

Pursuant to Article 21(7) of the Act on the Government of the Republic of Slovenia (Official Gazette of the Republic of Slovenia, No 24/05 – official consolidated text, 109/08, 38/10 – ZUKN, 8/12, 21/13, 47/13 – ZDU-1G, 65/14, 55/17 and 163/22), the Government of the Republic of Slovenia hereby issues the following

D E C R E E
on the implementation of the Regulation (EC) on the placing on the market and use of feed

Article 1
(Subject matter)

This Decree lays down the competent authority, controls, infringements and penalties for the implementation of Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 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 (OJ L No 229 of 1. 9. 2009, p. 1), last amended by Commission Regulation (EU) 2018/1903 of 5 December 2018 correcting Annexes IV, VI and VII to Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, and correcting certain language versions of Annexes II, IV, V and VI to that Regulation (OJ L No 310 of 6. 12. 2018, p. 22), (hereinafter referred to as 'Regulation 767/2009/EC').

Article 2
(Information procedure and clause)

(1) This Decree is issued subject to an information procedure in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L No 241 of 17. 9. 2015, p. 1).

(2) The provisions of this Decree shall not apply to products which, in accordance with national legislation that ensures an equivalent level of protection of the public interest as defined in the legislation of the Republic of Slovenia, are legally:

- produced or marketed in other Member States of the European Union and Turkey, or
- produced in the countries of the European Free Trade Association (EFTA), which are also signatories to the Agreement on the European Economic Area.

(3) This Decree shall be implemented in accordance with Regulation (EU) 2019/515 of the European Parliament and of the Council of 19 March 2019 on the mutual recognition of goods lawfully marketed in another Member State and repealing Regulation (EC) No 764/2008 (OJ L No 91 of 29. 3. 2019, p. 1).

Article 3
(Definitions)

The term 'placing on the market' as used in this Decree shall mean 'placing on the market' in accordance with Article 3(8) of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 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 (OJ L No 31 of 1. 2. 2002, p. 1), as last amended by Commission Delegated Regulation (EU) 2024/908 of 17 January 2024 amending Regulation (EC) No 178/2002 of the European

Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority (OJ L 2024/908, 20. 3. 2024).

Article 4 (Competent authority)

The competent authority for the implementation of Regulation 767/2009/EC and this Decree and for the controls of the implementation is the Administration of the Republic of Slovenia for Food Safety, Veterinary Sector and Plant Protection.

Article 5 (Infringements)

(1) A fine of between EUR 2 000 and EUR 20 000 shall be imposed on legal entities which:

1. place on the market or use feed that does not meet safety requirements (Article 4(1) of Regulation 767/2009/EC);
2. place on the market feed that is not properly labelled, packaged or presented (Article 4(2) of Regulation 767/2009/EC, in conjunction with Articles 15, 16, 17, 18, 19, 20 and 22(1) of Regulation 767/2009/EC);
3. place on the market feed which does not comply with the provisions concerning impurities and other chemical determinants (Article 4(3) of Regulation 767/2009/EC);
4. place on the market or uses feed containing substances whose placing on the market and use in feed are prohibited or restricted (Article 6(1) of Regulation 767/2009/EC);
5. place on the market feed materials or complementary feed containing levels of feed additives that are higher than 100 times the fixed maximum content in complete feed or five times in case of coccidiostats and histomonostats (Article 8(1) and (2) of Regulation 767/2009/EC);
6. place on the market feed intended for particular nutritional purposes, the intended use of which is not included in the list of intended uses or does not meet the essential nutritional characteristics for the respective nutritional purpose set forth in the list (Article 9 of Regulation 767/2009/EC);
7. misleads the user in the labelling and presentation of feed (Article 11(1) of Regulation 767/2009/EC);
8. labels or presents feed materials or compound feed with unauthorised claims (Article 13(3) of Regulation 767/2009/EC);
9. the required mandatory particulars on the labelling of the feed (or its accompanying document) placed on the market in the Republic of Slovenia are not in an official language of the Republic of Slovenia (Article 14(1) of Regulation 767/2009/EC);
10. the required mandatory particulars on the labelling of the feed are not identifiable or are obscured by other information (Article 14(2) of Regulation 767/2009/EC).

(2) A fine of between EUR 4 000 and EUR 20 000 shall be imposed for an offence referred to in the preceding paragraph on legal entity that is deemed to be a medium-sized or large company under the law governing companies.

(3) A fine of between EUR 1 000 and EUR 5 000 shall be imposed for an offence referred to in paragraph 1 of this Article on a sole trader or an individual who performs an activity independently.

(3) A fine of between EUR 200 and EUR 1 000 shall be imposed for an offence referred to in paragraph 1 of this Article on the responsible person of a legal entity or the responsible person of a sole trader or an individual who performs an activity independently.

(4) A fine of between EUR 200 and EUR 1 000 shall be imposed for an offence referred to in paragraph 1 of this Article on an individual.

Article 6

(Imposing a higher fine in an expedited misdemeanour procedure)

For offences referred to in this Decree treated under an expedited misdemeanour procedure, a fine may be imposed of an amount higher than the minimum fine laid down by this Decree.

FINAL PROVISION

Article 7

(Entry into force)

This Decree shall enter into force on the 15th day following its publication in the Official Gazette of the Republic of Slovenia.

No 007-163/2025

Ljubljana, on.....

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