

ACT ON FODDERS

Prom. SG. 55/7 Jul 2006, amend. SG. 36/4 Apr 2008, amend. SG. 54/13 Jun 2008, amend. SG. 100/21 Nov 2008, amend. SG. 41/1 Jun 2010, amend. SG. 88/9 Nov 2010, amend. SG. 8/25 Jan 2011, suppl. SG. 83/30 Oct 2012, amend and suppl. SG. 97/7 Dec 2012, suppl. SG. 7/25 Jan 2013, amend. SG. 12/13 Feb 2015, amend. SG. 58/26 Jul 2016, amend. SG. 58/18 Jul 2017, amend. and suppl. SG. 17/23 Feb 2018

Chapter one. GENERAL PROVISIONS

Art. 1. (1) This act shall provide for:

1. (amend. - SG, 54/2008) the requirements to the fodders, measures and conditions for provision of hygiene of fodders and their safety, packing, labeling, presentation, including their advertisement;

2. (amend. and suppl. - SG, 54/2008, amend. - SG, 97/2012) the conditions and procedure, as well as the requirements to all stages of production, processing, storage, transportation, placing on the market, including use of fodders;

3. (amend. - SG, 54/2008) the rights and duties of the operators in the fodder sector;

4. the rules for carrying out official control, including verification of compliance with the normative requirements;

5. the authorizations of the bodies for official control;

6. (amend. - SG, 54/2008) the functions and authorizations of the professional organizations of the operators in the fodder sector, assigned to them by this act.

7. (new - SG, 54/2008, amend. - SG, 8/2011, in force from 25.01.2011, amend. – SG 17/18, in force from 23.02.2018) the competent body on application of the Regulations of the European Union in the fodder area;

8. (new - SG, 54/2008, amend. – SG 17/18, in force from 23.02.2018) the application of the Regulations of the European Union in the fodder area and of the adopted on the basis of them directly applicable instruments of the EU, unless this has been provided by another normative act, as follows:

a) 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 (Regulation (EC) N 178/2002;

b) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (Regulation (EC) N 882/2004;

c) (new - SG - SG, 88/2010 in force from 09.11.2010) Commission Regulation (EC) No 669/2009 of 24 July 2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin and amending Decision 2006/504/EC (OJ, L 194/11 of 25 July 2009) (Regulation (EC) N 669/2009);

d) (former letter "c" – SG, 88/2010, in force from 09.11.2010) Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition; the individual permit for fodder additives issued on the basis of this Regulation (Regulation (EC) 1831/2003);

e) (former letter "d" - SG, 88/2010, in force from 09.11.2010) Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 12 January 2003 laying down requirements for feed hygiene (Regulation (EC) No 1831/2003);

f) (new - SG, 88/2010, in force from 09.11.2010) 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 229/1 of 1 September 2009) (Regulation (EC) No 767/2009);

g) (new - SG, 88/2010, in force from 09.11.2010) Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed (OJ, L 54/1 of 26 February 2009) (Regulation (EC) No 152/2009);

h) (former letter "e" – SG, 88/2010, in force from 09.11.2010) Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (Regulation (EC) No 1829/2003);

i) (former letter "f" - SG, 88/2010, in force from 09.11.2010) Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labeling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (Regulation (EC) No 1830/2003);

j) (new – SG, 97/2012) Commission Regulation (EU) No 619/2011 of 24 June 2011 laying down the methods of sampling and analysis for the official control of feed as regards presence of genetically modified material for which an authorization procedure is pending or the authorization of which has expired (OJ, L 166/9 of 25 June 2011) (Regulation (EU) No 619/2011);

k) (new - SG, 97/2012) Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (OJ, L 300/1 of 14 November 2009) (Regulation (EC) No 1069/2009);

l) (new - SG, 97/2012) Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing 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 implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ, L 54/1 of 26 February 2011) (Regulation (EU) No 142/2011);

m) (new – SG 17/18, in force from 23.02.2018) Regulation (EC) № 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, hereinafter referred to as "Regulation (EC) № 999/2001";

n) (new – SG 17/18, in force from 23.02.2018) Commission Regulation (EU) 2015/786 of 19 May 2015 laying down criteria for the acceptance of detoxification methods applied to products intended for animal feed, provided for in the Directive 2002/32/EC of the European Parliament and of the Council (OJ, L 125/10 of 21 May 2015), hereinafter referred to as "Regulation (EU) 2015/786";

9. (new - SG, 41/2010, in force from 01.06.2010) the control of the quality composition and sufficiency of fodders.

(2) (new - SG, 54/2008, amend. - SG, 97/2012) The act shall apply to fodders and to conditions, under which they are produced and processed, to the operators in the fodder sector and to the control of fodders at all the stages of production, processing, storage, transportation, placing on the market, including use.

(3) (former Para. 2 - SG, 54/2008) The act shall apply to first production for personal needs and to preparation in home conditions, processing or storage of fodder, intended for animals, whose production is not intended for placing on the market.

(4) (new - SG, 88/2010 in force from 09.11.2010, amend. – SG 58/17, in force from 18.07.2017, amend. – SG 17/18, in force from 23.02.2018) The Minister of Agriculture, Foods and

Forestry shall determine the requirements for direct deliveries under Art. 2, paragraph 2, letter “d” of Regulation (EC) № 183/2005.

Art. 2. The act’s objective is to:

1. (amend. - SG, 54/2008, amend. - SG, 97/2012) guarantee the observation of the normative requirements at each stage of production, processing, storage, transportation, placing on the market and use of fodders in view to protection of the health of animals and humans and the environment;

2. (amend. – SG 17/18, in force from 23.02.2018) provide application of the European Union law in the area of fodders and their safety at national level.

Art. 3. (Amend. - SG, 54/2008) The act shall apply to fodders in the meaning of Art. 3, Para. 4 of Regulation (EC) N 178/2002.

Art. 4. (Amend. - SG, 36/2008, amend. - SG, 54/2008, amend. – SG 58/17, in force from 18.07.2017) The Minister of Agriculture, Foods and Forestry shall conduct the state policy in the area of fodders.

Chapter two. REQUIREMENTS TO THE FODDERS

Art. 4a. (New - SG, 54/2008) (1) (Amend. – SG 17/18, in force from 23.02.2018) On the market shall be placed only fodders which meet the requirements, applicable to them at European Union law and at national legislation level.

(2) (Revoked - SG, 88/2010, in force from 09.11.2010)

(3) (New - SG 88/2010, in force from 09.11.2010) Placing on the market and the use in feeding animals of fodders determined in Art. 6 of Regulation (EC) № 767/2009 shall be prohibited.

(4) (New - SG 17/18, in force from 23.02.2018) The feeding of animals with fodders in violation of Art. 7 and Annex IV to Regulation (EC) № 999/2001 shall be prohibited.

(5) (New - SG 17/18, in force from 23.02.2018) The feeding of the animals in violation of Art. 11, paragraph 1 of Regulation (EC) № 1069/2009 shall be prohibited.

Art. 5. (Amend. - SG, 36/2008, amend. - SG, 54/2008, amend. and suppl. - SG, 88/2010, in force from 09.11.2010) Placing on the market and nutrition of animals with fodders, which fail to meet the safety requirements, determined by Art. 15 of Regulation (EC) N 178/2002 and Art. 4 of Regulation (EC) N 767/2009 shall be prohibited.

Art. 6. (Amend. - SG, 36/2008, amend. - SG, 54/2008) (1) Fodders shall be placed on the market on the territory of the Republic of Bulgaria, packed or in bulk with labels or an accompanying document in the Bulgarian language.

(2) Fodder additives and mixtures on the basis of fodder additives shall be placed on the market only packed and labeled in compliance with the requirements of Art. 16 of Regulation (EC) N 1831/2003.

(3) (Amend. - SG, 88/2010 in force from 09.11.2010) Fodder raw materials and combined

fodders shall be placed on the market in compliance with the Requirements of Regulation (EC) N 767/2009.

(4) (Repealed. - SG, 88/2010, in force from 09.11.2010)

(5) (Repealed. - SG, 88/2010, in force from 09.11.2010)

(6) (Amend. - SG, 88/2010, in force from 09.11.2010) Fodders for special purposes shall be placed on the market in closed packing, labeled with indications under the Ordinance of Art. 11, Para. 3, determining the requirements of Fodders with special purposes.

(7) Fodders shall be placed on the market in compliance with the indicated on the label expiry term.

(8) (Repealed. - SG, 88/2010, in force from 09.11.2010)

Art. 7. (1) (Amend. - SG, 54/2008, suppl. - SG, 88/2010, in force from 09.11.2010). While labeling, presentation and advertisement of fodders shall be observed the requirements of Art. 16 of Regulation (EC) N 178/2002 and Chapter IV of Regulation (EC) N 767/2009.

(2) Placing on the market of fodders, which fail to meet the indicated on the label component and/or analytical composition shall be prohibited.

Art. 7a. (New - SG 17/18, in force from 23.02.2018) Labeling of products shall clearly indicate whether they are intended for fodder or other uses. The intended use other than fodder can not be changed by another operator in the fodder sector at a later stage along the chain.

Art. 8. (1) (In force from 01.01.2007) Placing on the market, processing and use of fodder additives shall be allowed, which:

1. (amend. - SG, 88/2010, in force from 09.11.2010) are permitted for use under Regulation (EC) N 1831/2003;

2. (amend. - SG, 54/2008, amend. - SG, 88/2010, in force from 09.11.2010) are used in compliance with the requirements of Regulation (EC) N 1831/2003 and under the conditions, determined in the individual permits for use of fodder additives;

3. (amend. - SG, 54/2008) are labeled in compliance with the requirements of Regulation (EC) N 1831/2003.

4. (repealed - SG, 54/2008)

5. (repealed - SG, 54/2008)

6. (new - SG, 88/2010, in force from 09.11.2010, amend. – SG 17/18, in force from 23.02.2018) are included in the European Union Register of the permitted fodder additives under Art. 17 of Regulation (EC) N 1831/2003.

(2) (In force from 01.01.2007, amend. - SG, 54/2008, amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 88/2010 in force from 09.11.2010, amend. - SG, 8/2011, in force from 25.01.2011, amend. – SG 58/17, in force from 18.07.2017) The Ministry of Agriculture, Foods and Forestry and the Bulgarian Food Safety Agency shall maintain information about the contents of the register under Para. 1, p. 6 on their internet sites.

(3) (In force from 01.01.2007, amend. - SG, 36/2008, repealed - SG, 54/2008)

(4) Placing on the market and using as fodder additives of antibiotics, different for the coccidiostats and histomonostats shall be prohibited

(5) (In force from 01.01.2007, amend. - SG, 54/2008, amend. - SG, 88/2010, in force from 09.11.2010) Substances, which are not permitted under Regulation (EC) N 1831/2003, with the exception of antibiotics, may be used for experimental scientific purpose, under the condition, that the

experiments are conducted in compliance with Art. 3, Para. 2 of Regulation (EC) N 1831/2003.

(6) (New - SG, 88/2010, in force from 09.11.2010) In adding fodder additives to fodder raw materials, which are intended for follow up production of complete fodders or for production of supplementing fodders, the requirements of Art. 8, of Regulation (EC) N 767/2009 shall be observed.

Art. 9. (Amend. - SG, 54/2008) Depending on their functions and qualities, the fodder additives shall be distributed in one or more of the categories and functional groups, provided in Art. 6 of Regulation (EC) N 1831/2003.

Art. 10. (In force from 01.01.2007, amend. - SG, 54/2008, amend. – SG 17/18, in force from 23.02.2018) First placing on the market of additives of the categories zoo-technical additives, coccidiostats and histomonostats and the additives, which are subject to European Union law, related to trade of products, consisting of, containing or produced from genetically modified organisms (GMO) shall be carried out under the requirements of Art. 3, Para. 3 of Regulation (EC) N 1831/2003.

Art. 11. (1) (Amend. - SG, 36/2008, amend. - SG, 54/2008, repealed - SG, 88/2010 in force from 09.11.2010)

(2) (Repealed - SG, 54/2008)

(3) (Amend. - SG, 54/2008, amend. - SG, 88/2010, in force from 09.11.2010, amend. – SG 58/17, in force from 18.07.2017) Maximum admissible concentrations of undesired substances and products in the fodders and the conditions and procedure for use of fodders with special purposes shall be determined by Ordinances of the Minister of Agriculture, Foods and Forestry.

(4) (New - SG, 97/2012, amend. – SG 58/17, in force from 18.07.2017) The requirements to the quality and safety of fodders shall be determined by Ordinances of the Minister of Agriculture, Foods and Forestry.

Art. 12. (Amend. - SG, 54/2008) Mixing fodder additives in view to sale to end user shall be permitted in compliance with the requirements of Art. 3, of Regulation (EC) N 1831/2003.

Art. 13. (In force from 01.01.2007) (1) (Amend. - SG, 88/2010, in force from 09.11.2010) Permit, refusal, change, renewal, continuation, termination or cancellation of using fodder additive shall be carried out in a procedure, determined by Regulation (EC) N 1831/2003.

(2) (Repealed - SG, 88/2010 in force from 09.11.2010)

Art. 13a. (New - SG, 97/2012) The approved under Art. 18, 19 and 23 producers and/or traders of fodder additives may produce, import and export fodder additives and/or mixtures, prohibited for use on the territory of the EU, only where they are intended for export in a third state and with the explicit consent of the competent body of the state of destination.

Art. 14. (In force from 01.01.2007, repealed - SG, 54/2008).

Chapter three.
PRODUCTION, PROCESSING, STORAGE, TRANSPORTATION, PLACING ON THE
MARKET AND USE OF FODDERS (TITLE, AMENDED – SG, 54/2008, AMENDED – SG
97/2012)

Section I.

Manufacture, processing, storage, transportation, placing on the market and use of feed (New –
SG 17/18, in force from 23.02.2018)

Art. 14a. (New - SG, 54/2008) (1) (amend. - SG, 88/2010, in force from 09.11.2010, amend. - SG, 97/2012) At production, including initial, processing, storage, transportation, placing on the market of fodders and nutrition of animals, the requirements of Regulation (EC) N 183/2005 shall be observed.

(2) The provision of this Chapter shall not apply to the activities, indicated in Art. 2, Para. 2 of Regulation (EC) N 183/2005.

Art. 14b. (New – SG, 41/2010, in force from 01.06.2010, amend. - SG, 97/2012) (1) The Bulgarian Food Safety Agency shall collect and summarize 3-month information:

1. from the sites for production about the produced quantities combined fodders in types and categories animals, for which they are intended;

2. from operators in the fodder sector, who produce, trade and/or use while animals fodders, in which by-products have been added of category 3 of Regulation (EC) N 1069/2009;

3. (amend. – SG 17/18, in force from 23.02.2018) about received and/or distributed supplies with origin from an EU Member State or another state – party of the EEAA, or confederation Switzerland;

4. about results from own monitoring for analysis of dioxins and dioxi-similar polychlorinated bifentiles in fats, oils or products, obtained from them, intended for use in fodders, including combined fodders, determined in Annex II of Regulation (EC) N 183/2005;

5. (amend. – SG 17/18, in force from 23.02.2018) from feed business operators who manufacture, trade or use, while feeding animals, medicated feed or intermediate products for their manufacture.

(2) Within the term of up to the 10th day of the month, following the reported period, the operators in the fodder sector shall be obliged to provide the information under Para. 1, to the Regional directorate on food safety of the site location. The information shall be produced according to a form, confirmed by the executive director of the Bulgarian Food Safety Agency.

(3) Within the term of up to the 20th day of the month, following the reported period, the relevant Regional directorates on food safety shall provide summarized information under Para. 2 to the Central office of the Bulgarian Food Safety Agency.

(4) (Amend. – SG 17/18, in force from 23.02.2018) Based on the information under Para. 3, aggregated data shall be prepared for the manufactured quantities of compound feed for the respective quarter, which are to be published on the website of the Bulgarian Food Safety Agency. The data shall not constitute official statistical information and are to be used only for the purpose of official control of feed.

Art. 15. (Amend. - SG, 54/2008) (1) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011) The activities, falling in the scope of Art. 9 of Regulation (EC) N 183/2005 and referring to undertakings, different from the ones at the level of initial production of

fodders, indicated in Art. 5, Para. 1 of Regulation (EC) N 183/2005 shall be carried out only in sites, registered by the Bulgarian Food Safety Agency.

(2) (Amend. - SG, 100/2008; amend. – SG, 12/2015) The activities, falling in the scope of Art. 9 of Regulation (EC) N 183/2005 and referring to undertakings at level initial production of fodders and the related to this activities, indicated in Art. 5, Para. 1 of Regulation (EC) N 183/2005 shall be carried out only by persons, entered in the register of the farmers under the Act on Assisting the Agricultural Producers.

(3) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011) The activities, falling in the scope of Art. 10 of Regulation (EC) N 183/2005 shall be carried out only in sites, approved by the Bulgarian Food Safety Agency.

(4) (New - SG, 97/2012) Apart from the activities under Para. 3, approval by the Bulgarian Food Safety Agency shall be required also for sites, in which one or more of the following activities are carried out in view to placing on the market of products for use in fodders:

1. processing of raw vegetable oil, with the exception of the sites, registered under the Food Act;

2. production of fat acids through processing vegetable oils and animal fats;

3. production of bio diesel;

4. mixing oils.

(5) (New - SG 17/18, in force from 23.02.2018) Approval by the Bulgarian Food Safety Agency shall also be required for establishments, in which detoxification is done of non-compliant feed for the unwanted substances defined in the Ordinance under Art. 11, Para. 3 on maximum permitted concentrations of undesirable substances and products in feedingstuffs. The detoxification method shall be determined in accordance with Regulation (EU) 2015/786.

Art. 15a. (New - SG, 54/2008, amend. - SG, 88/2010, in force from 09.11.2010, amend. - SG, 97/2012) (1) (amend. – SG, 12/2015, amend. – SG 58/17, in force from 18.07.2017, amend. and suppl. – SG 17/18, in force from 23.02.2018) The Ministry of Agriculture, Foods and Forestry shall provide to the Bulgarian Food Safety Agency on e-media a list of the registered farmers, who carry out activities under Art. 15, Para. 2 within the 10th of the month following the quarterly reporting period. The list shall be published on the internet site of the Bulgarian Food Safety Agency.

(2) (amend. – SG, 12/2015) In case of removal of the farmers under Para. 1 from the register of the farmers, the director of the Agriculture regional directorate, within 7 day term from the removal, shall notify in writing the director of the Regional directorate on food safety.

(3) (amend. – SG, 12/2015) In case of a change of the declared circumstances in the registration of a farmer under Para. 1, he/she shall be obliged within 1 month term to submit a new declaration for carrying out activities under Art. 15, Para. 2.

(4) (amend. – SG, 12/2015) Where a registered farmer under Para. 1 breaks the requirements for hygiene of the fodders, the director of the Regional directorate on food safety shall issue an order for:

1. temporary termination of the activity for the term of up to 1 year – in the cases under Art. 14 of Regulation (EC) N 183/2005;

2. suspension of the activity – in the cases under Art. 15 of Regulation (EC) N 183/2005.

(5) Within 3-day term from issuance of the order under Art. 4, the director of the Regional directorate on food safety shall notify in writing about this the executive director of the Bulgarian Food Safety Agency and the director of Agriculture regional directorate.

(6) The order under Para. 4 shall be announced and may be appealed under the procedure of the Administrative-procedure Code. The appeal shall not stop the implementation.

Art. 16. (Amend. - SG, 54/2008, amend. - SG, 97/2012) (1) For registration of the sites under Art. 15, Para. 1 the operators in the fodder sector shall submit an application according to a form to the director of the Regional directorate on food safety upon the site location. The forms of the application shall be published on the internet site of the Bulgarian Food Safety Agency. For each site a separate application shall be submitted.

(2) (Amend. – SG 17/18, in force from 23.02.2018) In the application under Para. 1 shall be stated the UIC under the Act on the Commercial Register and the Register of the Non-profit Legal Entities, and shall be accompanied by:

1. (revoked – SG 17/18, in force from 23.02.2018)
2. (revoked – SG 17/18, in force from 23.02.2018)
3. a document for ownership or right to use the site, in which the activity will be carried out;
4. (amend. – SG 17/18, in force from 23.02.2018) a declaration that the site and the operator's activities meet the requirements of Regulation (EC) N 183/2005;
5. a certificate for introduction into exploitation of the site, under the Spatial Development Act;
6. (suppl. – SG 17/18, in force from 23.02.2018) a document for a paid fee in the amount, defined by the tariff under Art. 3, Para. 4 of the Act on the Bulgarian Food Safety Agency, when the payment is not made electronically.

(3) The documents under Para. 2 shall be checked and in case of incompleteness and/or incorrectness, within 7 day term the applicant shall be notified and a term shall be determined for their removal.

(4) In case of failure the incompleteness and incorrectness under Para. 3 to be removed, the director of the Regional directorate on food safety shall issue an order for refusal of the registration. The refusal shall be announced and may be appeals under the Administrative-procedure Code.

(5) Within 14-day term from submitting the application or from the removal of the incompleteness and/or incorrectness under Para. 3, the director of the Regional directorate on food safety shall issue an order for entering the site in the register and shall issue a certificate for registration. The registration shall be termless.

(6) (Amend. – SG 17/18, in force from 23.02.2018) Where an operator trades with fodders directly from the transport means, the application shall have attached the documents under Para. 2, p. 4 and 6 and a copy of the registration stub of the transport means, and where the applicant is not an owner, also a document, certifying the right to use the transport means.

(7) (Suppl. – SG 17/18, in force from 23.02.2018) In case of a change in the declared circumstances under Para. 2, p. 3 and Art. 17, Para. 1, p. 2, 4 and 5, the operators under Para. 1, within 3 day term from the change shall notify in writing the director of the regional directorate on food safety and shall apply documents, related to it, also a document for a paid fee in the amount, defined by the tariff under Art. 3, Para. 4 of the Act on the Bulgarian Food Safety Agency, when the payment is not made electronically.

(8) Within 7 day term from the notification under Para. 7, the director of the Regional directorate on food safety shall issue an order for entering the change in the register. In cases of change in the circumstances under Art. 17, Para. 1, p. 2 and 4, the registration certificate shall be re-issued.

(9) The registration certificate shall be withdrawn and the registration shall be deleted temporarily by an order of the director of the Regional directorate on food safety in the cases under Art. 14 of Regulation (EC) N 183/2005.

(10) The registration certificate shall be withdrawn and the registration shall be deleted by an order of the director of the Regional directorate on food safety:

1. upon a written request of the operator;
2. in the cases under Art. 15 of Regulation (EC) N 183/2005;
3. in severe or systematic breaches of the law requirements;

4. in case of systematic interference of the control activity of the Regional directorate on food safety.

(11) The orders under Para. 9 and Para. 10, p. 2, 3 and 4 shall be announced and may be appealed under the Administrative – procedure Code. The appeal shall not stop the implementation.

(12) In the cases of silent consent, the director of the Regional directorate on food safety shall be obliged to carry out entry in the register under Art. 17 within 14 day term from receiving the application and/or the written notification by the applicant and undertake the relevant actions for issuance of a registration certificate.

Art. 17. (Amend. - SG, 36/2008, amend. - SG, 54/2008) (1) (Suppl. - SG, 100/2008 amend. – SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011, amend. - SG, 97/2012) The Regional directorate on food safety shall keep a register of the sites under Art. 15, Para. 1, which shall contain:

1. registration N of the site;
2. name of the operator under Art. 16, Para. 1;
3. (suppl. – SG 17/18, in force from 23.02.2018) address of the site location or the type and registration number of the transport vehicle in the case under Art. 16, Para. 6;
4. type of the activity of the site;
5. number of the technological lines – in case that animal by-products and/or derivative products are put in.
6. notes.

(2) (Repealed - SG, 97/2012)

(3) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011, amend. - SG, 97/2012) The Bulgarian Food Safety Agency shall maintain a national register of the sites under Art. 15, Para. 1, which shall contain the data of the registers of the Regional directorates on food safety. The national register shall be published on the internet site of the Bulgarian Food Safety Agency.

(4) (Amend. – SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011, amend. - SG, 97/2012)

Art. 17a. (New - SG, 97/2012) the Regional directorates on food safety shall maintain files of the sites, entered in the register under Art. 17, Para. 1. The files shall be kept for 5 years after termination of the site activity.

Art. 17b. (New - SG, 97/2012) (1) transportation of fodders shall be carried out by carriers, registered in the Regional directorate on food safety on the carrier's address of registration

(2) For registration under Para. 1 the carrier shall submit an application according to a form to the director of the Regional directorate on food safety. The form of the application shall be published on the internet site of the Bulgarian Food Safety Agency.

(3) (Amend. – SG 17/18, in force from 23.02.2018) In the application under Para.2, the number of the registration of the transport vehicle shall be stated, and the following shall be enclosed:

1. (revoked – SG 17/18, in force from 23.02.2018)
2. a document, certifying the right to use of the transport means, where the applicant is not the owner;
3. confirmed by the carrier a written procedure for cleaning and disinfection of the transport means;

4. (suppl. – SG 17/18, in force from 23.02.2018) a document for a paid fee in the amount, determined by the tariff under Art. 3, Para. 4 of the Act on the Bulgarian Food Safety Agency, when the payment is not made electronically.

(4) (Amend. – SG 17/18, in force from 23.02.2018) The documents under Para. 3 shall be verified, including by reference in the relevant public register, and where such is not maintained, the information is to be requested and received ex-officio by the competent authority. In case of incompleteness and/or incorrectness, the applicant shall be notified within a 7- day term and a term for their removal shall be determined.

(5) In case of failure to remove the incompleteness and/or incorrectness under Para. 4, the director of the Regional directorate on food safety shall issue an order for refusal of registration. The refusal shall be announced and may be appealed under the Administrative – procedure Code.

(6) Within 14-day term from submitting the application or from removal of the incompleteness and/or incorrectness under Para. 4, the director of the Regional directorate on food safety shall issue an order for entering the carrier in the register and shall issue a certificate for registration. The registration shall be termless.

Art. 17c. (New - SG, 97/2012) (1) (Suppl. – SG 17/18, in force from 23.02.2018) In case of a change of entered circumstances under Art. 17f, Para. 1, p. 2 – 4, the carriers under Art. 17b, Para. 1 within the 3 day term from occurrence of the change, shall notify in writing the director of the Regional directorate on food safety and shall apply documents, related to it and a document for a paid fee, determined by the tariff under Art. 3, Para. 4 of the Act on the Bulgarian Food Safety Agency, when the payment is not made electronically.

(2) Within a 7 day term from the notification under Para. 1, the director of the Regional directorate on food safety shall issue an order for entering the change in the register. The certificate for registration shall be re-issued.

Art. 17d. (New - SG, 97/2012) (1) The registration certificate under Art. 17b, Para. 6 shall be withdrawn and the registration shall be deleted temporarily by an order of the director of the Regional directorate on food safety in the cases under Art. 14 of Regulation (EC) N 183/2005.

(2) The registration certificate under Art. 17b, Para. 6 shall be withdrawn and the registration shall be deleted by an order of the director of the Regional directorate on food safety:

1. upon a written request by the carrier;
2. in the cases under Art. 15 of Regulation (EC) N 183/2005;
3. in case of severe or system breaches of the law requirements;
4. in case of systematic prevention of the control activity of the Regional directorate on food safety.

(3) The orders under Para. 1 and Para. 2, 3 and 4 shall be announced and may be appealed under the Administrative – procedure Code. The appeal shall not stop the implementation.

Art. 17e. (New - SG, 97/2012) In transportation, the fodders shall be accompanied by a document, which shall contain:

1. name and address of the consignor;
2. location of the site for trade/production;
3. site of origin of the consignment;
4. quantity, type and location of the fodder.

Art. 17f. (New - SG, 97/2012) (1) In the regional directorates on food safety, a carrier register shall be kept, which shall contain:

1. registration N of the carrier;
2. name and address/central office of the carrier;
3. type of the registration N of the transportation means;
4. type of fodders – in bulk/liquid or packed, which will be transported by the transportation means;
5. notes.

(2) The Bulgarian Food Safety Agency shall maintain national register of carriers of fodder, which shall contain the data from the registers of the Regional directorates on food safety. The National register shall be published on the internet site of the Bulgarian Food Safety Agency.

Art. 17g. (New - SG, 97/2012) The Regional directorates on food safety shall maintain files of the carriers of fodder. The files shall be kept for 5 years after termination of the carrier's activity.

Art. 18. (Amend. - SG, 54/2008, amend. - SG, 97/2012) (1) (Amend. – SG 17/18, in force from 23.02.2018) For approval of the sites under Art. 15, Para. 3, 4 and 5, the operators in the fodder sector shall submit an application according to a form to the director of the Regional directorate of food safety upon the site location. The application form shall be published on the internet site of the Bulgarian Food Safety Agency. For each site a separate application shall be submitted.

(2) (Amend. – SG 17/18, in force from 23.02.2018) In the application under Para. 1 shall be stated the UIC under the Act on the Commercial Register and the Register of the Non-profit Legal Entities, and shall be enclosed:

1. (revoked – SG 17/18, in force from 23.02.2018)
2. (revoked – SG 17/18, in force from 23.02.2018)
3. an ownership document or right to use the site, in which the activity will be carried out;
4. declaration, that the site meets the requirements of Regulation (EC) N 183/2005;
5. a certificate for introduction into exploitation of the site under the Spatial Development Act;
6. (suppl. – SG 17/18, in force from 23.02.2018) a document for a paid fee in the amount, determined by the tariff under Art. 3, Para. 4 of the Act on the Bulgarian Food Safety Agency, when the payment is not made electronically.

(3) (New – SG 17/18, in force from 23.02.2018) Upon approval of an establishment under Art. 15, Para. 5, to the documents under Para. 2 shall be applied:

1. a declaration of the detoxification method used;
2. scientific assessment by the European Food Safety Authority on the compliance of the method with Regulation (EU) 2015/786.

(4) (Previous Para.3, suppl. - SG 17/18, in force from 23.02.2018) The documents under Para. 2 or 3 shall be checked and in case of incompleteness and/or incorrectness, the applicant shall be notified within 7 day term and a term shall be set for their removal.

(5) (Previous Para.3, amend. - SG 17/18, in force from 23.02.2018) In case of failure to remove the incompleteness and/or incorrectness under Para. 4, the director of the Regional directorate on food safety shall issue an order for refusal of approval. The refusal shall be announced and may be appealed under the Administrative – procedure Code.

Art. 19. (Amend. - SG, 36/2008, amend. - SG, 54/2008, amend. - SG, 97/2012) (1) (Amend. –

SG 17/18, in force from 23.02.2018) Within 14 days from submission of the application under Art. 18, Para. 1 or from removal of the incompleteness and/or incorrectness under Art. 18, Para. 4, the director of the relevant Regional directorate on food safety shall appoint a commission, which shall carry out a checkup of the site within 3 day term for compliance with the requirements of Regulation (EC) N 183/2005.

(2) The approval under Art. 18 shall be carried out under the procedure and observation of the requirements of Art. 13 of Regulation (EC) N 183/2005.

(3) Within 7-day term from the checkup under Para. 1, the commission shall produce to the director of the Regional directorate on food safety a statement protocol and an opinion with an proposal for:

1. temporary approval – where the site meets the requirements for infrastructure and equipment;
2. termless approval – where the site meets all the requirements for the relevant activity;
3. refusal for approval.

(4) Within 7 – day term from production of the opinion under Para. 3, the director of the Regional directorate on food safety shall issue an order for:

1. entering the site in the register and issuance of a certificate for:
 - a) temporary approval for the term of 3 months;
 - b) termless approval;
2. refusal for approval.

(5) The order under Para. 4, p. 2 shall be announced and may be appealed under the Administrative – procedure Code.

(6) Within 14 day term before expiry of the certificate term under Para. 4, p. 1, letter "a", the operator under Art. 18, Para. 1 shall notify in writing the director of the Regional directorate on food safety about the level of implementation of the requirements for the exercised activity by the operator.

(7) Within 4 day term from receiving the notification under Para. 6, the director of the Regional directorate on food safety shall appoint a commission, which shall carry out a follow-up checkup of the site.

(8) Within 5-day term from the checkup under Para. 7, the commission shall produce to the director of the Regional directorate on food safety a statement protocol and an opinion with a proposal for:

1. extension of the temporary approval under Para. 4, p. 1, letter "a";
2. termless approval – where the site meets all the requirements for the relevant activity;
3. refusal for extension of the temporary approval under Para. 4, p. 1, letter "a".

(9) Within 5-day term from production of the opinion under Para. 8, the director of the Regional directorate on food safety shall issue an order for:

1. entering the site in the register and issuance of a certificate for:
 - a) extension of the temporary approval with 3 more months;
 - b) termless approval;
2. refusal for extension of the temporary approval.

(10) The order under Para. 9, p. 2 shall be announced and may be appealed under the Administrative – procedure Code.

(11) Within 10-day term before expiry of the certificate term under Para. 9, p. 1, letter "a", the director of the Regional directorate on food safety shall appoint a commission, which shall carry out a follow up checkup of the site.

(12) Within 5 day term from the checkup under Para. 11, the commission shall produce to the director of the Regional directorate on food safety a statement protocol and an opinion with a proposal for:

1. termless approval;
2. refusal for approval.

(13) Within 5 day term from producing the opinion under Para. 12, the director of the Regional directorate on food safety shall issue an order for:

1. entering the site in the register and issuance of a certificate for termless approval;
2. refusal for approval.

(14) The order under Para. 13, p. 2 shall be announced and may be appealed under the Administrative procedure Code

(15) (Amend. and suppl. – SG 17/18, in force from 23.02.2018) In case of a change in the declared and entered circumstances under Art. 18, Para. 2, p. 2, 3, 5 and 6, and Art. 20, Para. 2, p. 2, 3 and 5, the operators under Art. 18, Para. 1 within 3 day term from the occurrence of the change shall notify in writing the director of the Regional directorate on food safety and shall apply documents, related to it and a document for a paid fee in the amount, defined by the tariff under Art. 3, Para. 4 of the Act on the Bulgarian Food Safety Agency, when the payment is not made electronically.

(16) Within 7 day term from the notification under Para. 15, the director of the Regional directorate on food safety shall issue an order for entering the change in the register. IN case of a change in the circumstances under Art. 20, Para. 2, p. 2 and 3, the certificate for approval shall be re-issued.

(17) The approval certificate shall be withdrawn and the approval shall be deleted temporarily by an order of the director of the Regional directorate on food safety in the cases under Art. 14 of Regulation (EC) N 183/2005.

(18) The approval certificate shall be withdrawn and the approval shall be deleted by an order of the director of the Regional directorate on food safety:

1. upon a written request of the operator;
2. in the cases under Art. 15 of Regulation (EC) N 183/2005;
3. in case of severe or systematic breaches of the law requirements;
4. in case of systematic prevention of the control activity of the Regional directorate on food safety.

(19) The orders under Para. 17 and Para. 18, p. 2, 3 and 4 shall be announced and may be appealed under the Administrative – procedure Code. The appeal shall not stop the implementation.

Art. 20. (Repealed. - SG, 54/2008, new - SG, 97/2012) (1) (Amend. – SG 17/18, in force from 23.02.2018) The Regional directorate on food safety shall keep a register of the approved sites under Art. 15, Para. 3, 4 and 5 which are entered with an identification number, which shall contain the following indications:

1. letter " " (alpha);
2. the symbol "BG", representing ISO code of the Republic of Bulgaria;
3. national reference N, containing more than 8 figures.

(2) The register under Para. 1 shall be kept in compliance with Art. 19 of Regulation (EC) N 183/2005 and shall contain:

1. identification N;
2. type activity of the site;
3. name of the operator under Art. 18, Para. 1;
4. address on location of the site;
5. number of the technological lines – in case that he/she puts in animal by-products and/or derivative products;

6. (new – SG 17/18, in force from 23.02.2018) method of detoxification according to Art. 6, paragraph 3 of Regulation (EU) № 2015/786;

7. (previous item 6 – SG 17/18, in force from 23.02.2018) notes.

(3) (Amend. – SG 17/18, in force from 23.02.2018) The Bulgarian Food Safety Agency shall maintain a national register of the approved sites under Art. 15, Para. 3, 4 and 5, which shall contain the

data of the registers of the Regional directorates on food safety. The National register shall be published on the internet site of the Bulgarian Food Safety Agency.

Art. 21. (Amend. - SG, 54/2008, amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011, amend. - SG, 97/2012) The Regional directorates on food safety shall maintain files of the entered sites in the register under Art. 20, Para. 1

Art. 22. (Amend. - SG, 97/2012) Addition of new activities, different for the activities, for which the operators under Art. 15 have been registered initially or approved, shall be carried out while observation of the established procedure for receiving initial registration or approval.

Art. 22a. (New - SG, 97/2012) (1) To registration under Art. 16 and entering in the registers under Art. 17 shall also be subject the operators, who during their activity do not keep fodders in storehouses by trade directly from the storehouses of the producers and/or traders by the storehouses of the consumers.

(2) (Amend. – SG 17/18, in force from 23.02.2018) With submission of the registration application of the operators under Para. 1, the documents under Art. 16, Para. 2, p. 3 and 5 shall not be required.

(3) With the application under Para. 2 the operators shall attach a declaration according to a form, that they will not keep the fodders in warehouses, but will trade directly from the warehouses of the producers and/or the traders by the warehouses of the consumers.

(4) The declaration form under Para. 3 shall be published on the internet site of the Bulgarian Food Safety Agency.

Art. 23. (Amend. - SG, 97/2012) (1) To approval under Art. 18 and 19 and entry in the registers under Art. 20 shall also be subject the operators, which while carrying out their activity do not keep fodders in warehouses, but trade directly from the warehouses of the consumers and/or traders by the warehouses of the consumers.

(2) (Amend. – SG 17/18, in force from 23.02.2018) With submission of the approval application of the operators under Para. 1, the documents under Art. 18, Para. 2, p. 3, 4 and 5 shall not be required.

(3) With the application under Para. 2, the operators shall attach a declaration according to a for, that they will not keep the fodders in a warehouse and that will trade directly from the warehouses of the producers and/or the traders by the warehouses of the consumers.

(4) For the approval under Para. 1, checkups on site under Art. 19 may not be carried out.

(5) The declaration form under Para. 3 shall be published on the internet site of the Bulgarian Food Safety Agency.

Art. 23a. (New - SG, 54/2008) (1) (Amend. - SG, 88/2010, in force from 09.11.2010) Placing on the market of genetically modified fodder or GMO for fodder shall be carried out only after receiving a permit from the European Commission under Regulation (EC) N 1829/2003 and while observing the relevant conditions, determined by the permit.

(2) (amend. – SG 58/17, in force from 18.07.2017) Competent body in the meaning of Art. 17, Para. 2 of Regulation (EC) N 1829/2003 shall be the Ministry of Agriculture, Foods and Foretry.

(3) (amend. – SG 58/17, in force from 18.07.2017, suppl. – SG 17/18, in force from 23.02.2018) For receiving permit, the person, or his/her authorized representative, who wishes to place on the market GM fodder or GMO for use in or as fodder, shall submit a written application in the Ministry of Agriculture, Foods and Forestry, or to a national competent authority of another Member State of the European Union.

(4) (Suppl. – SG 17/18, in force from 23.02.2018) The application under Para. 3 shall be drawn up and produced while observing the rules provided by Commission Implementing Regulation (EU) № 503/2013 of 3 April 2013 concerning applications for authorization of genetically modified food and feed in accordance with Regulation (EC) № 1829/2003 of the European Parliament and of the Council, and amending Commission Regulations (EC) № 641/2004 and (EC) № 1981/2006 (OJ, L 157/1 of 8 June 2013) and Regulation (EC) № 641/2004 of 6 April 2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003 of the European Parliament and of the Council as regards the application for the authorization of new genetically modified food and feed, the notification of existing products and adventitious or technically unavoidable presence of genetically modified material which has benefited from a favourable risk evaluation

(5) (Suppl. – SG 17/18, in force from 23.02.2018) The application shall have attached a document for a paid fee in the amount, determined by a tariff of the Council of Ministers, when the payment is not made electronically.

Art. 23b. (New - SG, 54/2008, amend. – SG 58/17, in force from 18.07.2017) The Ministry of Agriculture, Foods and Forestry on its internet site shall maintain information about the contents of the register under Art. 28 of Regulation (EC) N 1829/2003.

Art. 23c. (New - SG, 54/2008) (1) In addition to the requirements under Art. 6 on labeling of fodders, the persons under the meaning of Art. 2, Para. 3 of Regulation (EC) N 1829/2003 shall be obliged to observe the requirements for labeling of genetically modified fodders and genetically modified organisms for using in, or as fodders, defined by Regulation (EC) N 1829/2003.

(2) In addition to the requirements under Para. 1, the persons in the meaning of Art. 3, Para. 5 of Regulation (EC) N 1830/2003 shall be obliged to fulfill the requirements for traceability and labeling of fodders, containing or consisting of GMO and of fodders, produced by GMO, defined by Regulation (EC) N 1830/2003.

Art. 23d. (New - SG, 97/2012) (1) (Suppl. - SG, 7/2013) Operators in the fodder sector, which place on the market packed or bulk fodders, containing, consisting of or produced by GMO, shall be obliged to provide to the buyers results of laboratory analyses for the fact, that the fodder contains, consists of or has been produced from GMO, as well as the unique code of GMO in the documents, accompanying the lot – for bulk fodders or on the label of the product – for the packed fodders. The results of the laboratory analyses and the unique GMO code shall be provided at each of the following stages of dissemination of the fodders on the market.

(2) The operators under Para. 1 shall be obliged to have introduced a system and procedures for:

1. storing the information under Para. 1;
2. identification of the operators from which they have bought and to which have sold the fodders under Para. 1.

(3) The information under Para. 2 shall be stored for 5 years after the finalization of each deals.

Art. 23e. (New - SG, 97/2012) The operators in the fodder sector shall take samples in order to guarantee that the produced by them fodders are in compliance with the requirements of Regulation (EC) N 1829/2003. The periods of taking the samples shall be determined in compliance with Art. 6 of Regulation (EC) N 183/2005 good production practice or the analysis system of dangers and critical control points.

Art. 23f. (New - SG, 97/2012) (1) Where an operator in the fodder sector, entered in a register under Art. 17 or Art. 20 will use animal by-products and/or derivative products, he/she shall submit an application according to a form to the director of the Regional directorate on food safety for entering the change in the register.

(2) Entering the change under Para. 1 shall be carried out under Art. 16, Para. 7 and 8, or Art. 19, Para. 15 and 16.

(3) (Amend. – SG 17/18, in force from 23.02.2018) Apart from the cases of Art. 16, Para. 10 and Art. 19, Para. 18, a certificate for registration or approval of an operator, who uses animal by-products and/or derivative products, shall be withdrawn by an order of the director of the Regional directorate on food safety and in case of failure to observe the requirements of Regulation (EC) N 1069/2009, as well as Art. 7 of Annex IV of Regulation (EC) No 999/2001.

(4) The order under Para. 3 shall be announced and may be appealed under the Administrative – procedure Code. The appeal shall not stop the implementation.

(5) Using animal by-products and/or derivative products shall be proceeded under Regulation (EC) N 1069/2009 and Regulation (EC) N 142/2011.

(6) (New – SG 17/18, in force from 23.02.2018) The use of processed animal proteins shall be carried out in accordance with Art. 7, paragraphs 1 to 3 and Annex IV to Regulation (EC) № 999/2001.

Art. 23g. (New - SG, 97/2012) Entered operators in the fodder sector in the register under Art. 17 or Art. 20, who produce combined fodders for non-ruminant animals, in which proteins from animal origin have been put in and fodders for ruminant animals, shall undertake measures for avoiding crossed pollution, where:

1. they produce fodders for ruminant animals in a separate technological line;
2. keep physically separated on the whole production chain, including to the end product, the fodders, containing proteins of animal origin, prohibited for nutrition ruminant animals from the fodder raw materials and the combined fodders for ruminant animals.

Section II.

Feed offered for sale by means of distance communication (New – SG 17/18, in force from 23.02.2018)

Art. 23h. (New – SG 17/18, in force from 23.02.2018) (1) Feed offered for sale by means of distance communication shall be carried out in compliance with Art. 11, paragraph 3 of Regulation (EC) № 767/2009, with the Consumer Protection Act, the Electronic Commerce Act and the implementing regulations thereof.

(2) Distance trade in feed may be carried out by:

1. feed business operators who are registered or approved under the order of this act and is listed in the registers under Art. 17 or 20;
2. feed business operators registered or approved under the legislation of another Member State of the European Union, another State-party to the Agreement on the European Economic Area, or of the

Swiss Confederation.

(3) Feed offered by means of distance communication must meet the requirements of this Act, of Regulation (EC) № 178/2002, of Regulation (EC) № 183/2005 and of Regulation (EC) № 767/2009.

(4) The official control over the trade in feed offered by means of distance communication shall be carried out under the order of Regulation (EC) № 882/2004 and the Bulgarian legislation.

Art. 23i. (New – SG 17/18, in force from 23.02.2018) (1) In order to carry out trade in feed offered by means of distance communication, feed business operators shall submit a standard form notification to the Director of the Regional Directorate of Food Safety at their headquarters. The standard form of the notification shall be approved by an order of the Executive Director of the Bulgarian Food Safety Agency and is to be published on the website of the Agency.

(2) In the notification under Para. 1, the means of distance communication to be used shall be indicated, including: e-mail address, website, telephone number, postal address, and attached shall be the following:

1. a list containing the names and registration or identification numbers of the operators, with whom the persons under Art. 23h, Para. 2 have contracts for the feed for sale at distance;

2. an equivalent registration document according to the relevant legislation, telephone and e-mail address for contact, for the operators under Art. 23h, Para. 2, item 2;

3. a copy of a contract with a provider of means of distance communication, where the feed for sale at distance is to be effected through such a person.

Chapter four.

REQUIREMENTS TO THE OPERATORS IN THE FODDER SECTOR (TITLE, AMEND. – SG 54/2008)

Art. 24. (Amend. - SG, 54/2008, amend. - SG, 88/2010, in force from 09.11.2010, amend. - SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) The operators in the fodder sector shall bear responsibility for providing and control of the requirement observation of Art. 17, Para. 1, Art. 18 and 20 of Regulation (EC) N 178/2002 and of the instruments, issued on their grounds at each stage of the production, processing, storage, transportation and placing on the market fodders, including nutrition of animals in the sites under their control. The operators in the fodder sector shall be obliged to guarantee the observation of all remaining applicable to the activity requirements of the European Union Law and the national legislation in the sites under their control.

Art. 25. (1) (Amend. - SG, 54/2008) The operators in the fodder sector, including the persons, who carry out initial production of fodders and related activities to it, shall be obliged to observe the requirements, referable to their activity of Regulation (EC) N 183/2005.

(2) (Amend. - SG, 54/2008, amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 88/2010, in force from 09.11.2010, amend. – SG, 8/2011, in force from 25.01.2011, amend. – SG 58/17, in force from 18.07.2017) For implementation of the requirements of Para. 1, the organizations under Art. 56, Para. 1 shall develop guidebooks on the implementation of good practices and procedures, based on the principles of an analysis system of the hazardous and critical control points (HACCP). The Ministry of Agriculture, Foods and Forestry and the Bulgarian Food Safety Agency shall produce opinions on the developed guidebooks. While developing the opinions, the following shall be taken in consideration:

1. compliance with the normative requirements;

2. applicability for the sector for which they are being developed;
 3. coordination with the guidebooks of the European Commission on introduction of procedures, based on the principles of the analysis system of the hazardous and critical control points (HACCP);
 4. compliance with the guidebooks with the requirements of the Codex Alimentarius.
- (3) (Amend. - SG, 88/2010, in force from 09.11.2010; amend. – SG 58/17, in force from 18.07.2017) The Minister of Agriculture, Foods and Forestry, on the basis of the opinions under Para. 2 shall approve the developed guidebooks.

Art. 26. (Amend. - SG, 54/2008) (1) The operators in the fodder sector shall have sufficient and correct information about the fodders, which they produce, process, store, transport and disseminate. The operators in the fodder sector shall be acquainted with the dangers for the animals' health, comprising from fodders and the operations, carried out with fodders and with the stages in the activities, carried out by them, which are critical for provision of fodder safety.

(2) The operators in the fodder sector shall develop, introduce and apply in the sites under their control procedures, in compliance with the requirements under Art. 6 and 7 of Regulation of (EC) N 183/2005.

(3) The provision under Para. 2 shall not apply to the operators in the fodder sector, which carry out activities, defined in Art. 5, Para. 1 of Regulation (EC) N 183/2005.

(4) (Suppl. – SG 17/18, in force from 23.02.2018) The persons under Para. 3 shall be obliged to observe the requirements of Annex I of Regulation (EC) N 183/2005, referring to the initial production. When placing primary feed materials on the market, they shall be accompanied by a Declaration of Origin and Conformity which is a standard form approved by the Executive Director of the Bulgarian Food Safety Agency. The template shall be published on the Agency's website.

(5) (Amend. - SG, 88/2010, in force from 09.11.2010, amend. – SG 17/18, in force from 23.02.2018) During nutrition of the animals, those who breed them shall observe the requirements for the relevant activities, defined by Annex III of Regulation (EC) N 183/2005.

(6) (New - SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) The operators in the fodder sector under Art. 15, Para. 1, 3, 4 and 5 shall be obliged to observe the requirements for the relevant activities, defined by Annex II of Regulation (EC) N 183/2005.

(7) (New – SG 17/18, in force from 23.02.2018) The feed business operators shall designate a responsible person for each site, in which they carry out activities related to the manufacturing, working, processing, storage, transportation and distribution of feed.

Art. 26a. (New - SG, 97/2012) (1) The operators under Art. 15, Para. 4, who disseminate fats, oils or products, obtained from them, intended for use in fodders, including combined fodders, as well as the operators under Art. 15, Para. 1 and 3, who produce combined fodders, shall carry out analysis of the fodders in compliance with Regulation (EC) N 152/2009 about the contents of dioxins and dioxin – similar and poly-chloride by-phenyls. The analysis shall be carried out in accredited laboratories.

(2) While placing on the market fodders, the operators in the fodder sector, with the exception of the producers of combined fodders, intended for animals, kept for production of food, shall be obliged to produce a document for the carried out analyses under Para. 1.

(3) In case that the maximum admissible limits of dioxins and dioxin-similar and poly-chloride by-phenyls are above the ones, defined in the Ordinance under Art. 11, Para. 3 limits, the laboratory under Para. 1 shall officially provide the results of the analysis to the relevant Regional directorate on food safety.

Art. 26b. (New - SG, 97/2012) The operators under Art. 26a, Para. 1 shall be obliged to observe the requirements of Sector Monitoring of Dioxin of Annex Ii of Regulation (EC) N 183/2005.

Art. 26c. (New - SG 17/2018, in force from 23.02.2018) (1) The feed business operators shall organize, at least once every three years, training of the employees and the hired personnel in the field of hygiene and safety of the feed, corresponding to the activity they carry out.

(2) The Minister of Agriculture, Food and Forestry, upon proposal of the Executive Director of the Bulgarian Food Safety Agency, shall approve by an order the training topics for each of the activities at each stage of the chain. The order shall be published on the website of the Ministry of Agriculture, Food and Forestry and of the Bulgarian Food Safety Agency.

(3) Training may be organized by the feed business operators, including through their employees who have completed a training course for the activity concerned, or through higher education institutions and other organizations registered with the National Agency for Vocational Education and Training under the Vocational Education and Training Act. The training can be attended in person or taken remotely. The training programs and the list of persons who are to conduct the training shall be agreed with the Executive Director of the Bulgarian Food Safety Agency.

(4) The training conducted on the relevant topics under Para. 2 shall be certified by the person or organization that carried out the training with a document, which is to be provided to the official control bodies in the exercise of their control powers under Art. 45.

(5) The Bulgarian Food Safety Agency shall prepare and publish on its website updated information on the training topics on an annual basis.

Art. 27. (1) (Amend. - SG, 54/2008) While observing the requirements of Art. 18 of Regulation (EC) N 178/2002 and of the instruments on its implementation, the operators in the fodder sector shall be obliged to:

1. require and store in the data base information about each supplier:

2. (amend. - SG, 54/2008) store in data base information about their clients, to whom they have supplied initial raw materials and fodders.

(2) (Amend. - SG, 54/2008) For implementation of the requirements of Para. 1, the operators in the fodder sector shall introduce and apply systems and procedures for collecting and storing information in compliance with the requirements of Art. 18, Para. 3 of Regulation (EC) N 178/2002.

(3) (Amend. - SG, 54/2008) The information of the data base under Para. 1 and 2 shall obligatorily contain name and address of the suppliers and clients, identification of the raw material, the fodder, fodder additive, quantities and specification of the fodders and additives, the method of production and processing, purpose and etc., and shall be store for the term of 3 years.

(4) (Repealed. - SG, 54/2008)

(5) (Repealed. - SG, 54/2008)

Art. 28. (Amend. - SG, 54/2008) While observing the requirements of Art. 20 of Regulation (EC) N 178/2002, the operators in the fodder sector shall be obliged:

1. to inform immediately, but not later than 24 hours the competent body about the measures, undertaken by them;

2. not to prevent cooperation of other persons with the competent body, directed to prevention, decreasing or removing the possible risk, comprising from the fodders, in compliance with the applicable normative instruments and procedures;

3. to give assistance to the competent body for the undertaken actions for avoiding or decreasing the risk for animals and human health;
4. to restore the paid by the consumers price for the relevant fodder.

Art. 29. (Repealed - SG, 54/2008, new – SG 17/18, in force from 23.02.2018) Persons who are the employees or are employed by feed business operators shall provide free access to the sites under Art. 45, Para. 1, item 1 to the inspectors, the official veterinarians and the employees of the Bulgarian Food Safety Agency for the exercise of their control powers.

Art. 30. (Repealed - SG, 54/2008)

Art. 31. (1) (Amend. – SG 17/18, in force from 23.02.2018) Where it is found out that part of a series, lot or consignment fails to meet the safety requirements, the whole series, lot or consignment shall be checked.

(2) (Amend. - SG, 54/2008, amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011) The Bulgarian Food Safety Agency shall put under prohibition the series, lot or consignment by the end of the checkup.

(3) (Amend. - SG, 54/2008, amend. - SG, 41/2010, in force from 01.06.2010) Where during the checkup the body under Para. 2 finds out that the remaining part of the series, lot or consignment is safe, it may be placed on the market.

Art. 32. (1) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011 in force from 25.01.2011, amend. - SG, 97/2012) In case of finding out facts, comprising doubts about the safety of the fodder, the inspectors and the official veterinary doctors of the Bulgarian Food Safety Agency shall apply final measures for its placing on the market, including temporary prohibition for placing on the market.

(2) (Amend. - SG, 54/2008, amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011 in force from 25.01.2011, amend. – SG 17/18, in force from 23.02.2018) Where the inspectors and the official veterinarians from the Bulgarian Food Safety Agency find that the feed does not comply with the applicable requirements of the European Union law and the national legislation, shall prescribe one or several of the following measures:

1. prohibition to place on the market, and bringing in compliance with the requirements by setting a deadline;

2. recall from distribution;

3. use for other purposes;

4. disposal.

(3) (Amend. – SG 54/08, amend. - SG 41/10, in force from 01.06.2010, amend. - SG 08/11, in force from 25.01.2011) In case of non-fulfillment of the prescribed measures under Para. 2, item 1, 2 and 3, the inspectors and the official veterinarians from the Bulgarian Food Safety Agency shall order the disposal of the feed at the expense of its owner.

(4) (New - SG 97/12, amend. – SG 17/18, in force from 23.02.2018) The disposal of feed on the territory of the Regional Directorate of Food Safety which issued the disposal order shall be carried out in the presence of an inspector or official veterinarian of the Regional Directorate of Food Safety, and of a representative of the establishment where the feed is destroyed. The owner of the feed or his authorized representative may be present for the destruction.

(5) (New - SG 97/12, amend. – SG 17/18, in force from 23.02.2018) For the disposal of the feed, a protocol shall be drawn up in duplicate which is to be signed by the persons present at the disposal. The first copy shall be kept at the Regional Directorate of Food Safety which issued the disposal order. The second copy shall be kept by the owner of the feed. A copy of the protocol shall be provided to the representative of the establishment in which the feed was destroyed.

(6) (New - SG 17/18, in force from 23.02.2018) The disposal of feed on the territory of the Regional Directorate of Food Safety, other than that which issued the order for disposal, shall be carried out in the presence of an inspector or official veterinarian of the Regional Directorate of Food Safety, on whose territory the feed is to be destroyed, and of a representative of the establishment where the feed is to be destroyed. The owner of the feed or his authorized representative may be present at the disposal.

(7) (New - SG 17/18, in force from 23.02.2018) For the disposal of the feed, a protocol shall be drawn up in three copies, signed by the persons present at the disposal. The first copy shall be kept at the Regional Directorate of Food Safety which issued the disposal order. The second copy shall be kept by the Regional Directorate of Food Safety, on whose territory the fodder was destroyed. The third copy shall be kept by the feed owner. A copy of the protocol shall be provided to the representative of the establishment in which the feed was destroyed.

(8) (New - SG 17/18, in force from 23.02.2018) The protocols under Para. 5 and 7 shall contain:

1. date of disposal;
2. method of disposal;
3. type and quantity of destroyed feed;
4. name and location of the establishment, in which the feed was destroyed.

(9) (New - SG 97/12, previous Para 6, amend. - SG 17/18, in force from 23.02.2018) The disposal of feed shall be carried out in observance of the requirements of the Waste Management Act.

(10) (New - SG 17/18, in force from 23.02.2018) The costs of feed disposal shall be borne by the owner of the feed.

Art. 33. (1) (Amend. and suppl. - SG, 54/2008, amend. - SG, 88/2010, in force from 09.11.2010, previous text of Art. 33, amend. – SG 17/18, in force from 23.02.2018) The operators in the fodder sector and the persons keeping animals shall be obliged to buy and use fodders only by persons, which have been registered and/or approved under this act or in a procedure, provided by the legislation of another EU Member State.

(2) (new - SG 17/18, in force from 23.02.2018) The requirements under Para. 1 shall also apply to the use of feed for non-food-producing animals.

Chapter five.

OFFICIAL CONTROL OF FODDERS

Art. 33a. (New - SG, 54/2008) (1) The official control for observation of the requirements of the legislation in the fodder area shall be carried out under the procedure of Regulation (EC) N 882/2004 and the instruments on its implementation.

(2) (amend. – SG 58/17, in force from 18.07.2017) The Minister of Agriculture, Foods and Forestry or officials, authorized by him/her, in case of needed instructions, order, instruction and other documents for implementation of the obligations under Para. 1.

Art. 34. (Amend. - SG, 54/2008) (1) (Amend. - SG, 41/2010, in force from 01.06.2010, amend.

- SG, 8/2011 in force from 25.01.2011). The official control of fodders shall be carried out by the Bulgarian Food Safety Agency, which is the competent body in the meaning of Art. 4, Para. 1 of Regulation (EC) N 882/2004.

(2) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011 in force from 25.01.2011, amend. – SG, 97/2012) The Bulgarian Food Safety Agency shall control the quality composition and sufficiency of fodders.

(3) (Amend. - SG, 8/2011 in force from 25.01.2011, amend. – SG, 97/2012) The Bulgarian Food Safety Agency shall exercise control over fodders about:

1. fulfillment of the general requirements of food safety, defined by Regulation (EC) N 178/2002 according to its competence;

2. (amend. - SG, 97/2012) the producers and/or traders of medical fodders and intermediate products for their production, as well as over the production, storage, transportation, prescription and use of medical fodders;

3. (amend. - SG, 97/2012) the observation of the requirements of regulation (EC) N 1069/2009 and Regulation (EC) N 999/2001;

4. (suppl. - SG, 97/2012) direct use of substances, intended for production of medical veterinary-medicinal products (VMP);

5. availability of pathogenic micro-organism and products of their living activity;

6. implementation of the requirements for placing on the market on the territory of the Republic of Bulgaria of genetically modified fodders and GMO for using in, or as fodder, defined by Regulation (EC) N 1829/2003;

7. observation of the requirements for labeling and traceability of genetically modified fodders, GMO for use or as fodder, defined by Regulation (EC) N 1830/2003;

8. (new - SG, 41/2010, in force from 01.06.2010) implementation of the requirements for registration and approval of fodder undertakings, for hygiene of fodders and the specific requirements for traceability of fodders, defined by Regulation (EC) N 183/2005;

9. (new - SG, 41/2010, in force from 01.06.2010) the observation of the requirements for placing on the market, use and labeling of fodder additives and mixtures, defined by Regulation (EC) N 1831/2003;

10. (new - SG, 41/2010, in force from 01.06.2010) production and trade with combined fodders;

11. (new - SG, 41/2010, in force from 01.06.2010) availability of undesired substances and products in the fodders;

12. (new - SG, 88/2010, in force from 09.11.2010) the compliance of fodders with special purposes;

13. (new - SG, 97/2012) production, storage and trade with products of animal origin, in which are put in the products under p. 13, as well as production and wholesale trade of food for pets;

14. (new - SG, 97/2012) production and trade of combined fodders, in which are put in the products under p. 13 as well as production and wholesale trade of food for pets;

15. (new - SG, 97/2012) use of fodder in nutrition of animals – for observation the requirements of Regulation (EC) N 183/2005.

(4) (amend. and suppl. - SG, 8/2011, in force from 25.01.2011) The Bulgarian Food Safety agency shall exercise control also on the initial production of farm crops, intended for fodders for the observation of the requirements of Regulation N 183/2005.

Art. 34a. (New - SG, 97/2012) (1) The Bulgarian Food Safety Agency shall control the water, intended for animals and for production of fodders, where there is doubt that it:

1. contains pollutions, hazardous for animals' and human health;

2. is a source for transferring pathogenic microorganisms and/or products of their living activity;

3. contains prohibited for use in animals pharmacologically active substances.

(2) The control under Para. 1 shall be carried out by inspectors and/or official veterinary doctors upon a plan, confirmed by the executive director of the Bulgarian Food Safety Agency, through:

1. checkups of documentation;

2. inspections of sites, in which the control activities are carried out;

3. taking samples.

(3) During the checkups and inspections under Para. 2, p. 1 and 2, the control bodies shall draw up a statement protocol according to a form.

(4) For the samples under Para. 2, p. 3 a protocol for taking samples in the presence of the owner or a person authorized by him/her shall be drawn up.

(5) The tests of the samples under Para. 2, p. 3 shall be carried out in accredited laboratories, determined by an order of the executive director of the Bulgarian Food Safety Agency.

Art. 34b. (New - SG, 97/2012) (1) (Suppl. – SG 17/18, in force from 23.02.2018) In case of found incompliance with the maximum concentrations of undesired substances and products in the fodders, indicated in the Ordinance under Art. 11, Para. 3, or with the maximum allowed pesticide residue levels laid down in Regulation (EC) № 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant products or animal origin and amending Council Directive 91/414/EEC, the Bulgarian Food Safety Agency jointly with the operators in the fodder sector shall carry out checkup in view to identification of the sources of these substances and products.

(2) The following shall be subject to checkup:

1. (suppl. – SG 17/18, in force from 23.02.2018) the fodders, containing concentrations of unaccepted substances and products above the maximum admissible level, or maximum residue levels for pesticides;

2. (suppl. – SG 17/18, in force from 23.02.2018) animals, fed with fodders, which contain undesired substances and products above the maximum admissible concentrations or maximum residue levels for pesticides, or in which there are found close to the threshold or threshold concentrations undesired substances and products;

3. raw materials or foods, obtained by animals under p. 2.

(3) The checkups under Para. 2, p. 1 shall be carried out by a commission, selected by an order of the director of the Regional directorate of food safety. The order shall be issued immediately after finding out incompliance under Para. 1.

(4) The checkups under Para. 2, p. 2 shall be carried out by a commission, selected by an order of the director of the Regional directorate of food safety, on whose territory is situated the animal breeding farm. The order shall be issued after finding out incompliance under Para. 1.

(5) The commission under Para. 3 or Para. 4 shall:

1. (amend. – SG 17/18, in force from 23.02.2018) prohibit transportation and/or placing on the market of fodders, animals and/or food, obtained from them;

2. take samples of the fodders, drinking water for animals, animals, raw materials and/or foods, obtained from them and shall send them for laboratory tests.

(6) The costs for tests of samples under Para. 5, p. 2 shall be on the account of the owner.

(7) About the results from the checkup and the laboratory tests of the samples under Para. 5, p. 2, the commissions shall draw up a statement protocol and a report to the director of the Regional directorate of food safety.

(8) In case that the laboratory tests show presence of concentrations of unacceptable substances

or products above the maximum admissible, close to the threshold or threshold concentrations of undesired substances or products in fodders, the inspector and/or the official veterinary doctor shall order application of one of the following measures:

1. use for other purposes;
2. putting under decontamination and/or detoxication;
3. destruction.

(9) Where the result from the laboratory tests shows, that in animals, raw materials and/or food, obtained from them there are undesired substances or pollutants from the environment in concentrations, higher than the maximum admissible, measures shall be undertaken, provided by the ordinances under Art. 11, Para. 3 and Art. 62, Para. 2 of the Act on the Veterinary Activity.

Art. 34c. (New - SG, 97/2012) (1) The measures under Art. 34b, Para. 5, p. 1 and Para. 8 shall apply with an order. The order shall be announced and may be appealed under the Administrative-procedure Code. The appeal shall not stop the implementation.

(2) The costs, related to application of the measures under Apra. 1 shall be on the account of the owner.

(3) (amend. - SG 17/18, in force from 23.02.2018) Destruction of fodder under Art. 34b, Para. 8, p. 3 shall be carried out under the order of Art. 32. Para. 3-10.

(4) (revoked – SG 17/18, in force from 23.02.2018)

(5) (revoked – SG 17/18, in force from 23.02.2018)

(6) (revoked – SG 17/18, in force from 23.02.2018)

Art. 34d. (New - SG, 97/2012) Mixing in view to thinning out fodders, which contain undesired substances or products in concentrations, exceeding the maximum admissible ones, indicated in the ordinance under Art. 11, Para. 3 shall be prohibited.

Art. 35. (1) (Amend. - SG 54/08, amend. - SG 97/12, previous text of Art. 35 - SG 17/18, in force from 23.02.2018) All sites, in which are carried out one or more stages of manufacturing, processing, storage, transportation, placing on the market, including use of feed, shall be subject to official control under this Act.

(2) (New – SG 17/18, in force from 23.02.2018) For the performed official control of feed, a Protocol of findings shall be drawn up in a standard form approved by the Executive Director of the Bulgarian Food Safety Agency. The Protocol of findings shall be drawn up in accordance with the requirements of Art. 9 of Regulation (EC) № 882/2004.

Art. 36. (Repealed - SG, 54/2008)

Art. 37. (1) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011 in force from 25.01.2011) The Bulgarian Food Safety Agency shall carry out checkups of fodders from import for compliance with the normative requirements, notwithstanding of the place of origin of the consignment.

(2) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011 in force from 25.01.2011). Where in a checkup, carried out on the site of receiving or during storage or transportation of an imported consignment, the Bulgarian Food Safety Agency finds out incompliance, it shall adopt

relevant measures, including returning of the consignment to the country of origin.

Art. 38. (Amend. - SG, 36/2008, repealed - SG, 54/2008)

Art. 39. (repealed - SG, 54/2008)

Art. 40. (repealed - SG, 54/2008)

Art. 41. (Amend. - SG, 36/2008, amend. - SG, 54/2008, amend. – SG 58/17, in force from 18.07.2017) The official control over fodders shall be carried out in a procedure, determined by an ordinance of the Minister of Agriculture, Foods and Forestry.

Art. 42. (repealed - SG, 54/2008)

Art. 43. (repealed - SG, 54/2008)

Art. 44. (In force from 01.01.2007, repealed - SG, 54/2008)

Art. 45. (repealed - SG, 54/2008) (1) (Suppl. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011) Implementing the requirements of Art. 8, Para. 2, Art. 19 and 54 of Regulation (EC) N 882/2004, the inspectors and official veterinary doctors of the Bulgarian Food Safety Agency shall have the right to:

1. (amend. - SG, 88/2010, in force from 09.11.2010, suppl. – SG 17/18, in force from 23.02.2018) a free access to all the sites of fodder undertakings, including sites, in which initial production of fodders is carried out, farms for breeding animals, sites for rearing non-food-producing animals, as well as to transportation means, used for transportation of fodders;

2. (suppl. – SG 17/18, in force from 23.02.2018) request provision of information and documents and receive copies of them for undertaking measures, providing implementation of the requirements of the legislation in the fodder area, including image material, names and addresses of the persons, from whom they have received or whom they have supplied with fodders;

3. take samples for laboratory analyses and tests;

4. indicate in writing the concretely found out by them incompliance with the normative requirements, without giving instructions for the way of removal;

5. stop the activity or to close the whole fodder undertaking or part of it for a certain term;

6. temporary stop, withdraw the certificate for approval of a site or to delete the registered site;

7. carry out unexpected checkups in the approved or registered sites;

8. carry out supervision, monitoring, inspections and audits in compliance with the requirements of Art. 10 of Regulation (EC) N 882/2004;

9. (suppl. - SG, 97/2012) stop realization of fodders with unknown origin, as well as fodders, which directly or indirectly threaten animals' and human health and order to be withdrawn from the market, returned, destroyed, reprocessed for reaching the safety requirements or used for purposes,

different for their initial purpose as fodder;

10. draw up instruments for fining administrative breaches and other documents according to a form;

11. place certification signs at an evident place about undertaken measures under p. and 6;

12. restrict or prohibit placing on the market, use, import or export of fodders, as well as place remarking signs on fodders under prohibition;

13. (amend. - SG, 97/2012) order concerning consignments from third state to be returned, destroyed, put under special processing or use for other purposes, different for their initial purpose as fodder;

14. undertake the needed actions for guaranteeing safety of fodders and for their compliance with the normative requirements;

15. require assistance from the bodies of the Ministry of Interior;

16. undertake other actions, needed for fulfillment of their authorizations.

(2) (Amend. - SG, 8/2011, in force from 25.01.2011, suppl. - SG, 97/2012) The activities on control shall be conducted on the principle of transparency, where the inspectors and official veterinary doctors from the Bulgarian Food Safety Agency shall provide timely the needed information about their control activities to the public.

(3) (Amend. - SG, 8/2011, in force from 25.01.2011) For implementation of the requirements under Art. 7, Para. 2 of Regulation (EC) N 882/2004, the inspectors and official veterinary doctors from the Bulgarian Food Safety Agency shall sign a declaration for confidentiality.

(4) (Amend. - SG, 8/2011, in force from 25.01.2011, suppl. - SG, 97/2012) The Bulgarian Food Safety Agency shall undertake the needed measures for prohibition of placing on the market and/or use of fodder or shall order its withdrawal from the market, where in spite of its compliance with the specific safety requirements, there are reasonable grounds for doubt, that the fodder is dangerous.

(5) (Amend. - SG, 8/2011, in force from 25.01.2011) In relation to fulfillment of the authorizations, defined by Regulation (EC) N 882/2004, the inspectors and official veterinary doctors from the Bulgarian Food Safety Agency shall identify themselves.

(6) (New - SG, 97/2012) While carrying out their authorizations under Para. 1, the inspectors and/or the official veterinary doctors from the Bulgarian Food Safety Agency shall issue:

1. prescriptions;

2. orders;

3. (new – SG 17/18, in force from 23.02.2018) a prohibition act.

(7) (New - SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) The acts under Para. 6, p. 2 and 3 shall be announced and may be appealed under the Administrative – procedure Code. The appeal shall not stop the implementation.

Art. 46. (Repealed - SG, 54/2008)

Art. 47. (Amend. - SG, 36/2008, amend. - SG, 54/2008) (1) (Amend. - SG, 41/2010 in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011, amend. – SG 17/18, in force from 23.02.2018) The Bulgarian Food Safety Agency is the competent contact point serving the Rapid Alert System for Food and Feed (RASFF) under Art. 50 of Regulation (EC) № 178/2002 concerning the dangers for animals' and human health, comprising from fodders.

(2) (Amend. - SG, 41/2010, in force from 1.06.2010, amend. – SG 17/18, in force from 23.02.2018) In compliance with the requirements of Art. 52 of Regulation (EC) N 178/2002, the officials, who have access to the Alert System for Food and Feed shall sign a declaration for non-dissemination of the confidential information.

Art. 48. (1) (Amend. - SG, 54/2008, amend. - SG, 88/2010, in force from 09.11.2010, amend. – SG 17/18, in force from 23.02.2018) The feed business operators and the persons raising animals shall be obliged to:

1. (amend. - SG, 8/2011, in force from 25.01.2011) fulfill the prescriptions of the inspectors and official veterinary doctors of the Bulgarian Food Safety Agency;

2. (amend. - SG, 8/2011, in force from 25.01.2011) not stop and shall assist the inspectors and official veterinary doctors of the Bulgarian Food Safety Agency while carrying out their authorizations;

3. (amend. – SG 17/18, in force from 23.02.2018) keep documentation under the requirements of direct applicable European Union law and this act.

(2) The persons under Para. 1 shall have the right to:

1. claim the acts of the bodies under this act;

2. (amend. - SG, 88/2010, in force from 09.11.2010) request control expertise within the term of up to 5 working days from receiving the announcement about the result from the analysis of the samples from fodders and the conclusions of the control bodies.

(3) (New – SG 17/18, in force from 23.02.2018) The result obtained from the control expertise shall be final and shall not be challenged.

(4) (New – SG 17/18, in force from 23.02.2018) The costs of taking and examining the samples under Para. 2, item 2 shall be at the expense of the feed business operators, and shall be paid according to the tariff under Art. 3, Para. 4 of the Bulgarian Food Safety Agency Act or the price list of the respective laboratory designated for carrying out the control expertise.

Art. 49. (Amend. – SG, 36/2008, amend. - SG, 54/2008) (1) (Suppl. - SG, 41/2010 in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011) Samples of fodders, taken for the purposes of the official control shall be analyzed in accredited laboratories of the Bulgarian Food Safety Agency.

(2) (Amend. and suppl. - SG, 41/2010, in force from 01.06.201, amend. - SG, 8/2011, in force from 25.01.2011, amend. – SG 17/18, in force from 23.02.2018) Where feed samples can not be analyzed in the laboratories referred to in Para.1, the Executive Director of the Bulgarian Food Safety Agency shall commission the analysis from another accredited laboratory.

(3) The laboratories under Para. 1 and 2 must meet the requirements of Art. 12 of Regulation (EC) N 882/2004.

(4) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. – SG 58/17, in force from 18.07.2017) Delegation of laboratory activities for the official control under Para. 1 and 2 shall be approved by the Minister of Agriculture, Foods and Forestry while observing the requirements of Art. 5 and 12 of Regulation (EC) N 882/2004.

(5) (Suppl. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011, amend. – SG 58/17, in force from 18.07.2017) The Minister of Agriculture, Foods and Forestry shall determine by an order national referent laboratories for testing fodders upon proposal of the executive director of the Bulgarian Food Safety Agency in compliance with the requirements of Art. 33 of Regulation (EC) N 882/2004.

(6) (amend. – SG 58/17, in force from 18.07.2017) The Minister of Agriculture, Foods and Forestry shall delete by an order the determined laboratories under Para. 5, which fail to fulfill the conditions of Art. 33 of Regulation (EC) N 882/2004.

(7) (Repealed - SG, 41/2010, in force from 01.06.2010)

Art. 50. (In force from 01.01.2007) (1) (Amend. - SG, 54/2008, suppl. - SG, 88/2010 in force from 09.11.2010, amend. - SG, 8/2011, in force from 25.01.2011) The competent body may delegate the implementation of specific activities, related to the official control of control bodies under the conditions of Art. 5 of Regulation (EC) N 882/2004.

(2) (Amend. - SG, 54/2008, amend. – SG 58/17, in force from 18.07.2017) The requirements to the control bodies under Para. 1 and the way of conducting supervision over their activity shall be determined by an ordinance of the Minister of Agriculture, Foods and Forestry.

(3) (Amend. - SG, 54/2008, amend. - SG, 8/2011, in force from 25.01.2011) The competent body shall withdraw the authorization of a control body under Para. 1 in relation to its delegated activities, related to the official control while observing the conditions under Regulation (EC) N 882/2004.

(4) (Amend. - SG, 54/2008, amend. - SG, 8/2011, in force from 25.01.2011) In case of delegation of the implementation of specific activities, related to the official control, the competent body shall notify in writing the European Commission in compliance with the requirements of Art. 5 of Regulation (EC) N 882/2004.

Art. 50a. (New - SG, 54/2008) (1) (Amend. - SG, 88/2010, in force from 9.11.2010)

For carrying out the official control samples shall be taken and analyzed while observing the requirements of Art. 11 of Regulation (EC) N 882/2004.

(2) (New - SG, 88/2010, in force from 09.11.2010) Taking and analyzing samples for the purposes of the official control shall be carried out under the methods, indicated in Regulation (EC) N 152/2009.

(3) (Former Para. 2 - SG, 88/2010, in force from 09.11.2010, amend. – SG 58/17, in force from 18.07.2017, amend. – SG 17/18, in force from 23.02.2018) Where there is no directly applicable European Union law, the Minister of Agriculture, Foods and Forestry shall determine by an ordinances the specific requirements for taking samples and the methods of analysis of fodders.

(4) (New - SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) The costs for testing the samples under Para. 1, with the exception of the samples of monitoring, shall be on the account of the operators in the fodder sector and shall be paid under the price lists of the accredited laboratories, selected to carry out analysis of samples for official control.

Art. 51. (Amend. - SG, 36/2008, amend. - SG, 54/2008) The competent bodies under this act shall give assistance to the competent bodies of other Member States, including while carrying out control on the territory of the Republic of Bulgaria in compliance with Art. 34 of Regulation (EC) N 882/2004.

Art. 51a. (New - SG, 54/2008) (1) (Suppl. - SG, 88/2010, in force from 09.11.2010, amend. - SG, 8/2011, in force from 25.01.2011) For issuance of documents under this act and carrying out the official control, charges shall be collected, defined by the tariff for charges under Art. 3, Para. 4 of the Act on Bulgarian Food Safety Agency. At defining the charges, the provision of Art. 27 – 29 of Regulation (EC) N 882/2004 shall be observed.

(2) In case of a failure to pay the charges under the tariff, the measures under Art. 45, Para. 1, p. 5 or 6 shall be undertaken.

Chapter six.

INTRODUCING, IMPORT, EXPORT AND RE-EXPORT OF FODDERS (TITLE, AMEND. -

SG, 54/2008, AMEND. - SG, 97/2012)

Art. 52. (Amend. - SG, 54/2008) (1) With import, export and re-export of fodders, the general requirements of Art. 11 and 12 of Regulation (EC) N 178/2002 shall be observed.

(2) (amend. – SG 58/17, in force from 18.07.2017) The Minister of Agriculture, Foods and Forestry, if needed shall issue instructions, orders, guides and other documents for implementation of the instruments of the European Commission on the implementation of Art. 53, Para. 1 of Regulation (EC) N 178/2002.

(3) (Amend. - SG, 97/2012) Introduction and export of fodders shall be carried out while observing the specific requirements of this act, the Act on Veterinary Activity, Regulation (EC) N 882/2004, Regulation (EC) N 669/2009, Regulation (EC) N 183/2005, Regulation (EC) N 1829/2003, Regulation (EC) N 1830/2003 and Regulation (EC) N 1069/2009.

(4) (New - SG, 83/2012, amend. – SG 17/18, in force from 23.02.2018) Import of seeds of hemp, not intended for planting shall be carried out by importers, received licenses under Art. 29, Para. 2 of the Act on Control over Narcotic Substances and Precursors.

Art. 53. (1) (Amend. - SG, 54/2008, amend. - SG, 8/2011, in force from 25.01.2011 former text of Art. 53 - SG, 97/2012) The border control of fodders shall be carried out by the Bulgarian Food Safety Agency.

(2) (New - SG, 97/2012) Introduction of fodders from third states, intended for the European Union may be carried out only through border inspection points (BIP), approved by Decision 2009/821/EC: Commission Decision of 28 September 2009 drawing up a list of approved border inspection posts, laying down certain rules on the inspections carried out by Commission veterinary experts and laying down the veterinary units in Traces (notified under document C(2009) 7030) (OJ, L 296/1 of 12 November 2009).

(3) (New - SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) The operator responsible for placing the consignment from a third country on the territory of the Republic of Bulgaria shall notify the respective border inspection post (BIP) for the placing, whereby submitting or sending the document to be entered in accordance with the Ordinance under Art. 41. Notification shall be made no later than 24 hours before the arrival of the consignment at the post.

Art. 53a. (New - SG, 97/2012) (1) (Amend. – SG 17/18, in force from 23.02.2018) Each consignment with origin or sent from third state shall be subject to border control.

(2) The border control under Para. 1 shall cover:

1. document checkup;
2. identity checkup;
3. physical checkup.

(3) The border control under Para. 2, p. 1 and 2 shall be carried out for each consignment.

(4) The border control under Para.2, p. 3 shall be carried out by taking samples in compliance with the EU law, the Bulgarian legislation and a confirmed plan by the executive director of the Bulgarian Food safety agency for taking samples from fodders introduced from third states.

(5) While taking and testing the samples, the requirements of Regulation (EC) N 152/2009 and Regulation (EC) N 619/2011 shall be observed.

(6) The border control under Para. 1 shall be carried out at the BIP by official veterinary doctors.

(7) (Amend. and suppl. – SG 17/18, in force from 23.02.2018) The official veterinary doctor under Para. 6 shall admit a consignment intended for introduction in the EU, if it is accompanied by an

original certificate or other original documents, issued by the competent body of the state of origin and of the exporting state, in case that they are different. The certificate and the documents shall be provided as originals and translated into Bulgarian as well. Responsible for the authenticity of the translation shall be the operator responsible for placing the consignment on the territory of the Republic of Bulgaria.

(8) (amend. - SG 58/16, amend. – SG 17/18, in force from 23.02.2018) Border control under Para. 1 shall be also carried out where the consignment is placed under one of the customs regimes under Art. 5, item 16, letter "b", except for outward processing according to Regulation (EU) № 952/2013 of the European Parliament and of the Council of 9 October 2013 on establishing a Union Customs Code (OJ, L 269/1 of October 10, 2013).

(9) (Amend. – SG 17/18, in force from 23.02.2018) The costs for taking and testing the samples under Para. 4 shall be on the account of the owner of the consignment.

Art. 53b. (New - SG, 97/2012) (1) In order to be guaranteed that all the fodders, introduced to the Republic of Bulgaria have passed border control, the Bulgarian Food Safety Agency shall work together with the Customs Agency and with Chief Directorate Border Police of the Ministry of Interior in collecting the whole information about introduction of fodders, which shall include:

1. information, accessible for the customs offices;
2. information for the manifest of the sailing vessel (ship, boat, etc), train or airplane;
3. other sources of information, accessible for the road, railway, port or airport trade operators.

(2) For assisting the fulfillment of the obligations, comprising from the EU law, the Bulgarian Food Safety Agency shall receive access to the information systems of Customs Agency.

(3) The information systems of the Bulgarian Food Safety Agency and the Customs Agency shall exchange information under terms and procedure, determined by an agreement between the two administrations.

Art. 53c. (New - SG, 97/2012) (1) (Suppl. – SG 17/18, in force from 23.02.2018) Where, in the course of inspections under Art. 53a, Para. 2, it is established that the feed does not meet the requirements of the applicable legislation, the official veterinarian shall retain the consignment and, after discussion with the importer or his authorized representative, shall apply one of the following measures:

1. (suppl. – SG 17/18, in force from 23.02.2018) returning the consignment to the country of origin;
2. (new – SG 17/18, in force from 23.02.2018) forwarding the consignment to a third country other than the country of origin of the feed, subject to the provision of Art. 21 of Regulation (EC) № 882/2004;
3. (previous item 2 – SG 17/18, in force from 23.02.2018) destroying the consignment;
4. (previous item 3 – SG 17/18, in force from 23.02.2018) use for purposes other than feed.

(2) (Suppl. – SG 17/18, in force from 23.02.2018) Costs for the return, forwarding, destruction or use of feed for other purposes shall be borne by the importer or the person responsible for the consignment.

(3) The measures under Para. 1 shall be applied following an order.

Art. 53d. (New - SG, 97/2012) (1) Returning the consignment under Art. 53c, Para. 1, p. 1 shall be carried out through the same BIP, through which it was introduced, within the term of up to 60 days from the introduction. The consignment shall be exported to the destination, which the importer or the responsible person for it has determined.

(2) By the decision taking under Para. 1, the consignment shall be stored under the supervision

of the official veterinary doctor under Art. 53a, Para. 6 on the account of the importer or the responsible person for the consignment.

Art. 53e. (New - SG, 97/2012) (1) (Amend. – SG 17/18, in force from 23.02.2018) Destruction of the consignment under Art. 53c, Para. 1, p. 3 shall be carried out, where:

1. returning of the consignment or use of the fodder for other purposes is impossible and/or the term under Art. 53d, Para. 1 has expired;

2. the importer or the responsible person for the consignment declares in writing his/her consent for its destruction.

- (2) The order for destruction of the consignment under Art. 53c, Para. 3 shall determine the place and away of its destruction.

- (3) For the consignment destruction, a document shall be issued by the head of the site for destruction, which shall be sent in original to the relevant BIP.

- (4) The BIP shall provide a copy of the document under Para. 3 to each interested party.

Art. 53f. (New - SG, 97/2012) (1) Where it is found out that a fodder consignment has not passed through obligatory border control under Art. 53a, Para. 1, the inspectors and/or official veterinary doctors of the Regional directorates of food safety and/or official veterinary doctors of the Regional directorates of food safety shall issue an order for applying one of the following measures:

1. returning the consignment;

2. destruction of the consignment.

- (2) The costs for returning, or destroying shall be on the account of the owner of the fodder.

Art. 53g. (New - SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) (1) (Amend. and suppl. - SG 17/18, in force from 23.02.2018) In case of introducing fodders, containing, consisting or produced from GMO, the importer shall obligatorily produce to the BIP information in the documents, accompanying the consignment, about the type and quantity contents of GMO and results from analyses, carried out in accredited laboratories, under the requirements of Regulation (EC) N 1829/2003, Regulation (EC) № 1830/2003 and Commission Implementing Decision 2011/884/EU of 22 December 2011 on emergency measures regarding non-authorized genetically modified rice in rice products originating in China and repealing Decision 2008/289/EC.

- (2) In the BIP certified copies of the results from the laboratory analyses under Para. 1 shall be kept.

Art. 53h. (New - SG, 41/2010, in force from 01.06.2010, former art. 53a - SG, 97/ 2012, amend. – SG 17/18, in force from 23.02.2018) (1) In the case of export of feed, they shall be accompanied by a certificate issued by an inspector or by an official veterinarian of the Regional Directorate of Food Safety, on whose territory the establishment is situated and from which the consignment is exported.

- (2) For the issuance of the certificate under Para. 1, the exporter shall submit an application to the Director of the Regional Directorate of Food Safety no later than 10 days before the date of export, indicating:

1. the country for which the consignment is intended;

2. the type and quantity of the feed;

3. the registration or identification number and the name of the site from which the

consignment is exported;

4. additional feed requirements, if such are provided for in the country to which the export is carried out.

(3) The certificate under Para. 1 shall be issued according to a template of the third country, for which the consignment is being exported and, if none available, as per a standard form approved by an order of the Executive Director of the Bulgarian Food Safety Agency.

(4) The certificate under Para. 1 shall be issued after the relevant checks have been carried out, the results of the laboratory tests from samples taken have been received, and the loading of the consignment has been done. The certificate shall be issued by the inspector or the official veterinarian, and shall be stamped by the relevant Regional Directorate of Food Safety, respectively the stamp of the official veterinarian.

(5) Where the certificate under Para. 1 is required to contain data on the quality composition or the completeness of the feed, the inspector or the official veterinarian shall take a sample and send it for testing in a laboratory under Art. 49, Para. 1 or 2.

(6) The inspector or the official veterinarian controlling the site, from which the consignment is exported, shall be present at its loading.

(7) The damages caused by incomplete or incorrect information under Para. 2 shall be borne by the exporter.

(8) The Head of a laboratory under Para. 5 shall send:

1. the original of the test protocol or analysis report to the Director of the relevant Regional Directorate of Food Safety;

2. a copy of the test protocol or analysis report to the inspector or official veterinarian who took the sample.

Art. 53i. (New - SG, 88/2010, in force from 09.11.2010, former Art. 53b - SG, 97/ 2012, amend. – SG 17/18, in force from 23.02.2018) (1) When on the certificate under Art. 53h, Para. 1 the entry of data under Art. 53h, Para. 2, item 4 is required, other than that under Art. 53h, Para. 5, certifiable by a test protocol or analysis report, the inspector or the official veterinarian shall take a sample of the feed and send it for testing to a laboratory under Art. 49, Para. 1 or 2.

(2) The Head of a laboratory under Para. 1 shall send:

1. the original of the test protocol or analysis report to the Director of the respective Regional Directorate of Food Safety;

2. a copy of the test protocol or analysis report to the inspector or official veterinarian who took the sample.

Art. 53j. (New - SG, 88/2010, in force from 09.11.2010, former Art. 53c, amend. – SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) By the time the testing and/or analysis protocols under Art. 53h, Para. 8 and Art. 53i, Para. 2 are received, the term for issuing a certificate for export of fodders in third state shall stop to run.

Art. 53k. (New - SG, 88/2010, in force from 09.11.2010, former Art. 53d, amend. – SG, 97/2012) (1) (mend. - SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) While issuing a certificate for export of fodders in third states, it shall be accompanied by a certified copy of the issued testing and/or analysis protocols under Art. 53h, Para. 8 and Art. 53i, Para. 2.

(2) (Amend. - SG, 97/2012, amend. and suppl. – SG 17/18, in force from 23.02.2018) The official veterinary doctor or the inspector shall enter the data of the protocol under 53h, Para. 8 and Art.

53i, Para. 2 in the certificate for export of fodders in third states.

Art. 53l. (New - SG, 88/2010, in force from 09.11.2010, former Art. 53e, amend. – SG, 97/2012, amend. – SG 17/18, in force from 23.02.2018) The costs for issuing the testing and analysis protocols under 53h, Para. 8 and Art. 53i, Para. 2 shall be paid by the owner of the fodders.

Art. 53m. (New - SG, 88/2010, in force from 09.11.2010, amend. - SG, 8/2011, in force from 25.01.2011, former Art. 53f - SG, 97/2012) For issuance a certificate for export of fodders for third state, a charge shall be collected in the amount, defined by the tariff under Art. 51a, Para. 1.

Chapter seven.

MEDICATED FEED (REPEALED – SG 8/2011, IN FORCE FROM 25.01.2011, AMEND. - SG, 97/2012)

Art. 54. (Repealed. - SG, 8 of 2011, in force from 25.01.2011, new - SG, 97/2012) In production of medicinal fodders and/or intermediate products for their production, only VMP (veterinary-medicinal products) shall be put-in under the form of medicinal mixtures, licensed for use:

1. under Chapter Eleven of the Act on Veterinary-medicinal Activity;
2. (amend. – SG 17/18, in force from 23.02.2018) According to Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down European Union procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency.

Art. 55. (Repealed. - SG, 8/2011, in force from 25.01.2011, new - SG, 97/2012) (1) approval for production and/or trade with medicinal fodders and/or with intermediate products for their production on the territory of the Republic of Bulgaria may receive operators in the fodder sector, who have been:

1. entered in the registers under Art. 20;
2. approved as operators in the fodder sector under the relevant legislation of another EU Member State, or under the legislation of a state – party of the EEAA, or Confederation Switzerland.

(2) (amend. – SG 58/17, in force from 18.07.2017) The requirements for production and/or trade with medicinal fodders and/or intermediate products for their production shall be determined by an ordinance of the Minister of Agriculture, Foods and Forestry.

Art. 55a. (New - SG, 97/2012) (1) For approval under Art. 55, the operators in the fodder sector shall submit an application according to a form to the director of the Regional directorate of food safety on the location of the site. The application form shall be published on the internet site of the Bulgarian Food Safety Agency. For each site for production and/or trade with medicinal fodders and/or intermediate products for their production shall be submitted a separate application.

(2) The application under Para. 1 shall have attached:

1. a contract with a veterinary doctor, who will be responsible for the production of medicinal fodders and/or intermediate products for their production;
2. (suppl. – SG 17/18, in force from 23.02.2018) document for a paid charge in the amount, defined by the tariff under Art. 3, Para. 4 of the Act on the Bulgarian Food Safety Agency, when the

payment is not made electronically.

(3) The documents under Para. 2 shall be checked, and in case of incompleteness and/or incorrectness, within 7 day term the applicant shall be notified in writing and a term shall be determined for their removal.

(4) In case of failure the incompleteness and/or incorrectness under Para. 3 to be removed, the director of the Regional directorate of food safety shall issue an order for refusal of approval. The refusal shall be announced and may be appealed under the Administrative-procedure Code.

Art. 55b. (New - SG, 97/2012) (1) Within 14 day term from submitting the application under Art. 55a, Para. 1 or from removal of the incompleteness and/or incorrectness under Art. 55a, Para. 3, the director of the Regional directorate of food safety shall appoint a commission, which within 3 day term shall carry out a checkup on site, in which medicinal fodders and/or intermediate products for their production will be produced for compliance with the requirements of the ordinance under Art. 55, Para. 2.

(2) Within 7 day term from the checkup under Para. 1, the Commission shall provide to the director of the Regional directorate of food safety a statement protocol and opinion with a proposal for:

1. approval – where the site meets all the requirements for the relevant activity;
2. refusal of approval.

(3) Within 7-day term from provision of the opinion under Para. 2, the director of the Regional directorate of food safety shall issue an order for:

1. entering into the register the approved sites for production and/or trade with medicinal fodders, and/or intermediate products for their production;
2. refusal for approval.

(4) The order under Para. 3, p. 2 shall be announced and may be appealed under the Administrative-procedure Code.

(5) (Suppl. – SG 17/18, in force from 23.02.2018) In case of a change of the entered circumstances under Art. 55c, Para. 2, p. 2 and 4, the operators under Art. 55a, Para. 1, within 3 day term from the change shall notify in writing the director of the Regional directorate of food safety, and shall apply documents, related to it and a document for a paid charge in the amount, defined by the tariff under Art. 3, Para. 4 of the Act on the Bulgarian Food Safety Agency, when the payment is not made electronically.

(6) Within 7 day term from the notification under Para. 5, the director of the Regional directorate of food safety shall issue an order for entering the change in the register.

(7) In the cases under Para. 6, the certificate for approval shall be re-issued.

(8) The approval certificate shall be withdrawn and the approval shall be deleted by an order of the director of the Regional directorate of food safety:

1. upon a written request of the operator;
2. in case of rude or systematic breaches of the requirements of the law;
3. in case of systematic prevention of the control activity of the Regional directorate of food safety.

(9) The order under Para. 8, p. 2 and 3 shall be announced and may be appealed under the Administrative-procedure Code.

Art. 55c. (New - SG, 97/2012) (1) The Regional directorate of food safety shall keep a register of the approved sites for production and/or trade of medicinal fodders and/or intermediate products for their production.

(2) The register under Para. 1 shall contain:

1. identification number;
2. name of the producer or trader;
3. address on location of the site for production and/or trade;
4. pharmacological groups of substances, which are contained in the medicinal mixtures.
5. notes.

(3) Identification number under Para. 2, p. 1 shall consist of the identification number under Art 20, Para. 2, p. 1 of the site under. 15, Para. 3 and 4, where after the symbol "BG", which is the ISO code of the Republic of Bulgaria, "M" shall be added,

(4) The Bulgarian Food Safety Agency shall maintain a national register of the approved sites for production and/or trade with medicinal fodders and/or with intermediate products for their production, which shall contain the data of the registers of the Regional directorates of food safety. The national register shall be published on the internet site of the Bulgarian Food Safety Agency.

Art. 55d. (New - SG, 97/2012) The Regional directorate of food safety shall maintain files of the sites, entered in the register under Art. 55c, Para. 1. The files shall be kept for 5 years after termination of the site activity.

Art. 55e. (New - SG, 97/2012) (1) To approval under Art. 55a and 55 b shall also be subject to entering in the registers under Art. 55c the operators under Art. 55, Para. 1, who while carrying out their activity do not keep medicinal fodders in warehouses, but trade directly from the warehouses of the producers and/or the traders by the consumers warehouses.

(2) With the application under Art. 55a, Para. 2 the operators shall attach a declaration according to a form, that they will not keep medicinal fodders in warehouses, but will trade directly from the producers warehouses and/or the traders by the consumers warehouses.

(3) For the approval under Para. 1 check up on site under Art. 55b may not be carried.

(4) The declaration form under Para. 2 shall be published on internet site of the Bulgarian Food Safety Agency.

Art. 55f. (New - SG, 97/2012) The following shall be prohibited:

1. nutrition of animals, raised for production of food with medicinal fodder, which has not been produced by an approved operator under this Chapter;

2. the production and nutrition of animals, raised for production of food with medicinal fodder, for which there is not issued recipe by a veterinary doctor, including where the fodder has been produced in another EU Member State;

3. nutrition with medicinal fodder of animals, different from the indicated in the recipe under p. 2;

4. repeated use of the recipe under p. 2;

5. putting in a quantity of medicinal mixture, different from the prescribed in the recipe under p.2, in production of medicinal fodders;

6. (amend. – SG 17/18, in force from 23.02.2018) direct putting in pharmacologically active substances, intended for production of VMP in the fodders or the drinking water of animals.

Art. 55g. (New - SG, 97/2012) (1) Use of hormone products, beta-agonists and thyreostats shall be prohibited, used for nutrition animals, raised for production of food for stimulation of the growth.

(2) Use of hormone VMP, beta-agonists and thyreostats shall be admitted as an exception for

therapeutic, zoo-technical and scientific research purposes under the supervision of a veterinary doctor.

(3) (amend. – SG 58/17, in force from 18.07.2017) The conditions and procedure for use of hormone products, beta-agonists and thyreostats shall be determined by an ordinance of the Minister of Agriculture, Foods and Forestry.

Art. 55h. (New - SG, 97/2012) The requirements for placing on the market, use, transportation, de-contamination and destruction of medicinal fodder and of intermediary products for their production shall be determined by the ordinance under Art. 55, Para. 2.

Chapter eight.

PROFESSIONAL ORGANIZATIONS OF OPERATORS IN THE FODDER SECTOR (TITLE, AMEND. – SG, 54/2008)

Art. 56. (1) (Amend. - SG, 54/2008) The professional organizations of operators in the fodder sector shall be the branch organizations of the operators in the fodder sector, registered under the conditions and procedure of the Act on Non-profitable Legal Persons.

(2) The organizations under Para. 1 shall:

1. develop guidebooks for good production practiced and guidebooks for introduction procedures, based on the principles of the analysis system of the hazardous and critical control points (HACCP) in production and trade of fodders, as well as other professional requirements in view to providing the quality and safety of fodders;

2. participate in the development of strategies, analyses, programmes and opinions for development of the branch and shall assist for their implementation;

3. (amend. - SG, 54/2008) create and maintain a data base for experts in the branch for giving assistance to the operators in the fodder sector, as well as to the state bodies;

4. (amend. - SG, 54/2008) develop ethical codes, regulating professional ethics in the branch and not admitting unfair competition among the operators in the fodder sector;

5. (amend. - SG, 54/2008, amend. - SG, 8/2011, in force from 25.01.2011, amend. - SG, 97/2012) inform the competent body about breaches in the production, processing, storage, transportation, placing on the market, including use of fodders;

6. (amend. - SG, 41/2010, in force from 01.06.2010) give opinions on draft of normative acts;

7. organize courses for raising the qualification of persons, occupied in the fodder production;

8. provide information, related to development of positions for participation in the meetings of the working groups of the European Commission and the working groups and committees of the EU Council.

Art. 57. (1) (Amend. - SG, 8/2011, in force from 25.01.2011) The organization under Art. 56, Para. 1 shall assist the operation of the competent body and of the local self-government and local administration bodies for carrying out their policy and strategy for development of the fodder industry.

(2) (Repealed - SG 41/2010, in force from 01.06.2010)

Chapter nine.

ADMINISTRATIVE-PENAL RESPONSIBILITY

Art. 57a. (New - SG, 88/2010, in force from 09.11.2010) (1) (Suppl. – SG 17/18, in force from 23.02.2018) Any natural person who violates the provision of Art. 4a, Para. 3 and 5 shall be punished

with a fine from BGN 1 000 to 3 000, and in case of repeated violation the fine shall be from BGN 3 000 to 5 000.

(2) Where the violation under Para. 1 is committed by a legal person or by a sole trader, a pecuniary sanction of BGN 3 000 to 5 000 shall be imposed, and in case of repeated violation the sanction shall be from BGN 5 000 to 10 000.

(3) (New – SG 17/18, in force from 23.02.2018) Any natural person who violates the provision of Art. 4a, Para. 4 shall be punished with a fine from BGN 10 000 to BGN 20 000, and in case of a repeated violation the fine shall be from BGN 15 000 to 30 000.

(4) (New – SG 17/18, in force from 23.02.2018) Where the violation under Para. 3 is committed by a legal person or by a sole trader, a pecuniary sanction from BGN 15 000 to 30 000 shall be imposed, and in case of repeated violation the sanction shall be from BGN 30 000 to 45 000.

Art. 58. (1) (Amend. - SG, 54/2008, amend. and suppl. - SG, 88/2010, in force from 09.11.2010) Any natural person, who breaks the provision of Art. 5 in relation to the prohibition for placing on the market and nutrition animals with fodders, which do not comply with the safety requirements, defined by Art. 15 of Regulation (EC) N 178/2002 and Art. 4of Regulation (EC) N 767/2009, shall be punished by a fine from BGN 5000 to 10 000, and in a repeated breach – the fine shall be from BGN 10 000 to 15 000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 10000 to 15000, and in a repeated breach, the sanction shall be from BGN 15000 to 30000.

Art. 59. (Amend. - SG, 54/2008) (1) Any natural person, who breaks the provisions of Art. 6 in relation to the requirements for labeling or to the accompanying documentation of the lot, shall be punished by a fine of BGN 200 to 500, and in a repeated breach – the fine shall be in the amount of BGN 500 to 1500

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 1500, and in a repeated breach, the sanction shall be from BGN 1500 to 3000.

Art. 60. (1) (Amend. - SG, 54/2008, suppl. - SG, 88/2010, in force from 09.11.2010) Any natural person, who breaks the provision of Art. 7, Para. 1 in relation to observation of the requirements of Art. 16 of Regulation (EC) N 178/2002 and Chapter IV of Regulation (EC) N 767/2009 or Art. 7, Para. 2 of this act, he/she shall be punished by a fine of BGN 300 to 1000 and in a repeated breach – the fine shall be in the amount of BGN 1000 to 3000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 1000 to 3000, and in a repeated breach, the sanction shall be from BGN 3000 to 5000.

(3) (New – SG 17/18, in force from 23.02.2018) Any natural person who violates the provisions of Art. 7a shall be fined in the amount from BGN 3 000 to 5 000, and in case of repeated violation the fine shall amount from BGN 5 000 to 10 000.

(4) (New – SG 17/18, in force from 23.02.2018) Where the violation under Para. 3 is committed by a legal person or a sole trader, a pecuniary sanction of BGN 5 000 to 10 000 shall be imposed, and in case of repeated violation the sanction shall be in the amount from BGN 10 000 to 20 000.

Art. 61. (In force from 01.01.2007) (1) Any natural person, who breaks the provision of Art. 8, Para. 1 shall be punished by a fine in the amount of BGN 3000 to 5000, and in a repeated breach the fine shall be from BGN 5000 to 10000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 20000.

Art. 62. (1) (Amend. - SG, 54/2008) any natural person, who breaks the provision of Art. 8, Para. 5 in relation to conducting experiments in compliance with the principles and conditions, defined by Art. 3, Para. 2 of Regulation (EC) N 1831/2003, shall be punished by a fine of BGN 1000 to 3000, and in a repeated breach – the fine shall be from BGN 3000 to 10000.

(2) (Amend. - SG, 54/2008) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 3000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 30000.

Art. 62a. (New - SG, 54/2008) (1) Any natural person, who breaks the provision of Art. 8, Para. 4, shall be punished by a fine of BGN 5000 to 10 000, and in a repeated breach, the fine shall be in the amount of BGN 10 000 to 15 000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 10000 to 15000, and in a repeated breach, the sanction shall be from BGN 15000 to 30000.

Art. 62b. (New - SG, 88/2010, in force from 09.11.2010) (1) Any natural person, who breaks the provision of Art. 8, Para. 6 shall be punished by a fine of BGN 5000 to 10000, and in repeated breach, the fine shall be from BGN 10000 to 15000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 8000 to 15000, and in a repeated breach, the sanction shall be from BGN 15000 to 20000.

Art. 63. (1) (Amend. - SG, 54/2008) Any natural person, who breaks the provision of Art. 10 in relation to the implementation of the requirements of Art. 3, Para. 3 of Regulation (EC) N 1831/2003, shall be punished by a fine of BGN 10 000 to 25 000, and in a repeated breach, the fine shall be From BGN 25 000 to 50 000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 25000 to 50000, and in a repeated breach, the sanction shall be from BGN 50000 to 100000.

Art. 64. (Repealed. - SG, 54/2008)

Art. 65. (1) (Amend. - SG, 54/2008) Any natural person, who breaks the provision of Art. 12, related to observation of the requirements of Art. 3 of Regulation (EC) N 1831/2003, shall be punished by a fine in the amount of BGN 3000 to 5000, and in a repeated breach – the fine shall be in the amount

of BGN 5000 to 10000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 20000.

Art. 65a. (New - SG, 97/2012) (1) Any natural person, who breaks the provision of Art. 13a, shall be punished by a fine of BGN 3000 to 5000, and in a repeated breach the fine shall be from BGN 5000 to 10000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 20000.

Art. 66. (1) (Amend. - SG, 54/2008) Any natural person, who breaks the provision of Art. 15, Para. 1, related to the activities, falling in the scope of Art. 9 of Regulation (EC) N 183/2005 and referring to undertakings, different from the ones at the level of initial production of fodders, indicated in Art. 5, Para. 1 of Regulation (EC) N 183/2005, shall be punished by a fine of BGN 1000 to 3000, and in a repeated breach, the fine shall be in the amount of BGN 3000 to 5000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 3000 to 5000, and in a repeated breach, the sanction shall be from BGN 5000 to 10000.

(3) (Amend. - SG, 54/2008, amend. – SG 17/18, in force from 23.02.2018) Any natural person, who breaks the provision of Art. 15, Para. 3, 4 or 5 related to the activities, falling in the scope of Art. 10 of regulation (EC) N 183/2005, shall be punished by affine of BGN 5000 to 10000, and in a repeated breach the fine shall be in the amount of BGN 10000 to 20000.

(4) Where the breach under Para. 3 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 10000 to 20000, and in a repeated breach, the sanction shall be from BGN 20000 to 50000.

Art. 66a. (New - SG, 54/2008) (1) Any natural person, who breaks the provision of Art. 9 of Regulation (EC) N 183/2005, referring to undertakings, at the level of initial production of fodders and related to this activities, in indicated in Art. 5, Para. 1 of Regulation (EC) N 183/2005 shall be punished by a fine of BGN 300 to 1000, and in a repeated breach, the fine shall be in the amount of BGN 1000 to 3000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 1000 to 3000, and in a repeated breach, the sanction shall be from BGN 3000 to 10000.

(3) (New - SG, 97/2012) Any natural person, who breaks the provision of Art. 15a, Para. 3 shall be punished by affine of BGN 200 to 500, and in a repeated breach the fine shall be from BGN 500 to 1000.

(4) (New - SG, 97/2012) Where the breach under Para. 3 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 1500, and in a repeated breach, the sanction shall be from BGN 1500 to 3000.

Art. 66b. (New - SG, 54/2008) (1) (Amend. - SG, 88/2010, in force from 09.11.2010 amend. - SG, 97/2012) Any natural person, who feeds animals and breaks the provision of Art. 14a, Para. 1 or

Art. 26, Para. 5, related to observation of the requirements of Regulation (EC) N 183/2005, shall be punished by a fine of BGN 200 to 500, and in a repeated breach the fine shall be in the amount of BGN 500 to 1500.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 1500, and in a repeated breach, the sanction shall be from BGN 1500 to 3000.

Art. 66c. (New - SG, 97/2012) (1) Any natural person, who breaks the provision of Art. 14b, Para. 2 shall be punished by a fine of BGN 200 to 500 and in a repeated breach the fine shall be in the amount of BGN 500 to 1500.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 1500, and in a repeated breach, the sanction shall be from BGN 1500 to 3000.

Art. 66d. (New – SG 17/18, in force from 23.02.2018) (1) Any natural person who violates the provision of Art. 23i shall be fined in the amount from BGN 1 000 to 3 000, and in case of repeated violation the fine shall amount from BGN 3 000 to 5 000.

(2) Where the violation under Para. 1 is committed by a legal person or a sole trader, a pecuniary sanction of BGN 3 000 to 5 000 shall be imposed, and in case of repeated violation, the sanction shall be in the amount from BGN 5 000 to 10 000.

Art. 67. (1) (Amend. - SG, 54/2008, amend. - SG, 97/2012) Any natural person, who breaks the provision of Art. 16, Para. 7 and Art. 17c, Para. 1 shall be punished by a fine of BGN 200 to 500, and in a repeated breach the fine shall be in the amount of BGN 500 to 1000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 1000, and in a repeated breach, the sanction shall be from BGN 1000 to 3000.

(3) (New - SG, 54/2008, amend. - SG, 97/2012) Any natural person, who breaks the provision of art. 19, Para. 15 and Art. 55b, Para. 5 shall be punished by a fine of BGN 500 to 1000, and in a repeated breach, the fine shall be from BGN 1000 to 3000.

(4) (New - SG, 54/2008) Where the breach under Para. 3 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 1000 to 3000, and in a repeated breach, the sanction shall be from BGN 3000 to 5000.

Art. 68. (1) Any natural person, who fail to fulfill a prescription of the official control bodies under this act, if he/she is not subject to a heavier punishment, shall be punished by a fine of BGN 500 to 1500, and in a repeated breach the fine shall be in the amount of BGN 1500 to 3000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 1500 to 3000, and in a repeated breach, the sanction shall be from BGN 3000 to 5000.

(3) (New – SG 17/18, in force from 23.02.2018) Any natural person who fails to execute an order or prohibition act of the official control bodies under this act, if not subject to heavier penalty, shall be punished with a fine in the amount from BGN 1500 to 3 000, and in case of a repeated violation, the fine shall amount from BGN 3 000 to 5 000.

(4) (New – SG 17/18, in force from 23.02.2018) Where the violation under Para. 3 is committed by a legal person or a sole trader, a pecuniary sanction from BGN 3 000 to 5 000 shall be imposed, and in case of repeated violation, the sanction shall be in the amount from BGN 5 000 to 10 000.

Art. 69. (1) (Amend. - SG, 54/2008) Any natural person, who fails to assist, refuses or prevents carrying out of a official control in the meaning of Art. 2, Para. 1 of Regulation (EC) N 882/2004, including taking samples by the official control bodies, if he/she is not subject to a heavier punishment, shall be punished by a fine of BGN 1000 to 3000, and in a repeated breach the fine shall be in the amount of BGN 3000 to 5000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 3000 to 5000, and in a repeated breach, the sanction shall be from BGN 5000 to 10000.

Art. 70. (Repealed - SG, 97/2012, new – SG 17/18, in force from 23.02.2018) (1) Any natural person who does not pay the expenses under Art. 50a, Para. 4, where he is not subject to a more severe punishment, shall be liable to a fine in the amount from BGN 1 000 to 3 000, and in case of a repeated violation, the fine shall be between BGN 3 000 and 5 000.

(2) Where the violation under Para. 1 is committed by a legal person or a sole trader, a pecuniary sanction of BGN 3 000 to 5 000 shall be imposed, and in case of repeated violation, the sanction shall be in the amount from BGN 5 000 to 10 000.

Art. 71. (Amend. - SG, 54/2008) (1) Any natural person, who breaks the provision of Art. 24 and 27 shall be punished by a fine of BGN 500 to 1500.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 3000, and in a repeated breach, the sanction shall be from BGN 3000 to 10000.

(3) Any natural person, carrying out initial production of fodders and the related to it activities in the meaning of art. 5, Para. 1 of Regulation (EC) N 183/2005, who breaks the provisions of Art. 24 and 27, shall be punished by affine of BGN 200 to 500 and in a repeated breach, the fine shall be from BGN 500 to 3000.

(4) Where the breach under Para. 3 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 3000, and in a repeated breach, the sanction shall be from BGN 3000 to 5000.

Art. 71a. (New – SG 17/18, in force from 23.02.2018) (1) Any natural person who violates the provision of Art. 26c, Para. 1 shall be punishable with a fine in the amount from BGN 200 to 500, and in case of a repeated violation, the fine shall be between BGN 500 and 1 500.

(2) Where the violation under Para. 1 is committed by a legal person or a sole trader, a pecuniary sanction of BGN 500 to 1 500 shall be imposed, and in case of repeated violation, the sanction shall be in the amount from BGN 1 500 to 3 000.

Art. 72. (1) Any natural person, who breaks the provisions of Art. 28 shall be punished by a fine of BGN 3000 to 5000, and in a repeated breach the fine shall be from BGN 5000 to 10000

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 20000.

Art. 72a. (New – SG 17/18, in force from 23.02.2018) (1) Any natural person who violates the provision of Art. 29 shall be punishable with a fine in the amount from BGN 1 000 to 3 000, and in case of a repeated violation, the fine shall be between BGN 3 000 and 5 000.

(2) Where the violation under Para. 1 is committed by a legal person or a sole trader, a pecuniary sanction of BGN 3 000 to 5 000 shall be imposed, and in case of repeated violation, the sanction shall be in the amount from BGN 5 000 to 10 000.

Art. 73. (1) (Amend. - SG, 54/2008, suppl. - SG, 97/2012) Any natural person, who does not carry out initial production of fodders and the related to it activities, who breaks the provision of Art. 14a, Para. 1 and Art. 25, Para. 1 in relation to observation of the referable requirements for his/her activity of Regulation (EC) N 183/2005 shall be punished by a fine of BGN 3000 to 5000, and in a repeated breach the fine shall be from BGN 5000 to 10000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 20000.

(3) (New - SG, 54/2008, suppl. - SG 97/2012) Any natural person, carrying out initial production of fodders and the related activities to it, who breaks the provision of Art. 14a, Para. 1 and Art. 25, Para. 1 in relation to observation of the referable requirements to his/her activity of Regulation (EC) N 183/2005 shall be punished by a fine of BGN 300 to 1000 and in a repeated breach the fine shall be in the amount of BGN 1000 to 5000.

(4) (New - SG, 54/2008) Where the breach under Para. 3 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 1000 to 3000, and in a repeated breach, the sanction shall be from BGN 3000 to 5000.

Art. 74. (In force from 01.01.2008, amend. - SG, 54/2008) (1) Any natural person, carrying out activities, different from the ones in the meaning of Art. 5, Para. 1 and 5 of Regulation (EC) N 183/2005 and breaks the provision of Art. 26, Para. 1 shall be punished by a fine of BGN 200 to 500 and in a repeated breach the fine shall be in the amount of BGN 500 to 2000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 1500, and in a repeated breach, the sanction shall be from BGN 1500 to 3000.

(3) Any natural person, carrying out initial production of fodders and the related to it activities in the meaning of Art. 5, Para. 1 of Regulation (EC) N 183/2005, who breaks the provision of Art. 26, Para. 1 and 4 shall be punished by a fine of BGN 100 to 500, and in a repeated breach the fine shall be in the amount of BGN 500 to 1500.

(4) Where the breach under Para. 3 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 500 to 1500, and in a repeated breach, the sanction shall be from BGN 1500 to 5000.

(5) Any natural person, who breaks the provision of Art. 26, Para. 2 shall be punished by a fine of BGN 3000 to 5000, and in a repeated breach the fine shall be from BGN 5000 to 10000.

(6) Where the breach under Para. 5 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 10000, and in a repeated breach,

the sanction shall be from BGN 10000 to 20000.

Art. 75. (1) Where a natural person breaks the provisions of Art. 26, Para. 4 and 5, he/she shall be punished by a fine of BGN 1000 to 3000, and in a repeated breach, the fine shall be in the amount of BGN 3000 to 5000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 3000 to 5000, and in a repeated breach, the sanction shall be from BGN 5000 to 10000.

Art. 75a. (New - SG, 97/2012) (1) Any natural person, who breaks the provision of Art. 26, Para. 6, Art. 26a or 26b, shall be punished by a fine of BGN 5000 to 7500, and in a repeated breach the fine shall be in the amount of BGN 7500 to 10000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 10000 to 15000, and in a repeated breach, the sanction shall be from BGN 15000 to 20000.

Art. 76. (1) Any natural person, who breaks the provision of Art. 33 shall be punished by a fine of BGN 1000 to 3000, and in a repeated breach the fine shall be in the amount of BGN 3000 to 5000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 3000 to 5000, and in a repeated breach, the sanction shall be from BGN 5000 to 10000.

(3) (New - SG, 54/2008) Any natural person, whose activity falls in the scope of Art. 5, Para. 1 and 5 of Regulation (EC) N 183/2005, who breaks the provision of Art. 33, shall be punished by a fine of BGN 300 to 1000, and in a repeated breach the fine shall be in the amount of BGN 1000 to 5000.

(4) (New - SG, 54/2008) Where the breach under Para. 3 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 1000 to 3000, and in a repeated breach, the sanction shall be from BGN 3000 to 10000.

Art. 77. (Repealed - SG, 54/2008, new - SG, 97/2012) (1) Any natural person, who produces or uses fodders, which contain undesired substances or products above the maximum admissible concentrations, defined by the ordinance of Art. 11, Para. 3 or mixtures of such fodders in view to dilution, shall be punished by a fine of BGN 3000 to 5000, and in a repeated breach the fine shall be from BGN 5000 to 10000

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 8000, and in a repeated breach, the sanction shall be from BGN 8000 to 13000.

Art. 77a. (New - SG, 97/2012) (1) (Suppl. - SG, 7/2013) Any natural person, who breaks the provision of Art. 23c, Art. 23d or 23e, shall be punished by a fine of BGN 10000 to 20000, and in a repeated breach the fine shall be from BGN 15000 to 30000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 15000 to 30000, and in a repeated breach, the sanction shall be from BGN 30000 to 45000.

Art. 77b. (New - SG, 97/2012) (1) (Amend. – SG 17/18, in force from 23.02.2018) Any natural person, who breaks the provision of Art. 23f, Para. 1, 3, 5 or 6, or Art. 23g shall be punished by a fine of BGN 3000 to 5000, and in a repeated breach the fine shall be in the amount of BGN 5000 to 10000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 10000 to 15000, and in a repeated breach, the sanction shall be from BGN 15000 to 20000.

Art. 77c. (New - SG, 97/2012) (1) Any natural person, who breaks the provision of Art. 53, Para. 3 shall be punished by a fine of BGN 500 to 1000, and in a repeated breach the fine shall be from BGN 1000 to 3000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 1000 to 2000, and in a repeated breach, the sanction shall be from BGN 2000 to 5000.

Art. 77d. (New - SG, 97/2012) (1) Any natural person, who puts in the fodders or admits to be put in the fodders unlicensed medicinal mixtures or VMP, different from medicinal mixtures, shall be punished by a fine of BGN 2500 to 5000, and in a repeated breach the fine shall be from BGN 5000 to 8000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 6000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 20000.

Art. 77e. (New - SG, 97/2012) (1) Any natural person, who breaks Art. 55f, p. 1 - 5, shall be punished by a fine of BGN 3000 to 5000, and in a repeated breach the fine shall be from BGN 5000 to 10000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 20000.

Art. 77f. (New - SG, 97/2012) Whoever breaks a requirements for production, storage, packing, labeling, transportation, prescription, placing on the market and us of medicinal fodders shall be punished by a property sanction in the amount of BGN 3000 to 6000, and in a repeated breach the sanction shall be in the amount of BGN 6000 to 10000.

Art. 77g. (New - SG, 97/2012) (1) Any natural person, who breaks Art. 55f, p. 6, shall be punished by a fine of BGN 6000 to 10000 and in a repeated breach the fine shall be from BGN 10000 to 20000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 10000 to 15000, and in a repeated breach, the sanction shall be from BGN 15000 to 20000.

Art. 77h. (New - SG, 97/2012) (1) Anyone, who puts in hormone products or admits putting in

hormone products, beta-antagonist or thyreostats in the fodder for nutrition animals, raised for production of food, apart from the cases under Art. 55g, Para. 2 and in breach of the requirements of the ordinance under Art. 55g, Para. 3 shall be punished by a fine of BGN 500 to 1000 and in a repeated breach the fine shall be from BGN 1000 to 3000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 5000 to 10000, and in a repeated breach, the sanction shall be from BGN 10000 to 20000.

Art. 77i. (New - SG, 97/2012) (1) Any natural person, who breaks the provisions of this act or the ordinances on its implementation, apart from the cases of Art. 57a – 77h, shall be punished by a fine of BGN 500 to 1000, and in a repeated breach the fine shall be in the amount of BGN 1000 to 2000.

(2) Where the breach under Para. 1 has been perpetrated by a legal person or a sole trader, a property sanction shall be imposed in the amount from BGN 1000 to 2000, and in a repeated breach, the sanction shall be from BGN 2000 to 40000.

Art. 78. (1) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011 in force from 25.01.2011) The instruments for establishing the breaches shall be drawn up by officials, determined by the executive director of the Bulgarian Food Safety Agency.

(2) (Amend. - SG, 41/2010, in force from 01.06.2010, amend. - SG, 8/2011, in force from 25.01.2011) The penal decrees shall be issued by the director of the Regional directorates of food safety.

(3) Establishing the breaches, issuing, appealing and implementation of the penal decrees shall be carried out under the Act on the Administrative Breaches and Punishments.

Additional provisions

§ 1. (New - SG, 54/2008) For the purposes of this act the definitions, determined by the regulations under Art. 1, Para. 1. p. 8.

§ 1a. (Former § 1, amend. - SG, 54/2008, amend. - SG, 97/2012) in the meaning of this act:

1. "Rude breaches" are breaches of the requirements of this act or the normative instruments on its implementation, lead to direct danger for human, animal and plant health, pollution of the environment or substantial economic losses.

2. "Good production practice" is the system of general hygiene and technological rules for restriction to acceptable minimum of the risk from pollution of fodders by production or human activity. The rules refer to: design, state and maintenance of buildings, premises, machines, apparatuses, basic and assistance technical facilities, receiving and storage of raw materials, of basic, assistance, and packing materials, hygiene and training of staff, tracing systems and quality and technological process control, keeping the documentation.

3. "Labeling" are all the texts, signs, marks of the producer and trademarks, images and signs, which accompany or refer to a certain fodder and are placed on its packing in the form of a label, ring or lid, placed on it or are written in documents, instructions and announcements, which accompany them.

4. "Animals" are animals, raised for production of food and/or animals, which are not raised for production of food.

5. "Undesired substances and products" are substances or products (without pathogenic

micro-organisms) which are on the surface or in the fodders and which are dangerous for human and animal health and for the environment.

6. "Medicinal mixture" is a veterinary-medicinal product, prepared preliminary in view to its putting in the production of medicinal fodder.

7. "Medicinal fodder" is a mixture of medicinal mix and combined fodder, intended for prophylaxis, treatment, rehabilitation, correction or modification of physiological functions of animals.

8. "Intermediate products in production of medicinal fodders" are mixtures of one or more medicinal mixtures with fodder raw material or combined fodder (including adding fodder) which are intended for production of medicinal fodders.

9. "Site" is any premise or building, in which is carried out production, partial or complete processing, packing, re-packing, labeling, storage, trade and use of fodders.

10. "Operator in the fodder sector" is a natural or legal person, responsible for observation of the requirements of this act and the EU law within the frames of the activities under its control at each stage of production, processing, storage, transportation, placing on the market, including use of fodders and registered under the Commercial Act, The Act on Cooperation, The Act on Obligations and Contracts or under the Act on Assistance of the Agriculture Producers.

11. "Repeated breach" is a breach, perpetrated within 1 year term from the enforcement of the penal decree, by which the breaker has been punished for a breach of the same kind.

12. "Processing" is an activity, which changes the properties or composition of fodders, by turning them in raw materials for production of end products or in end products.

13. "Production" is a complete or partial process of production, processing or preparation, packing, re-packing, labeling and storage of fodders.

14. "Systematic breach" are 3 or more breaches of the requirements of this act and of the normative instruments on its implementation, for which the person has been imposed by administrative punishment with enforced penal decrees.

15. "Systematic prevention of the control activity" are 3 or more preventions on behalf of the operator in the fodder sector notwithstanding of the fact whether the operator is present or not during the checkup of the competent body.

16. "Third state" is any state, which is not member of the EU, party on the EEAA or Confederation Switzerland.

17. (new – SG 17/18, in force from 23.02.2018) "Consignment" is a quantity of feed of the same category or with the same description, entered in the same document, transported by the same means of transport.

Transitional and concluding provisions

§ 2. The Act on Fodders (publ., SG, 82/1999; amend., 101/2000, 58/2003, 69 and 8/2005, 30/2006) shall be repealed.

§ 3. Producers and traders, approved and/or registered under the requirements of the ordinance under Art. 10, Para. 5 of the repealed Act on Fodders may continue their activity, if by 1 January 2007 notify the National service of corn and fodders about this fact, and the ones, for whom no registration is required or approval under the same ordinance, but for whom registration is required under this act, may continue their activity if by 1 January 2007 produce an application for registration to the National service of corn and fodders.

§ 4. Producers and traders of fodders shall be obliged to reach compliance with the requirements of Art. 26, Para. 1 within the term of up to 1 January 2008.

§ 5. The produced fodders by the time of the enforcement of this act, which contain antibiotics as fodder additives may be traded by the time the produced quantities are exhausted, but not later than 30 September 2006.

§ 6. By 1 January 2008 the persons under Art. 14, Para. 1 shall submit a declaration according to a form, confirmed by the executive director of the National service of corn and fodders, that they have fulfilled the requirements of this act.

§ 7. (1) While preparing, assessing, amending the normative instruments, which provide the requirements to the fodders and their safety, the applicable international standards and available scientific information shall be taken in consideration.

(2) While preparing normative instruments, which regulate safety of fodders shall be reported the results of the risk analysis, apart from the cases, where this is inapplicable.

(3) The risk analysis shall be carried out on the basis of scientific proof in an independent, objective and transparent mode.

(4) The risk management shall be carried out by taking in consideration the results of the risk assessment and the opinions of the scientific organizations and if needed, temporary safety measures shall be applied.

(5) Temporary precaution measures shall apply, where the assessment of the available information shows probability for dangerous effects for the health, but there are not secure scientific proof for their occurrence. The measures shall apply until new scientific information for carrying out complete risk assessment is received.

(6) The applied temporary precautionous measures shall:

1. be proportional to the measures, needed for protection of animal and human health;
2. not restrict the trade, unless where it is needed for protection of life and health of animals and humans;
3. be complied with the technical and economical possibilities and with other applicable factors;
4. be re-examined periodically depending on the type of the established risk for animal and human health and the scientific information, needed for complete risk assessment.

(7) While preparing, assessing and amending and supplementing the normative acts, which regulate the requirements to fodders and their safety, the competent bodies shall conduct open and transparent public consultations.

§ 8. Art. 8, Para. 1, 2, 3 and 5, Art. 10, 13, 14, Art. 34, Para. 4 and 5, Art. 39, Para. 2, Art. 44, 50 and 61 shall be enforced from 1 January 2007, and Art. 74 shall come into force from 1 January 2008.

§ 9. The Act on Veterinary-medical Activity (publ., SG., 87/2005, amend. 30 and 31/2006) shall be amended as follows:

1. Art. 395, Para. 1 p. 7 shall be repealed.
2. In Art. 398 the words: "Art. 10, Para. 2" shall be replaced by: "Art. 19, Para. 9".
3. Art. 399 shall be repealed.
4. In Art. 404, Para. 1 the words: "Art. 10, Para. 2" shall be replaced by: "Art. 19, Para. 9".
5. In Art. 466, Para. 1 the words: "Art. 10, Para. 2" shall be replaced by: "Art. 19, Para. 9".

§ 10. The act on Storage and Trade of Corn (publ. SG, 93/1998; amend., 101/2000, 9 and 58/2003, 69 and 105/2005, 30 and 34/2006) shall be supplemented as follows:

1. In Art. 24, Para. 2 at the end the following shall be added: "or under the legislation of an EU Member State or a state – party of the EEAA".

2. In Art. 29, Para. 6 at the end the following shall be added: "as well as to receive from the bodies of the National Revenue Agency tax and security information about the persons, carrying out storage and trade of corn in breach of the act and the normative instruments on its implementation".

§ 11. In the Food Act (publ., SG, 90/1999; amend., 102/2003, 70/2004, 87, 99 and 105/2005, 30, 31 and 34/2006) in Art. 6t the following amendments and supplementations shall be made:

1. In Para. 1, p. 1 at the end, "or" shall be added.
2. In Para. 2 the word: "stopping" shall be replaced by: "lifting".

§ 12. The issued legislative normative acts under Art. 10, Para. 7, Art. 11, Para. 3 and art. 15b, Para. 4 of the repealed act on Fodders shall apply, unless they contradict this act and by their explicit repeal.

The act has been adopted by the 40th National Assembly on 22 June 2006 and has been sealed by the official stamp of the National Assembly.

Transitional and concluding provisions **TO THE ACT, AMENDING AND SUPPLEMENTING THE ACT ON FISHING AND** **AQUACULTURES**

(PUBL. - SG, 36/2008)

§ 59. In the Act on Fodders (SG, 55/2006) everywhere the words "the Minister of Agriculture and Forests" and the Ministry of Agriculture and Forests" shall be replaced by "the Minister of Agriculture and Food Supply" and the "Ministry of Agriculture and Food Supply".

TO THE ACT, AMENDING AND SUPPLEMENTING THE ACT ON FODDERS

(PUBL. - SG, 54/2008)

§ 79. Everywhere in the act the words: "food supply" shall be replaced by "food".

Transitional and concluding provisions **TO THE ACT, AMENDING AND SUPPLEMENTING THE ACT ON PLANTING AND**

SEEDING MATERIAL

(PUBL. - SG, 41/2010, IN FORCE FROM 01.06.2010)

§ 21. (1) The National service of corn and fodders, within the term of 3 months from the enforcement of this act shall provide to the Regional veterinary-medical service the documentation for the sites, registered and/or approved under the current procedure, as well as the lists of the operators in the fodder sector, who carry out exchange of fodders with EU Member State or distribute consignments of fodders from EU Member States.

(2) The directors of the Regional veterinary-medical services, within the term of up to 6 months from the enforcement of this act shall officially issue an order for approval, or an order and certificate for entry of the sites under Para. 1 and shall enter them in the relevant register of the Regional veterinary-medical service, for which not charge shall be collected.

(3) The issued before the enforcement of this act temporary approvals shall keep their force for the term, for which they were issued.

(4) The initiated procedures for approval or registration of sites shall be finalized under the procedure of this act.

(5) The National service of corn and fodders, within the term of up to 1 month from the enforcement of this act, shall deliver to the Regional veterinary-medical service the documents, related to the initiated procedure under Para. 4.

§ 22. (1) The National service of corn and fodders, within the term of 1 month from the enforcement of this act shall provide to the Regional veterinary-medical service the documents of the sites, of which the approval has been temporarily been withdrawn.

(2) The interested persons, after removing the breaches, brought to temporary withdrawal of the approval, shall notify in writing the director of the Regional veterinary-medical service.

(3) The director of the Regional veterinary-medical service shall appoint a commission, which within 7 day term from the notification under Para. 2 shall checkup the site and shall give opinion.

(4) Within 3 day term from receiving the opinion under Para. 3, the director of the Regional veterinary-medical service shall issue an order for approval and/or registration and shall enter the site in the relevant list or register, or shall refuse with a motive the approval and/or registration. The refusal may be appealed under the Administrative-procedure Code.

§ 23. Apart from the cases under § 21, Para. 1 and 5 and § 22, Para. 1 within the term of up to 3 months from the enforcement of this act, the National service of corn and fodders shall deliver to the National veterinary-medical service all the documents, referring to safety of fodders, including instructions, check-lists and other documents for carrying out the control on fodder safety, the documents related to risk assessment as well as the confirmed forms of documents.

§ 24. The National service of corn and fodders shall deliver to the National veterinary-medical service the documents under § 21 - 23 according to a record with a statement protocol.

§ 25. Within the term of up to 10 days from the enforcement of this act the National service of corn and fodders shall provide to the National veterinary-medical service a complete access to the electronic data base for the operators in the fodder sector.

.....

§ 27. The act shall be enforced from the day of its publication in the State Gazette.

Transitional and concluding provisions
TO THE ACT, AMENDING AND SUPPLEMENTING THE ACT ON FODDERS

(PUBL. - SG, 88/2010, IN FORCE FROM 09.11.2010)

§ 30. The legislative normative instruments, issued on the basis of the repealed provisions by § 7 shall keep their force, unless they contradict this act and by their explicit repeal.

§ 31. The act shall come into force from the day of its publication in the State Gazette.

Transitional and concluding provisions
TO THE ACT ON THE BULGARIAN FOOD SAFETY AGENCY

(PUBL. - SG, 8/2011, IN FORCE FROM 25.01.2011)

§ 8. The Act on Fodders (publ., SG, 55/2006; amend., 36, 54 and 100/2008 and 41 and 88/2010) shall be amended and supplemented as follows:

.....

21. In the remaining texts of the act the words: "National veterinary-medical service" shall be replaced by "Bulgarian Food Safety Agency" and the words: "Regional veterinary-medical service" shall be replaced by: "Regional directorate on food safety".

.....

§ 30. The act shall come into force from the day of its publication in the State Gazette.

Transitional and concluding provisions
TO THE ACT, AMENDING AND SUPPLEMENTING THE ACT ON FODDERS

(PUBL. - SG, 97/2012)

§ 55. The ordinances under Art. 400, Para. 3 and Art. 407 of the act on Veterinary-medical Activity shall apply by the issuance of the ordinances under Art. 55, Para. 2 and 55g, Para. 3, unless they contradict the Act on Fodders.

§ 56. (1) The issued certificates of the operators in the fodder sector shall keep their force by the enforcement of the act.

(2) The registered and approved by the day of the enforcement of this act operators in the fodder sector, who while carrying out their activity use animal by-products and who produce and/or trade with medicinal fodders, within the term of up to 1 May 2013 shall submit an application for

registration or approval under this act.

(3) With the submission of the application under Para. 2, no charge shall be paid for registration or approval.

(4) For approval under Para. 2 no on-site checkup shall be carried out.

(5) The initiated before the enforcement of this act procedures for registration and approval of the operators in the fodder sector shall be finalized under the current procedure.

Concluding provisions

TO THE ACT AMENDING THE ACT ON BULGARIAN FOOD SAFETY AGENCY

(PROM - SG 58 FROM 2017, IN FORCE FROM 18.07.2017)

§ 72. In the Act on Fodders (prom., SG 55 of 2006, amended, SG 36, 54 and 100 of 2008, 41 and 88 of 2010, SG 8 of 2011, SG 83 and 97 of 2012, SG 7 of 2013, SG 12 of 2015 and SG 58 of 2016), everywhere the words "Ministry of Agriculture and Food", "the Minister of Agriculture and Food Foodstuffs" and "the Minister of Agriculture and Food" shall be replaced by "the Ministry of Agriculture, Foods and Forestry", "the Minister of Agriculture, Foods and Forestry" and "the Minister of Agriculture, Foods and Forestry" respectively.

.....

§ 76. The act shall enter into force on the day of its promulgation in the State Gazette.

Concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON FODDERS

(PROM. - SG 17 OF 2018, IN FORCE FROM 23.02.2018)

§ 66. The Act shall enter into force on the day of its promulgation in the State Gazette.

Relative acts of the European legislation

Regulation (EC) N 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition.

Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules