

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT
POLICY

Voluntary Public

Date: 9/24/2010

GAIN Report Number: E50060

EU-27

Post: Brussels USEU

EU Feed and Pet Food Labeling Requirements

Report Categories:

FAIRS Subject Report

Approved By:

Elisa Wagner

Prepared By:

Hilde Brans

Report Highlights:

This report provides an overview of the EU's feed and pet food labeling requirements established by Regulation 767/2009.

General Information: Feed and Pet Food Labeling

Scope

[Regulation 767/2009](#), applicable as of September 1, 2010, sets out new rules for the labeling and marketing of feed and pet food. The main objective of this regulation is the harmonization and simplification of feed legislation that was previously scattered over seven directives and one decision. The new regulation sets out general and specific labeling requirements for feed materials, compound feed and medicated or dietetic feed for both food and non-food producing animals. New requirements relate to the indication in descending order of weight of feed materials in compound feed, claims, the establishment of a non-exhaustive Catalog of feed materials and Codes of good labeling. The Commission will also establish and update a “negative” list, i.e. a list of feed materials that are restricted or prohibited, taking into account notifications under the Rapid Alert System for Food and Feed.

The new rules will not only apply to on-pack labels but also to other information systems such as the Internet and advertizing. Feed and pet food not complying with [Regulation 767/2009](#) and with the provisions on feed additives laid down in [Regulation 1831/2003](#) and [Directive 90/167/EC](#) will not be allowed on the EU market. [Regulation 767/2009](#) also applies to other Community provisions applicable in the field of animal nutrition such as the GM Food & Feed Regulation ([Regulation 1829/2003](#)), the Organic Production & Labeling Regulation ([Regulation 834/2007](#)) and the Animal By-Products Regulation ([Regulation 1774/2002](#), as of March 4, 2011 [Regulation 1069/2009](#)).

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 font size that does not obscure or emphasize any part of the information unless such variation is to draw attention to precautionary statements. Feed and pet food marketed in bulk or in unsealed packages and containers must be accompanied by a document containing all mandatory labeling information established by [Regulation 767/2009](#) (also see “Packaging”).

Labels must include:

- Type of feed:
 - feed material
 - complete feed: the designation “complete milk replacer feed” may be used
 - complementary feed: the designations “mineral feed” or “complementary milk replacer feed” may be used
 - for pets other than cats and dogs the designation “complete feed” or “complementary feed” may be replaced by “compound feed”
- Name or business name and address of the feed business operator responsible for the labeling
- Establishment approval number if available
- Batch or reference number
- Net quantity

- List of feed additives preceded by the heading “additives” in accordance with Chapter 1 of Annex VI or VII
- Moisture content in accordance with point 6 of Annex I

Specific Mandatory Labeling Requirements

In addition to the general labeling requirements, [Regulation 767/2009](#) also establishes specific labeling requirements for feed materials, compound feed, dietetic feed, pet food and contaminated feed.

Feed Materials:

- Name of the feed material accompanied by the compulsory category declaration listed in Annex V or the information provided by the Community Catalog
- When additives are incorporated: the species or categories of animals for which the feed material is intended in case the additives in question are not authorized for all animal species
- Instructions for proper use
- Minimum storage life for additives other than technological additives

Compound Feed:

- Species or categories of animals for which the compound feed is intended
- Instructions for proper use
- In cases here the producer is not the person responsible for the labeling: name and address of the producer or an identification number
- Minimum storage life: “use before ...” followed by the date DD/MM/YY for highly perishable feed, “best before ...” followed by the date DD/MM/YY for other feed
- List of feed materials bearing the heading “composition” and indicating the name of each feed material in descending order by weight based on the moisture content in the compound feed
- Compulsory declarations provided for in Chapter II of Annex VI (labeling information for feed materials and compound feed for food-producing animals) or Annex VII (labeling information for feed materials and compound feed for non-food producing animals), as applicable

Under [Regulation 767/2009](#), the so-called “open declaration”, i.e. the mandatory labeling requirement to indicate the percentage by weight of all feed materials incorporated in compound feed has been replaced by a requirement to indicate the feed materials in descending order by weight. However, if the presence of a certain feed material is highlighted on the label in words, pictures or graphics the exact percentage by weight must be indicated. For non-food producing animals, the specific name of a feed material may be replaced by the category name. A list of categories will be established by the Commission.

Dietetic Feed:

- Qualifying expression “dietetic” next to the type of feed
- Intended use
- Indication that the opinion of a nutrition expert must be sought before use

Dietetic feed may only be marketed as such if its intended use is included in the list of acceptable intended uses set out in [Directive 2008/38/EC](#).

Pet Food:

- Pet food manufacturers must provide contact details, i.e. a free telephone number, for purchasers wishing to obtain information on feed additives and the names of feed materials within a category

[Commission Regulation 454/2010](#) allows a transitional period of one year, until August 31, 2011 to comply with the new pet food labeling requirements.

Contaminated Feed:

- Contaminated feed must be labeled in accordance with Annex VIII to [Regulation 767/2009](#)

Claims

Labels on feed materials and compound feed may highlight the presence or absence of a certain substance, a specific nutritional characteristic, process or function provided the claim is objective and verifiable by the competent authorities. Scientific substantiation must be available at the time the feed is placed on the market. Claims that feed materials and compound feed will prevent, treat or cure a disease are not allowed. Feed may not be marketed as dietetic unless the nutritional purpose is included in the list of intended uses established by [2008/38/EC](#).

Community Catalog of Feed Materials

[Commission Regulation 242/2010](#) establishes the Community Catalog of feed materials listing names, identification numbers, descriptions and definitions. Its use is voluntary but where it is used all relevant provisions have to be complied with. The EU feed industry, in consultation with the Member States, the European Food Safety Authority (EFSA) and feed users, is responsible for drafting amendments to the Catalog. In addition, the feed industry is required to publish and maintain an online register listing feed materials not yet included in the Catalog. The use of a feed material placed on the market for the first time should be notified to the EU feed industry representatives in order to have it listed in the register.

Community Codes of Good Labeling Practice

In consultation with the Member States, EFSA and feed users, the feed industry will develop two “Community codes of good labeling practice”: one for pet food and one for compound feed for food-producing animals. The codes, subject to Commission approval, will supplement the mandatory labeling requirements and include provisions on voluntary labeling declarations, the presentation of labeling information and the use of claims. A draft EU Code for compound feed was presented to the Commission in July 2010.

Packaging

Feed materials and compound feed may be marketed only 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 obtained exclusively by mixing grain or whole fruit
- Deliveries between producers of compound feed
- Deliveries of compound feed directly from the producer to the feed user
- Deliveries from producers of compound feed to packaging firms

- Quantities of compound feed not exceeding 50 kg intended for the final user and taken directly from a sealed package or container
- Blocks or licks

Specified Provisions of Regulation 767/2009

Provision	Subject
Article 1	Objective
Article 2	Scope
Article 3	Definitions
Article 4	General safety requirements
Article 5	Responsibilities and obligations of feed businesses
Article 6	Restriction and prohibition on the marketing or use of certain materials for animal nutrition purposes
Article 7	Adoption of guidelines clarifying distinction between feed materials, feed additives and other products
Article 8	Content of feed additives
Article 9	Marketing of feed intended for particular nutritional purposes
Article 10	List of intended uses
Article 11	Principles for labeling and presentation
Article 12	Designation of the person responsible for labeling
Article 13	Claims
Article 14	Presentation of labeling information
Article 15	General mandatory labeling requirements
Article 16	Specific labeling requirements for feed materials
Article 17	Specific labeling requirements for compound feed
Article 18	Additional labeling requirements for dietetic feed
Article 19	Additional labeling requirements for pet food
Article 20	Additional labeling requirements for non-compliant feed
Article 21	Derogations
Article 22	Voluntary labeling
Article 23	Packaging
Article 24	Community Catalog of feed materials
Article 25	Community Codes of good labeling practice
Annex I	Technical provisions on impurities, milk replacer, feed materials for binding or denaturizing, ash level and moisture content
Annex II	General provisions on labeling referred to in Article 11
Annex III	List of restricted or prohibited materials
Annex IV	Permitted tolerances for compositional labeling
Annex V	Compulsory declaration of feed materials referred to in Article 16
Annex VI	Labeling information for feed materials and compound feed for food producing animals
Annex VII	Labeling information for feed materials and compound feed for non-food producing animals
Annex VIII	Labeling of non-compliant feed