilities and equipment" of Annex II of the Feed Hygiene Regulation, Article 8(2) or paragraph 1 of Annex VIII of the Placing on the Market and Use Regulation, or Annex IV to the TSE Regulation,
e) the provision on responsibility concerning a feed business operator in Article 20 of the General Food Law or Article 5 of the Placing on the Market and Use Regulation,
f) the obligation concerning own-checks in Articles 5–7 or Annex I or II to the Feed Hygiene Regulation,
g) Article 12 on export in the General Food Law,
h) the provision on placing on the market in Article 3 of the Additives Regulation or Article 9 of the Placing on the Market and Use Regulation,
i) the provision concerning labelling or presentation in Article 16 or Annex III of the Additives Regulation, Article 25 of the GM Food and Feed Regulation, Article 4(b) of the GMO Traceability Regulation, or Articles 11 or 13–20 or Annex II or V–VIII of the Placing on the Market and Use Regulation or Article 9 or Annex III of the Medicated Feed Regulation,
j) the provision on packaging in Article 16 of the Additives Regulation or Article 23 of the Placing on the Market and Use Regulation or Article 10 of the Medicated Feed Regulation,
k) the provision on the general conditions of use in Annex IV to the Additives Regulation or Annex I to the Placing on the Market and Use Regulation,
l) the requirement on the application for approval in Article 4 of the Additives Regulation or Article 16 of the GM Food and Feed Regulation,
m) a prohibition concerning animal feeding in Annex IV to the TSE Regulation or Annex III to the Placing on the Market and Use Regulation, or
n) a statute on feed in the European Union legislation issued on the implementation of a Regulation referred to in subparagraphs a–m,

shall be sentenced to a fine for an *offence against the Feed Act*, unless the neglect or the danger to human or animal health or the environment caused by the act is to be considered minor or a more severe punishment is laid down elsewhere in the law.

A punishment for violating a prohibition or obligation ordered under this Act that is reinforced with a notice of a conditional fine can be waived if the party concerned has been sentenced to pay a conditional fine for the same act.

Section 61
Reporting an offence

The Finnish Food Authority shall report an offence against the Feed Act on behalf of the authorities referred to in sections 25–29 and authorised inspectors referred to in section 30. Reporting is not required concerning an offence which, when assessed as a whole, is to be considered manifestly minor.

The Finnish Food Authority shall be provided with an opportunity to be heard in a pre-trial investigation concerning an act within the scope of the Feed Act that is punishable under the Criminal Code (39/1889) or section 60 of this Act. The prosecutor shall provide the Finnish Food Authority with an opportunity to give a statement before the consideration of charges is completed. The Finnish Food Authority has the right to be present and speak in an oral hearing of the matter in court.

Chapter 8
Miscellaneous provisions

Section 62
Liability for damages

A party that manufactures, subcontracts the manufacturing of or imports feed from countries within or outside the European Union shall compensate for any damage caused to the buyer in professional use of the feed due to the failure of the feed to fulfil the requirements laid down in the European Union feed legislation or in this Act or under it. Compensation shall be paid even if the damage were not caused intentionally or through negligence.

However, the liability for damages referred to above in subsection 1 does not exist if the party from whom compensation is claimed proves it likely that the defect which caused the damage was not present in the feed when it was placed on the market.

Provisions on the liability for damage caused by feed to a person or property meant for private use or consumption and primarily used for such purpose by the injured party are laid down in the Product Liability Act (694/1990).

Section 63
Charges collected for services performed by a State authority

Provisions on charges collected for control performed by a State authority under this Act or the European Union legislation are laid down in the Control Regulation. In addition, the Act on Criteria for Charges Payable to the State (150/1992) shall be applied, unless otherwise provided in the Control Regulation.

Further provisions on the national arrangements under Articles 79–82 of the Control Regulation and determining the amount of the charges may be issued by decree of the Ministry of Agriculture and Forestry.

Section 64
Requesting an administrative review or a judicial review by appeal

A decision of a State authority, except for decisions under sections 20 and 50–58, is eligible for a request for an administrative review. Provisions on the request for an administrative review are laid down in the Administrative Procedure Act.

Provisions on requesting a judicial review by appeal in an administrative court are laid down in the Administrative Judicial Procedure Act (808/2019).

Provisions on requesting a review of a decision on a charge imposed by a State authority are laid down in the Act on Criteria for Charges Payable to the State.

Provisions on requesting a review concerning a decision by Customs are laid down in the Customs Act.

Provisions on requesting a review of a decision concerning a notice of a conditional final and sentencing the party concerned to pay a conditional fine are issued in the Act on Conditional Fines.

Section 65
Protecting the identity of a person reporting an offence

If the reporting of a violation of provisions to the control authority referred to in Article 140 of the Control Regulation is made by a natural person, the identity of the person shall be kept secret if, based on the circumstances, disclosing the identity may be expected to cause harm to the person.

Chapter 9
Entry into force and transitional provisions

Section 66
Entry into force

This Act enters into force on 1 January 2021.

This Act repeals the Feed Act (86/2008). The decrees and decisions of the Ministry of Agriculture and Forestry issued under the Act repealed by this Act shall remain in force.

Section 67
Transitional provisions

The provisions in section 18 shall apply as from 1 June 2021.

Feed business operators approved or notified under the Feed Act or the Act on Direct Payments of the European Union to Agriculture (193/2013) before the entry into force of this Act may continue their activities without a separate approval or notification.

The provisions in force upon the entry into force of this Act shall apply to notifications and applications for approval concerning feed business operators that are pending upon the entry into force of this Act.

Entry into force and application of the amending acts:

18/2022

This Act enters into force on 28 January 2022.

This Act repeals the Decree of the Ministry of Agriculture and Forestry on Medicated Feeds (10/EEO/2008).

Feed business operators approved to manufacture, store, transport or place on the market medicated feed before the entry into force of this Act may continue their operations, provided that they submit notification of fulfilling the approval obligations in Article 13(3) of the Medicated Feed Regulation to the Finnish Food Authority by 28 July 2022.

The provisions in force upon the entry into force of this Act shall apply to the notifications and applications for approval concerning feed business operators that are pending upon the entry into force of this Act.