



USDA Foreign Agricultural Service

# GAIN Report

Global Agriculture Information Network

Template Version 2.09

Voluntary Report - Public distribution

**Date:** 3/31/2008

**GAIN Report Number:** E48035

## EU-27

### FAIRS Subject Report

### Proposal for a new EU Feed Labeling Regulation

### 2008

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**Report Highlights:**

On March 4, 2008, the European Commission presented a proposal for a new framework regulation on the labeling and marketing of feed and pet food. The draft regulation sets out general rules for the labeling of feed and specific labeling requirements for feed materials, compound feed (including pet food) and dietetic feed. If adopted, one single regulation will replace several directives and implement feed marketing rules in a more uniform way.

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Includes PSD Changes: No  
Includes Trade Matrix: No  
Annual Report  
Brussels USEU [BE2]  
[E4]

## Proposal for a new EU Feed Labeling Regulation

### Scope

On March 4, 2008, the European Commission presented a proposal for a new framework regulation on the labeling and marketing of feed and pet food. Currently, feed marketing rules are scattered over several directives (according to the type of feed concerned) with cross references to many amending and implementing acts. If adopted, one single regulation would replace the old directives and implement feed marketing rules in a more uniform way.

The draft regulation sets out general rules for the labeling of feed and specific labeling requirements for feed materials, compound feed (including pet food) and medicated or dietetic feed. Under the proposed rules, pre-market authorizations for bio-proteins will be replaced by a market surveillance system to tackle safety risks. The current mandatory percentage declaration of raw materials in compound feed will be replaced by a requirement to indicate the materials in the exact descending order of weight. Only feed complying with the provisions laid down in the proposed regulation and with the provisions on feed additives laid down in Regulation 1831/2003 and Directive 90/167/EEC will be allowed on the EU market. The Commission will also establish and update a "negative list", i.e. a list of materials that are prohibited in feed. The new rules will not only apply to on-pack labels but also to other means of communication (such as Internet) between the producer and the consumer. This proposal has to be adopted under the co-decision procedure and must be notified to the WTO under the TBT agreement.

The proposal can be downloaded from the Commissions' website at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0124:FIN:EN:PDF>.

Feed-related legislation such as the TSE regulation (999/2001), the Animal By-Products regulation (1774/2002), the GM Food & Feed regulation (1829/2003) and the Feed Hygiene regulation (183/2005) do not fall within the scope of the proposal.

### General Mandatory Labeling Requirements

Mandatory labeling information must be given in a clearly legible and indelible way, in the official language(s) of the Member State where the product is marketed, in a prominent place on the packaging. It must be given in a color, font and size that does not obscure or emphasize any part of the information.

- type of feed: feed material, complete feed or complementary feed
- name or business name and address of the feed business operator
- establishment approval number if available
- batch or reference number
- net quantity
- list of feed additives
- moisture content

Sales in bulk, unsealed packages or containers must be accompanied by a document containing all mandatory labeling information.

## Specific Mandatory Labeling Requirements

In addition to the general labeling requirements, the proposal also establishes specific labeling requirements for feed materials, compound feed, dietetic feed, pet food and contaminated feed.

### Feed Materials:

- the name of the feed material accompanied by the compulsory category declaration listed in Annex IV or the information laid down in the Community Catalog.

### Compound Feed:

- species or category of animals for which the compound feed is intended
- instructions for proper use
- in case the manufacturer is not the person responsible for the labeling information: the name or business name and address of the manufacturer or an identification/registration number
- minimum storage life
- list of feed materials of which the feed is composed, bearing the heading "composition" and indicating the name of each feed material in descending order by weight (the percentage of a feed material must be indicated if its presence is emphasized on the label)
- compulsory declarations provided for in Chapter II of Annex V or VI

In the case of compound feed for non-food producing animals, the indication of the specific name of the feed material may be replaced by the category name (a list of categories will be established by the Commission).

### Dietetic Feed:

- the qualifying expression "dietetic"
- intended use (a list of authorized intended uses will be established by the Commission)
- the indication that the opinion of a nutrition expert must be sought before use

### Pet Food:

- feed additives incorporated into the pet food
- the name of the category to which a feed material belongs
- a free customer telephone number

### Contaminated Feed:

Feed containing exceeding levels of undesirable substances must be labeled "feed with excessive levels of [designation of undesirable substance] in accordance with Annex I to Directive 2002/32/EC, only intended for authorized detoxification establishments".

## Voluntary Labeling

Additional voluntary labeling on compound feed may only include the following information:

- country of production or manufacture
- description or trade name of the product

- specific processing the feed has undergone
- moisture content
- date of manufacture
- special storage conditions
- price

### **Packaging**

Feed may only be marketed in sealed packages or containers. By way of derogation, the following feed may be marketed in bulk or in unsealed packages or containers:

- feed materials
- compound feed exclusively obtained by mixing grain or whole fruit
- deliveries between producers of compound feed
- deliveries of compound feed directly to the feed user
- deliveries from producers of compound feed to packaging firms
- quantities of compound feed not exceeding 50 kilograms intended for the final user taken directly from a sealed package or container
- blocks or licks

### **Abolition of Pre-Market Authorization**

Directive 82/471/EEC requires a pre-market authorization for all possible bio-proteins. In 2003, several products such as amino acids were transferred to the Feed Additives Regulation 1831/2003 to ensure a safety risk assessment before being marketed in the EU. For the remaining bio-proteins such as inactivated yeast the pre-market authorization procedure is out of proportion with the marginal risk they may pose. The draft regulation proposes a market surveillance system instead of a pre-market authorization to tackle safety risks.

### **Adoption of the Proposal**

This is a proposal for a European Parliament and Council Regulation which has to be adopted under the co-decision procedure. Under the co-decision procedure the Council and the European Parliament have equal legislative power.

A significant change is the move from several "Directives" to a single "Regulation" to limit the variations in the implementation of the requirements by the different Member States. A "Directive" has to be transposed into national laws while a "Regulation" has to be implemented "as is", by all the Member States on the same date.

Updates of lists and amendments to the Annexes of the new feed labeling regulation will be adopted by the Commission under the Comitology procedure. Under the Comitology procedure, the Commission submits a proposal to the Standing Committee on the Food Chain and Animal Health (composed of Member State experts) which votes for or against the proposal on the basis of qualified majority.

Under the TBT-Agreement, the feed labeling proposal has to be notified to the WTO to allow third countries to submit comments on the proposed rules. More information on EU measures notified to the WTO is available on our website at <http://useu.usmission.gov/agri.WTOnotif.html>.

**Visit our website:** our website <http://useu.usmission.gov/agri/> provides a broad range of useful information on EU import rules and food laws and allows easy access to USEU reports, trade information and other practical information. More information on feed & feed additives can be found at <http://useu.usmission.gov/agri/feed.html>. E-mail: [AgUSEUBrussels@fas.usda.gov](mailto:AgUSEUBrussels@fas.usda.gov).

**Related reports from USEU Brussels:**

Report Number	Title	Date Released
<a href="#">E35222</a>	Community Register of Feed Additives	Nov 2005
<a href="#">E47056</a>	Food and Agricultural Import Regulations and Standards (FAIRS)	Jul 2007
<a href="#">E47043</a>	Introduction to EU Institutions	Jun 2007