



Bundesministerium für  
Ernährung, Landwirtschaft  
und Verbraucherschutz



Bundesamt für  
Verbraucherschutz und  
Lebensmittelsicherheit



# Guideline for the Labelling of Feed Materials and Compound Feed

(as of: 22 June 2010)



Annex I Glossary

Annex II Examples of Labelling

Annex III Additives subject to labelling requirements

Annex IV Tolerances for analytical constitutes and additives

(The annexes are not translated.)

## 1. Objective

The purpose of this guideline is to serve

- the **feed business operators active in the animal feed sector** in accordance with Article 3 No. 6 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>1</sup>,
- **those responsible for labelling** in accordance with Article 12 of Regulation (EC) No. 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC<sup>2</sup> (hereinafter: Feed Marketing Regulation, FMR) and
- the **individuals involved in official feed controls**

as **guidance** for the implementation of the rules governing the labelling of feed materials and compound feed in accordance with the FMR.

The guideline is aligned exclusively to **explaining the prescribed labelling information**. The outline conditions for voluntary information beyond that can be determined in the Community codes which should be formulated by the representatives of the animal feed business sector in accordance with Article 25 of the FMR.

## 2. Legal Bases

### 2.1 European Law

**The 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**

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<sup>1</sup> OJ EC No. L 31 of 1 Feb. 2002, P. 1

<sup>2</sup> OJ EC No. L 229 of 1 Sep. 2009 P. 1

**Commission Decision 2004/217/EC** was published in the Official Journal on 1 September 2009 and is to be applied from 1 September 2010.

**Animal feed** brought into the market or labelled up to 1 September 2010 may be placed on in the market and used (*Article 32 (1) FMR*)<sup>3</sup>. In addition to this, feedingstuffs labelled in accordance with FMR provisions may be marketed from as early as 16 June 2010. Pet food labelled in accordance with the provisions valid until 1 September 2010 may still be marketed for the first time until 31 August 2011 and remain on the market until the stocks have been used up.<sup>4</sup>

The provisions on the labelling of feed additives (additives) and premixtures in accordance with Regulation (EC) No. 1831/2003 on additives for use in animal nutrition<sup>5</sup> are not covered by the guideline. In addition, the labelling provisions of other Community regimes must be observed (Article 2 (2) FMR), e.g.:

- Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community<sup>6</sup>,
- Directive 2002/32/EC of the European Parliament and of the Council on undesirable substances in animal nutrition<sup>7</sup>,
- Regulation (EC) 999/2001/EC laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies,
- Regulation (EC) No. 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption<sup>8</sup>,
- Regulation (EC) No. 1829/2003 on genetically modified food and feed<sup>9</sup>,
- Regulation (EC) No. 1830/2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms<sup>10</sup>,
- Regulation (EC) No. 834/2007 on organic production and labelling of organic products<sup>11</sup>.

<sup>3</sup> All information in parenthesis in "*italics*" relates to Regulation (EC) No. 767/2009

<sup>4</sup> Commission Regulation (EC) No. 454/2010 of 26.05.2010 on transitional measures under Regulation (EC) No 767/2009 of the European Parliament and of the Council as regards the labelling provisions for feed (OJ EC No. L 128 of 27.05.2010, P.1)

<sup>5</sup> OJ EC L 268 of 18 Oct. 2003, P. 29

<sup>6</sup> OJ EC No. L 92 of 07.04.1990, P. 42

<sup>7</sup> OJ EC No. L 140 of 30.05.2002, P. 10

<sup>8</sup> OJ EC No. L 273 of 10.10.2002, P. 1

<sup>9</sup> OJ EC No. L 268 of 18.10.2003, P. 1

<sup>10</sup> OJ EC No. L 268 of 18.10.2004, P. 34

<sup>11</sup> OJ EC No. L 189 of 20.07.2007, P. 1

## 2.2 National Law

If any circumstances are not covered by the FMR, the provisions of the German Food and Feed Law (LFGB)<sup>12</sup> and Animal Feed Regulation (FMV)<sup>13</sup> apply. This applies in particular to the

- **designated uses of dietetic feedingstuffs** determined in accordance with Art. 9 point a in conjunction with Annex 2 point a, FMV,
- **groups of feed materials, the listing of which replaces the listing of feed materials in the labelling of pet food (categories)** determined in accordance with Art. 13 (3) in conjunction with Annex 2 point b, FMV,
- **estimating equations for the calculation of the energy content of compound feed** determined in accordance with Art. 13 (4) in Annex 4 Part 2 or Art. 14 (2) in conjunction with Annex 4 Part 1, FMV.

The national labelling provisions for specific NPN compounds pursuant to Section 11 FMV must also be observed.

## 2.3 Scope

The FMR applies to **feedingstuffs for animals intended for food production** (food-producing animals) as well as **feedingstuffs for animals not used as food sources** (non-food producing animals) within the Community (*Article 2 (1) FMR*).

The FMR does not apply to

- **feedingstuffs manufactured for export.** The general provisions of Article 12 of Regulation (EC) No. 178/2002 on general food law should be observed in regard to exports, however. For this reason feed intended for export that therefore deviates from the Community rules with regard to composition or labelling should be stored separately from other feedingstuffs and suitably identified as such;
- **water used as animal drinking water or for the manufacture of feedingstuffs.** The FMR does apply, however, to feedingstuffs fed to animals using water (e.g. milk replacers). The water used by feed companies is covered by Regulation (EC)

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<sup>12</sup> Announcement of the amended version of the Food and Feed Code of 24 July 2009 (Federal Law Gazette I P. 2205)

<sup>13</sup> Announcement of the amended version of the Animal Feed Ordinance of 24 May 2007 (Federal Law Gazette I P. 270)

No. 183/2005 laying down requirements for feed hygiene<sup>14</sup> which stipulates that all and every dangerous contamination of animal feed is to be avoided during its manufacture and use, and that water of a quality suitable for animals is to be used for the manufacture of feedingstuffs and as animal drinking water. The BMELV (Federal Ministry for Food, Agriculture and Consumer Protection) guideline framework<sup>15</sup> should be used to assess the suitability of water for the manufacture of feedingstuffs and as animal drinking water. In the labelling of feed materials and compound feed, the water content is taken into account by the indication of the moisture content (see 4.1 point g).

## 2.4 Definitions

Important definitions in accordance with Article 3, FMR, and other animal feed provisions are listed in Annex I - Glossary.

## 3. Requirements for Labelling and Presentation as well as Responsibilities

### 3.1 Labelling and Presentation

In accordance with Article 16 of Regulation (EC) No. 178/2002, the users may not be misled by the labelling, advertising and presentation of animal feedingstuffs through their form, appearance, packaging, used packaging materials, type of arrangement or scope of presentation, nor by any information disseminated by any medium. In addition to this, specific requirements for labelling and presentation are laid down in Article 11 of the FMRFMR. Accordingly, the user of the feedingstuff, e.g. the farmer or pet owner, must not be confused by the labelling or presentation of a feedingstuff. Reference is made here to the definition of the terms "Labelling" and "Presentation" in Annex I - Glossary.

To be noted in particular (*Article 11 (1) of the FMRFMR*):

- a) The **designated use** of each feed type (e.g. feed material, compound feed, complementary feed) must be clearly recognizable.

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<sup>14</sup> OJ EC L 35 of 8 Feb. 2005, P. 1

<sup>15</sup> [http://www.bmelv.de/clin\\_163/SharedDocs/StandardArticle/Landwirtschaft/Tier/Futtermittel/Orientierungsrahmen-Traenkewasser.html?nn=448244](http://www.bmelv.de/clin_163/SharedDocs/StandardArticle/Landwirtschaft/Tier/Futtermittel/Orientierungsrahmen-Traenkewasser.html?nn=448244)

- b) The **information on the properties** of the feed must be **correct, unequivocal, transparent, logical** and **understandable** to the user. This includes characteristics such as:
- Type of feed
  - Method of manufacture or production
  - Characteristics
  - Composition
  - Quantity
  - Shelf life
  - Target species / category
  - Mode of use
- c) Only the **information on the effects or properties** of a feedingstuff may be given that it actually has. It is not permitted, however, to attribute special effects or properties to a feedingstuff which all comparable feedingstuffs also have (= advertising with obvious characteristics).
- d) In the event of the **voluntary use of the “Catalogue of feed materials”** (Catalogue) in accordance with Article 24 of the FMRFMR, whose first version was drawn up with the Regulation (EU) No. 242/2010 creating the Catalogue of feed materials<sup>16</sup>, or the "Codices for good labelling practices" in accordance with Article 25 of the FMRFMR by a feed manufacturer, all relevant provisions of the catalogue or codex must be complied with and satisfied.

The general requirements of the FMRFMR, especially for advertising and presentation, apply to **all media** (including the internet) in or by means of which information on feed is distributed.

**However, all mandatory labelling particulars** on a feedingstuff must, **if present**, be provided when the offer to buy is made at the latest – both on the label as well as on or in other media (e.g. leaflets, advertising material, internet presentation).

The labelling requirements (*Article 11 (3) FMRFMR*) apply in the event of a **distance selling contract**<sup>17</sup> via a means of distance communication<sup>18</sup> in accordance with

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<sup>16</sup> OJ EU No. L 77 of 24.03.2010, P. 17

<sup>17</sup> According to Article 2 No. 2 of Directive 97/7/EC, a distance selling contract covers “any contract concerning goods or services concluded between a supplier and a consumer under an organized distance sales or service-provision scheme run by the supplier, who, for the purpose of the contract, makes exclusive use of one or more means of distance communication up to and including the moment at which the contract is concluded.”



Directive 97/7/EC on consumer protection in the conclusion of distance selling contracts<sup>19</sup>. Remote communication technologies of this kind are listed in Annex I of Directive 97/7/EC by way of example:

- Printed matter with or without address
- Preprepared standard letters
- Press advertising with order sheet
- Catalogue
- Telephone communication with persons as the discussion partner, including video telephone
- Telephone communication with machines
- Teleshopping, videotext
- Internet
- Electronic mail and telefax.

Irrespective of the type of remote communication technology used, certain information listed in Articles 15, 16 and 17 of the FMRFMR must be revealed to the buyer prior to the conclusion of the distance selling contract. Any information not imparted initially must be provided at the time of delivery of the animal feed at the latest. The supplier must fulfil the obligation to provide complete information – in two stages if necessary – without being requested to do so.

A compilation of the information obligations prior to the conclusion of a distance selling contract and upon delivery at the latest is contained in the following overview:

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<sup>18</sup> According to Article 2 No. 4 of Directive 97/7/EC, a "means of distance communication" means any means which, without the simultaneous physical presence of the supplier and the consumer, may be used for the conclusion of a contract between those parties."

<sup>19</sup> OJ EC L 7 of 25 Dec. 2007, P. 1

Information required prior to the conclusion of the distance selling contract	Information required upon delivery at the latest
<p><u>For all feedingstuffs</u></p> <ul style="list-style-type: none"> <li>- Feed type (feed material, complete feed, complementary feedingstuffs)</li> <li>- If available: approval number</li> <li>- List of additives</li> <li>- Moisture content in accordance with Annex I No. 6 of the FMR</li> </ul> <p><u>Additionally for feed materials:</u></p> <ul style="list-style-type: none"> <li>- The designation of the feed material</li> <li>- Prescribed information for the respective group in line with Annex V of the FMR or catalogue<sup>20</sup></li> <li>- Species if a species-limited additive was added to the feed material</li> <li>- Instructions on proper use if additives were used for which maximum levels have been set</li> </ul> <p><u>Additionally for compound feed</u></p> <ul style="list-style-type: none"> <li>- Animal species/category</li> <li>- Instructions on proper use</li> <li>- List of feed materials or categories for pet food</li> <li>- Prescribed information on proper use in accordance with Annex II No. 4 of the FMRFMR;</li> <li>- If the manufacturer is not responsible for labelling: <ul style="list-style-type: none"> <li>- Name / business of manufacturer</li> <li>- or approval number</li> <li>- or identification number of the manufacturer/ importer if available or provided on request</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Name or business name and address of the person responsible for labelling</li> <li>- Identification number batch / lot</li> <li>- Net mass / net volume</li> </ul> <ul style="list-style-type: none"> <li>- Minimum shelf life of the additive in the case of feed materials containing additives that are not technological additives</li> </ul> <ul style="list-style-type: none"> <li>- Minimum shelf life</li> </ul>

The **tolerances** (Annex IV) determined in accordance with Article 11 (5) in conjunction with Annex IV of the FMRFMR should be taken into consideration when evaluating the correctness of the information on the analytical constituents and concentrations in a feed material or compound feed on the label.

### 3.2 Responsibilities

The feed manufacturer who first brings a feed into circulation in the European Union or under whose name the feed is marketed is **responsible for proper labelling and the**

<sup>20</sup> If this information is not completely available at the time the offer is made, provisional information can also be given (e.g. proper margins, table values). In this case, the final information must be provided on delivery at the latest.

**correctness** of the information. In the event of work contracted out, the party placing the order is responsible for labelling (*Article 12 (2) of the FMRFMR*).

The person responsible for labelling of feed shall make available to the **competent authorities** any information concerning the composition or claimed properties of the feed placed on the market by that person. The information must be such as to allow the competent authority to verify the accuracy of the indications given by the labelling, including the exact percentages by weight of feed materials used in compound feed and all additives used (*Article 5 (2) FMRFMR*).

**Even feed business operators not directly responsible for labelling**, such as dealers, must also ensure in a suitable manner (e.g. by consulting the manufacturer) that the feedingstuffs they offer are properly and correctly marked and labelled. They may not offer any feed which they know or should have presumed does not comply with the labelling provisions (*Article 12 (4) FMRFMR*). To this end, every dealer must check the information provided by the manufacturer within the scope of his/her duty of care<sup>21</sup>. Where necessary, this can also include random verification of the correctness of information concerning the content of ingredients or component materials.

Every feed business operator is responsible for ensuring that mandatory labelling particulars are transmitted throughout the food chain all the way through to the final user of the feed (*Article 12 (5) FMR*). To this end, each feed business operator shall ensure in his company that the prescribed labelling information is passed on correctly to the buyer so that the ultimate user<sup>22</sup> (farmer or other user) receives the prescribed information in accordance with the FMR.

### 3.3 Mode of Labelling

If feed materials and compound feeds are marketed in sealed packages or containers in accordance with Article 23 (1) of the FMR, the mandatory labelling particulars must be given in their entirety in a prominent place **on the packaging or container** or on an attached **label**. Feed materials and compound feed must be labelled in **German** (*Article 14 (1) FMR*).

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<sup>21</sup> Feed business operators, including dealers and importers, who place feed for food-producing animals on the market must in accordance with Article 5 (2) of Regulation (EC) No.183/2005 comply with the provisions of Annex II and put in place a procedure according to the HACCP principles pursuant to Article 6. This also includes that the feed business operator takes due care to ensure that the feed he/she placed on the market meets the requirements of feed law.

<sup>22</sup> The ultimate user of feedingstuffs is the person in the feed chain who uses the feed for its intended purpose, i.e. mixes it directly for feeding or feeds it to an animal.

The mandatory labelling particulars must be applied **clearly visibly** in a prominent position and must also be **clearly legible** with regard to e.g. the font size and colour of the lettering and background colours, as well as **indelible**. Other labels must be clearly separated from the prescribed and voluntary information in accordance with the FMR and may not contradict the prescribed or voluntary information in accordance with the FMR, obscure or emphasize it. Parts of the information may be emphasized if the user's attention is to be drawn to safety information (*Article 14 (2) FMR*).

Feed materials or compound feed marketed in bulk or in unsealed packages or containers in accordance with Article 23 (2) of the FMR (this includes deliveries on trailers or on silo trains, direct sale of compound feed of up to 50 kg to livestock keepers from sealed packages or containers<sup>23</sup>) may only be placed on the market if all of the mandatory labelling particulars required under this Regulation are listed on an **accompanying document** which can be clearly assigned to this delivery (*Article 11(2)FMR*).

### 3.4 Information

Information must be **objective, verifiable** by the competent authority and **understandable** for the user. The competent authorities can request that the person responsible for the labelling provides evidence of the **scientific substantiation of the claims** (*Article 13 FMR*). Suitable evidence can be publicly accessible scientific papers, for example, or company-internal research results.

The **evidence presented** is examined on a case-by-case basis. The significance of the alleged effect, the number of scientific papers already available and the scientific significance and topicality of such studies e.g. must be taken into consideration.

Professionally contested claims cannot be regarded as sufficiently substantiated. The following are not very conclusive either:

- Affidavits from manufacturers or importers
- Statements from individuals
- Statements from stakeholder bodies
- Official certificates of marketability or
- Quality certificates

**without evidence of a scientific substantiation.**

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<sup>23</sup> "Sealed packages or containers" pursuant to Article 23 (2) point f of the FMR are resealable packages or containers after opening, but not "sealed" packages or containers as defined in Article 23 (1) of the FMR.

The following can be considered as **evidence of scientific substantiation**:

- Specialised scientific articles and studies (orientated on the Guideline<sup>24</sup> for proving the effectiveness of additives)
- Extracts from text books
- Expert opinions
- Official statements (e.g. EFSA, Federal Institute for Risk Assessment (BfR)) or
- Tests by independent organisations and test institutes.

The following aspects should be examined, in particular, so that claims and statements on particular properties or functions of the feedingstuff can be verified in regard to unauthorised advertising or deception:

- Type and contents of designation, claims, presentation
- Type of presentation
- Type and contents of the statements
- Statements on the effects and function of the feed
- Giving the impression of a medicinal product
- Deviation from the general trade practice
- Giving the impression of better characteristics
- Claims regarding the prevention, treatment or curing of diseases which are not a result of wrong nutrition<sup>25</sup>.

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<sup>24</sup> Regulation (EC) No. 429/2008 of the Commission of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives (OJ EC L 133 of 22 May 2008, P. 1)

<sup>25</sup> According to Article 13 (3) point a of the FMR, claims concerning the prevention of nutritional imbalances can be made provided that there is no pathological symptom is associated with them. Nutritional imbalances should be regarded as a form of nutrition in which the feedingstuff is composed in such a way that it does not satisfy the physiological needs of the animal, with the result that an insufficiency of nutrients (such as proteins, vitamins and minerals) or a health-damaging over-supply thereof can occur in the course of time.

## 4. Labelling of Feed Materials and Compound Feed

### 4.1 General Information for Feed Materials and Compound Feed

Feed material and compound feed may only be marketed once the following labelling particulars have been provided (*Article 15 in conjunction with Annexes I, VI and VII FMR*):

- a) **Feed type**, i.e. “feed material”, “complete feed” or “complementary feed”
  - For “complete feed”<sup>26</sup> the designation “complete milk replacer feed” may be used if appropriate
  - For “complementary feed”, the designations “mineral feed” or “complementary milk replacer feed” can be used if applicable
  - In the case of a compound feed for pets other than cats and dogs, the designations “complete feed” or “complementary feed” may be replaced by the designation “compound feed”.
  
- b) **Name** or business name as well as the postal **address** (postcode, city, street with house number or PO box) of the feed business operator responsible for labelling. The name and address of the responsible feed business operator or the name and address of his feed manufacturing plant must be given.
  
- c) If available and necessary for the manufacture or marketing of the feed in question<sup>27</sup>, the **approval number** of the company of the person responsible for labelling which was granted
  - to companies that have been approved in accordance with Article 23 (2), points a, b and c of Regulation (EC) No. 1774/2002, as defined by Article 13 of Regulation (EC) No. 1774/2002<sup>28</sup> (*Use of certain animal by-products of Categories 2 and 3 for feeding to zoo animals, circus animals, reptiles, birds of prey, fur-bearing animals, wild animals whose meat is not intended for human*

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<sup>26</sup> The decision as to whether a feed can be designated a “complete feed” due to its composition or whether another designation should be used lies in the responsibility of the feed business operator. It is the task of the official inspection body to check the correctness of this assurance. The animal keepers must ensure that the animals in their care are properly fed. They must bear in mind here that certain phases in the lifetime of an animal (e.g. youth, old age) or metabolism situations (laying periods with birds, suckling periods etc.) place different demands on nutrition.

<sup>27</sup> The rules in Article 15 FMR refer to “a feed material” or “a compound feed”. Thus, the approval number to be indicated in accordance with Article 15 point c refers to the presence with regard to a specific feed material or a specific compound feed.

<sup>28</sup> Article 13: Approval of processing establishments for material of categories 1 and 2. (Note: Only Category 2 material from these processing establishments is authorised for use as animal feed.)

*consumption, dogs from recognised kennels or packs of hounds, and maggots used as fish bait) or*

- in accordance with Article 17 of Regulation (EC) No. 1774/2002<sup>29</sup>
- in accordance with Article 10 in conjunction with Article 19 of Regulation (EC) No. 183/2005<sup>30</sup> or
- had been awarded to businesses requiring approval in accordance with Section 31 No. 1 of the Animal Feed Ordinance (third country representatives) pursuant to Section 28 (3) No. 3 of the FMV.

If the company to which the person responsible for labelling belongs has several approval numbers, the number awarded in accordance with Regulation (EC) No. 183/2005 should be given.

The indication of an approval number in the labelling of a feedingstuff for the production of which **no approval is required** is likely to mislead the user and is therefore inadmissible, in particular, according to Article 11 (1) point a of the FMR.

In cases where the **manufacturer of compound feed** is not the person responsible for labelling, the name or business name and address of the manufacturer should be given in addition. If available and also required for the manufacture of the feedingstuff concerned, the individual identifying number (approval number) in accordance with Article 19 of Regulation (EC) No. 183/2005 or the approval or registration number in accordance with Art. 31 point b, FMV (third country establishments), can be given instead of the name or business name. If neither of these numbers is available, the manufacturer or importing feed business can apply for an **identifying number from the competent authority** and list this number in place of the others. This number is to be awarded by the competent authority in accordance with the Article 17 (1) point c of the FMR in the

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<sup>29</sup> Article 17: Approval of processing businesses for Category 3 material

<sup>30</sup> An approval number for the manufacture and marketing of compound feed is awarded to the businesses approved in accordance with Article 10 in conjunction with Annex VI Chapter 3 pursuant to Article 19 (2) of the Regulation (EC) No. 183/2005 if they produce compound feed or place it on the market that contains zootechnical additives such as coccidiostats or histomonostats.

format of the models given in Chapter II of Annex V<sup>31</sup> to Regulation (EC) No. 1831/2003<sup>32</sup>.

d) **Identification number of the batch** or lot:

An identification number should be given for each batch or lot for the purpose of traceability and control. This identification number should be applied to the package or container or to a label attached to them, or to the accompanying documents of bulk goods (e.g. delivery note, invoice). It should also be indicated on each retained sample. When feed is divided up into new batches, the identification number should be retained to ensure traceability (*Article 18 (4) in conjunction with Article 15 (3) of Regulation (EC) No. 178/2002*).

e) In the case of solid products, the **net mass** expressed as a unit of mass, in the case of liquid products, the net mass or **net volume**. In the case of pet food and feed for birds living in the wild, the **number of units** can instead be indicated if this animal feed is only traded by number according to general trade practice (*Section 9 No. 4 Prepackaging Regulation*<sup>33</sup>)

f) **Additives** (if added<sup>34</sup>) (Article 15 point f in conjunction with Annex VI and VII)

1. The following additives are to be included in a list under the heading “Additives” or “Additives per kg”:

- Additives for which a maximum concentration has been established for any given target species<sup>35</sup>
- Additives in the categories “zootechnical additives” and “coccidiostats and histomonostats”

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<sup>31</sup> The identifying number is made up as follows:

- the ISO code of the Member State or of the third country where the feed business is located and
- the national reference number, to a maximum of eight alphanumeric characters (e.g. DE BY 100815).

<sup>32</sup> Registration or approval numbers that had been awarded pursuant to Section 31 point b FMV in the version valid prior to 24 May 2007 may no longer be indicated.

<sup>33</sup> Prepackaging Regulation in the version promulgated on 8 March 1994 (Federal Law Gazette I P. 451, 1307, last amended by Regulation of 11 June 2008 (Federal Law Gazette I P. 1079).

<sup>34</sup> Additives that are part of a preparation of an approved additive (e.g. antioxidants, binding agents) are not added as such to feed materials or compound feed and must therefore not be indicated. As part of the re-authorisation of additives pursuant to Regulation (EC) No. 1831/2003, the composition of each preparation of an additive is stipulated in the respective authorisation ordinance. In the case of old additives that have been approved pursuant to Directive 70/524/EEC notably by means of a group authorisation (e.g. vitamins), the form of preparation has to be assessed on a case-by-case basis.

<sup>35</sup> Each additive for which a maximum concentration has been determined for any species or animal category (e.g. vitamin A) must be listed, irrespective of the species for which the feed material or compound feed is intended.



- Additives in the functional group “Urea and its derivatives” of the category “nutritional additives” in accordance with Annex I of Regulation (EC) No. 1831/2003.

The additives subject to labelling requirements are listed in Annex III.

Where feed **for food-producing animals** is concerned, the following information must be provided for every reportable additive in accordance with Article 15, point f in conjunction with Chapter I, Annex VI of the FMR:

- The specific name as defined in the relevant legal act authorising the feed additive in question
- The identification number
- The added quantity<sup>36</sup> and
- The corresponding designation of the functional group in accordance with Annex I or the category in accordance with Article 6 (1) of Regulation (EC) No. 1831/2003.

Where feed for **non-food producing animals** is concerned, the following information must be provided for every reportable additive in accordance with Article 15, point f in conjunction with Chapter I, Annex VII of the FMR:

- The specific name as defined in the relevant legal act authorising the feed additive in question or
- The identification number and
- The added quantity<sup>37</sup> and
- The corresponding designation of the functional group in accordance with Annex I or the category in accordance with Article 6 (1) of Regulation (EC) No. 1831/2003.

Divergent from this, it is according to Annex I of Regulation (EC) No. 1831/2003 sufficient for feedingstuffs for non-food producing animals to merely list the functional group in question for additives in the functional groups “preservatives”, “antioxidants” and “colourants”. In this case, the full details of the person responsible for labelling must be given at the request of the buyer.

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<sup>36</sup> The added quantity must be listed in accordance with Annex III of Regulation (EC) No. 1831/2003 (active-substance level, units of activity, number of colony-forming units). If additives with the same active ingredient are used (e.g. zinc), each individual additive must be listed. When calculating maximum concentrations, the naturally occurring content of substances identical with the additives must be taken into account in accordance with Annex IV No. 1 of Regulation (EC) No. 1831/2003.

<sup>37</sup> The added quantity must be listed in accordance with Annex III of Regulation (EC) No. 1831/2003 (active-substance level, units of activity, number of colony-forming units). If additives with the same active ingredient are used (e.g. zinc), each individual additive must be listed. When calculating maximum concentrations, the naturally occurring content of substances identical with the additives must be taken into account in accordance with Annex IV No. 1 of Regulation (EC) No. 1831/2003.

The **order** in which the information provided for each additive is given can be freely chosen. However, the information must in the chosen form be understandable to the user of the feedingstuff (*Article 13(1) point a FMR*).

2. The name as defined in the relevant legal act authorising the feed additive in question and the added amount of a feed additive must also be listed if its presence is emphasised on the labelling in words, pictures or graphics.
3. The person responsible for labelling must disclose the designations, identification numbers and functional groups of feed additives not mentioned in accordance with Nos. 1 or 2 to the purchaser at his request.
4. Over and above the information prescribed in Nos. 1 or 2, additives can be listed voluntarily in the form outlined in No. 1 or using one or more labelling elements.
5. If a sensory<sup>38</sup> or nutritional/additive in accordance with Annex I of Regulation (EC) No. 1831/2003 is listed voluntarily, its added amount should also be indicated.
6. If an additive belongs to more than one of the functional groups, only the functional group or category appropriate to its principal function in the case of the feed in question should be indicated.
7. **Complementary feed or feed materials may not contain levels of feed additives that are higher than 100 times the relevant fixed maximum content** in complete feed or five times in case of coccidiostats and histomonostats except as otherwise provided in the list of particular nutritional purposes pursuant to Section 9 point a in conjunction with Annex 2 point a of the Animal Feed Regulation (*Article 8 FMR*).

It should be noted that the amount of added feed additives to be indicated refers to the original substance of the compound feed or the feed material, while the maximum levels are set on the basis of feed materials with a dry matter of 88 %. In the case of liquid formulations, the feed additive content must therefore be

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<sup>38</sup> In the case of feedingstuffs for the production of which a premixture has been used it should be noted that pursuant to Article 16 (2) of Regulation (EC) No. 1831/2003 *the list of additives can be replaced by the term "mixture of flavouring substances"* in the labelling of flavouring substances in a premixture. However, this rule does not apply to the labelling of feed materials or compound feed pursuant to the FMR.

converted accordingly on the basis of the indicated (or analytically determined) moisture content (see 4.1 point g).

g) **Moisture content** (*Article 15 point g in conjunction with Annex I Number 6 FMR*); If no other content is listed in Annex V of the FMR or the feed material catalogue in accordance with Article 24<sup>39</sup> of the FMR, the moisture content of the feed must be listed if it exceeds the following values:

- 5 % for mineral feeds that do not contain any organic substances
- 7 % for milk substitute feeds and other compound feeds with a dairy product content of more than 40 %
- 10 % for mineral feeds that contain organic substances
- 14 % for other feeds.

h) The **content of ash insoluble in hydrochloric acid** (*Article 4 (3) in conjunction with Annex I Number 5 FMR*) may be no more than 2.2 % of the dry matter. The concentration of 2.2 % may be exceeded, however, for:

- Feed materials
- Compound feed with authorised mineral binding agents
- Mineral feeds
- Compound feed consisting of more than 50 % rice or sugar beet by-products
- Compound feed consisting of more than 15% fish meal intended for consumption by farmed fish

if the content is listed on the label.

With regard to feed materials labelled in accordance with the catalogue, the details - deviating from this - that have been stipulated for the individual feed material in the catalogue may be provided.

i) **Instructions for proper use** (Article 17 (1) point b FMR)

The provision of instructions for proper use is only prescribed for compound feed. If additives have been mixed in, however, instructions must be given for all feedingstuffs if this is prescribed in each respective authorisation ordinance pursuant to Regulation (EC) No. 1831/2003, e.g.:

- Maximum age and period of use
- Possible mixtures with other additives.

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<sup>39</sup> First version of the catalogue pursuant to Regulation (EU) No. 242/2010

Instructions for safe use should also be provided where it is prescribed and necessary, e.g.

- Information on user safety (breathing protection, protective goggles, gloves) or
- Information on special manufacture-related properties (storage temperature, pelleting stability etc.).

## 4.2 Special Information

### 4.2.1 Special information for feed materials

The special information must be given **in addition to the information in Section 4.1**.

The following must additionally be indicated for **feed materials**:

a) **Name** (*Article 16 (1), point a in conjunction with Article 24 (5) FMR*)

The designation of the feed material must comply with the nature of the substance and may not mislead the user. It must be recognizable in the name whether a vegetable, animal or mineral feed material is involved, what the natural origin of the feed material is (sunflower seed, soya bean) and the type of treatment and processing (e.g. dried, pressed).

The name listed in the **catalogue** may only be used if the feed material complies with the description in the catalogue concerning the production process and the respective requirements. The use of the catalogue is voluntary, incidentally (*Article 24 (5) FMR*).

If a feed material is not yet listed in the catalogue, the positive list of the ZDL<sup>40</sup> (Central Committee of the German Agricultural Industry) standards commission can, by way of alternative, be used to help assess the name.

In addition to this, it should also be checked when a feed material is not listed in the catalogue whether the first marketer reported the use of the feed material to the European feed sector board and whether the feed is listed **in the register**. The register is published and updated regularly by this board on the internet<sup>41</sup> (*Article 24 (6) FMR*).

<sup>40</sup> <http://www.dlg.org/positivliste.html>

<sup>41</sup> <http://www>. (no address has been published as yet). The European feed sector has not yet determined or publicized the procedure for the drawing up and release of the register.

b) **Analytical constituents** (*Article 16 (1), point b FMR*)

The indication of analytical constituents is prescribed for all feed materials (including feed materials with a moisture content of more than 50%) and results from the assignment of the feed material to the respective group in accordance with Annex V of the FMR. If products and by-products are made from cereal grains, this is as follows:

- Starch, if > 20 %,
- Crude protein, if > 10 %,
- Crude fats, if > 5%
- Crude fibres.

If a feed material is listed in the catalogue, the prescribed information in accordance with Annex V of the FMR can be replaced by the information laid down in the catalogue.

The **tolerances** listed in **Annex IV** apply when assessing the correctness of the indication of analytical constituents (*Article 11 (5) in conjunction with Annex IV FMR*).

c) **Additives** (if added) (*Article 16 (2) FMR*)

In the case of **feed materials containing additives**, the following information must be given **in addition to the name and analytical constituents** in accordance with points a and b:

- The **species and animal category** (see No. 4.2.2.1 a of the guideline) if the additive is not authorised for all species or a maximum concentration has been established for certain species or animal categories; it may also be pointed out, in addition, for which animal species or animal category the additive has not been authorised,
- **Instructions for use**
- **Minimum shelf life** for the additive (except technological additives), the minimum shelf life for each additive must be indicated if several additives have been added.

The **instructions for use** must only be listed if a maximum concentration has been determined for the additive and the content in the feed material exceeds the maximum concentration determined for a daily ration (complete feed). In this case, the **maximum usable quantity** of the feed material should be listed (*Article 16 (2), point b in conjunction with Annex II No. 4 FMR*):

- in grams or kilograms or units of volume of the feed material per animal and day or

- as a percentage of the daily ration or
- per kilogram of complete feed or as a percentage of complete feed.

d) **Feed material used for denaturing or binding** (*Annex I No. 4 FMR*)

Where feed materials are used to **denature or bind other feed materials**, the product may still be considered to be a feed material. In this case, the name, nature and quantity of the feed material used to bind or denature must be listed in addition to the information required in accordance with points a - c. If a feed material is bound by another feed material, the percentage of the latter may not exceed 3 % of the total weight.

#### 4.2.2 Special information for compound feed

##### 4.2.2.1 Compound feed for all animal species (*Article 17 FMR*)

The following information must be listed for all complete, complementary and mineral feeds. See 4.2.2.2 for deviating information for feed for non-food producing animals.

##### a) **Animal species and category** (*Article 17 (1) point a FMR*)

The animal species or category must be listed.

In the interest of uniform information, it is recommended that the animal species/category is listed in accordance with Annex IV of Regulation (EC) 429/2008<sup>42</sup>:

<b>Species</b>	<b>Animal Category</b>
Pigs	Suckling piglets
	Piglets (weaned)
	Piglets (suckling and weaned)
	Fattening pigs
	Breeding sows
Poultry	Sows
	Fattening chickens <sup>43</sup>
	Young hens
	Laying hens
	Fattening turkeys
Cattle	Young turkeys
	Breeding calves
	Fattening calves

<sup>42</sup> Regulation (EC) No. 429/2008 of the Commission of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives (OJ EC L 133 of 22 May 2008, P.1)

<sup>43</sup> The animal category "broiler" may be indicated, as appropriate.

	Fattening cattle
	Cows for milk production <sup>44</sup>
	Breeding cows
Sheep	Breeding lambs
	Fattening lambs
	Sheep
	Female breeding sheep
Goats	Breeding kids
	Fattening kids
	Goats
	Breeding goats
Fish	Salmon and trout
Rabbits	Suckling and young rabbits
	Fattening rabbits
	Female breeding rabbits
Horses	Horses <sup>45</sup>

b) **Minimum storage life** (Article 17 (1) point b FMR)

Only the minimum storage life of the entire feedingstuff must be listed on the label.

Minimum storage life must be listed as follows:

- “*Use before ...*” followed by a particular date (DD/MM/YY)<sup>46</sup> for feedingstuffs that are easily perishable due to degradation processes (e.g. moisture content > 14%);
- “*Best before ...*” followed by a particular date (MM/YY) in the case of other feedingstuffs (moisture content < 14%).

If the date of manufacture is given, minimum storage life can also be listed as follows:

*“... (specified number of days or months) after the date of manufacture”.*

c) **Composition** (Article 17 (1) point e in conjunction with para. 2 FMR)

- The list of feed materials of which compound feed is composed should be listed under the heading “Composition”.
- The name of the feed material is done as described in Chapter 4.2.1. point a.
- Feed materials are listed in **descending order (semi-open declaration)** by weight calculated on the basis of the moisture content (complies with the original substance) in the compound feed. The feed material that forms the main portion of the compound feed in terms of weight should

<sup>44</sup> The animal category "dairy cows" may be indicated as appropriate.

<sup>45</sup> The animal categories "foals" or "ponies" may be indicated as appropriate.

<sup>46</sup> When listing in German, the date can also be written as DD.MM.YY.

be listed first, followed by the second heaviest feed material. Abiding by this principle, all feed materials contained in the compound feed are to be listed.

- The **premixtures**<sup>47</sup> contained in compound feed may not be included as such in the list of component feed materials. A note can be made at another suitable place, e.g. as a footnote “Feed contains a premixture”. The feed materials used in a premixture as carrier substances<sup>48</sup> do not have to be included in the list of feed materials.
- The weight percentages can be indicated voluntarily in the list of feed materials. In this case, there is no tolerance for the information, so only the analysis error has to be taken into account when assessing correctness.
- If special emphasis is given to a feed material through words, images or graphics, its weight percentage must be stated.

d) **Instructions for proper use** (Article 17 (1) point b FMR)

Useful information should be given on the proper use of compound feeds (e.g. for milk replacers: “This complete feed may only be fed to animals aged up to six months”, for complementary feed, the mixing ratio for proper use).

With regard to instructions for the proper use of complementary feedingstuffs **with concentrations of additives that are higher than the maximum concentrations established for complete feed**, the permissible quantity to be used must be clearly stated in order to ensure that the respective maximum concentration of additives is complied with in the daily ration (Article 17 (1) point b in conjunction with Annex II No. 4 FMR).

In this case, the recommended feeding quantity should be given:

- in grams or kilograms or units of volume of the complementary feed per animal and day or
- as a percentage of the daily ration.

If a complementary feed is used to produce a complete feed, a note on the quantity added should also be given.

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<sup>47</sup> Note: Pursuant to Article 16 (2) of the Regulation (EC) No. 1831/2003, the list of additives in the case of flavouring substances can, in the labelling of premixtures, be replaced by the words “mixture of flavouring substances”. Given that if such a premixture is to be used in this way, no information is given on the flavouring substances contained, individual flavouring substances cannot be listed under the heading “additives”.

<sup>48</sup> Note: The rule laid down in Article 29 No. 3 of the FMR merely applies as a formality for the indication of the feed materials used as carrier substances in the labelling of premixtures pursuant to Article 16 (4) of Regulation (EC) No. 1831/2003.



e) Analytical constituents (Article 17 (1) point f in conjunction with Article 22 (1) FMR)

- The analytical constituents should be listed under the heading “Analytical Constituents”; the heading “Ingredients” can be used as an alternative.
- The information on concentrations of analytical constituents (ingredients) relates to the original substance of the compound feed (Annex II No. 1 FMR). By derogation the HCl insoluble ash content can be indicated based on the dry matter (Annex I No. 5 FMR)
- If amino acids, vitamins or trace elements are listed under the heading “Analytical Constituents”, their total content should be listed; the total content is the sum of the quantity that may have been added in the form of additives and the natural content of the feed material in question and other constituents, as appropriate, (e.g. as a constituent of other additives such as iron from zinc oxide). The concentration determined with the help of the official analysis method in compliance with Article 11 (1) of Regulation (EC) No. 882/2004 on official controls<sup>49</sup> should be given as the **total content**.

The following **analysis methods** should be used for the prescribed listing of analytical constituents:

Analytical Constituent	Analysis Method
Crude protein	Annex III C of Regulation (EC) No. 152/2009 <sup>50</sup>
Crude fibre	Annex III I of Regulation (EC) No. 152/2009
Crude fat	Annex III H of Regulation (EC) No. 152/2009
Crude ash	Annex III M of Regulation (EC) No. 152/2009
Lysine	Annex III F of Regulation (EC) No. 152/2009
Methionine	Annex III F for Regulation (EC) No. 152/2009 <sup>51</sup>

<sup>49</sup> OJ EC No. L 165 of 30 April 2004, P.1 as amended in OJ EC No. L 191 of 28 May 2004, P.1

<sup>50</sup> Regulation (EC) No. 152/2009 of the Commission of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed (OJ EC No. L 54 of 26. February 2009, P. 1)

<sup>51</sup> The method should not be used to determine the hydroxy analogues of amino acids. In the event of voluntary listing, the concentrations of hydroxy analogues in amino acids should be determined in line with the respective official methods and listed separately. The following official methods should be used to list the concentration of methionine-hydroxy analogue:

VDLUFA Method Book Volume III: Chemical examination of feedingstuffs: Association Method No. 4.11.3 Determination of DL-2-Hydroxy-4-Methyl-Mercapto-Butyric Acid or Association Method No. 4.11.4 Determination of DL-2-Hydroxy-4-Methyl-Mercapto-Butyric Acid after Hydrolysis (Total MHA)

Calcium Sodium Magnesium	DIN EN 15510 Determination of calcium, sodium, phosphorus, magnesium, potassium, iron, zinc, copper, manganese, cobalt, molybdenum, arsenic, lead and cadmium in feedingstuffs by means of ICP-AES; German version of EN 15510:2007 <u>or</u> IN EN ISO 6869 Feedingstuffs – Determination of concentrations of calcium, copper, iron, magnesium, manganese, potassium, sodium and zinc – atomic absorption spectrometric method (ISO 6869:2000); German version EN ISO 6869:200 <sup>52</sup>
Phosphorus	Annex III P of Regulation (EC) No. 152/2009
Moisture content	Annex III A or B of Regulation (EC) No. 152/2009
Hydrochloric acid-insoluble ash	Annex III N of Regulation (EC) No. 152/2009

The following information on the analytical constituents of **compound feed for food-producing animals** is only to be given for each feed type and each animal species (Article 17 (1) point f in conjunction with Article 22 (1) and in conjunction with Annex VI FMR)

Feedingstuff	Analytical constituents	Target species
Complete feed	Crude protein	All animal species
	Crude fibres	All animal species
	Crude fat <sup>53</sup>	All animal species
	Crude ash	All animal species
	Lysine	Pigs and poultry
	Methionine	Pigs and poultry
	Calcium	All animal species
	Sodium	All animal species
	Phosphorus	All animal species
Complementary feed – Mineral	Lysine	Pigs and poultry
	Methionine	Pigs and poultry
	Calcium	All animal species
	Sodium	All animal species
	Phosphorus	All animal species
	Magnesium	Ruminants

<sup>52</sup> It is currently planned to include both methods in the collection of official analysis methods. It must still be clarified, however, to what extent both methods can be used in light of the cascade provision contained in Regulation (EC) No. 882/2004.

<sup>53</sup> The term "raw oils and raw fats" is used in Annex VII of the FMR. To avoid misunderstandings with the common designation of vegetable and animal oils (feed material) as "raw oil", only the term "raw fat" should be used in the indication of the analytical constituents.

Feedingstuff	Analytical constituents	Target species
Complementary feed – Other	Crude protein	All animal species
	Crude fibres	All animal species
	Crude fat	All animal species
	Crude ash	All animal species
	Lysine	Pigs and poultry
	Methionine	Pigs and poultry
	Calcium $\geq$ 5 %	All animal species
	Sodium	All animal species
	Phosphorus $\geq$ 2 %	All animal species
	Magnesium $\geq$ 0.5 %	Ruminants

If one of the analytical constituents (including natural contents) to be indicated is not present in the compound feed, no indication is required (e.g. Methionine oder Lysine in mineral feed).

If an **energy value** is given, the calculation method in Annex VII of Regulation (EC) No. 152/2009 should be used for poultry feed and the estimating formulas in line with Annex 4 of the FMV for feed for ruminants and pigs. Energy values for other species or protein values can be indicated on the basis of scientific methods. In this case information on the method of calculation must be provided.

The **tolerances listed in Annex IV** (Article 11 (5) in conjunction with Annex VI FMR) apply to the assessment of the correctness of the analytical constituents of ingredients.

#### 4.2.2.2 Deviating information for compound feed for non-food producing animals

Contrary to the rules for all compound feed, the following special rules (*Article 17 FMR*) apply to **compound feed for non-food producing animals** (e.g. pets):

a) **Animal species and category**

The animal species or category – if specified in detail (e.g. by listing the age) – should be listed.

b) **Composition** (Article 17 (2) point c FMR)

Instead of the individual feed materials contained, the groups of feed materials can be listed for compound feed for non-food producing animals

(except fur animals) in accordance with Annex 2 point b of the FMV<sup>54</sup>.

The indication of feed materials is admissible even if they fall within one of the above-mentioned groups.

c) A **free telephone number or other appropriate means of communication** (e.g. e-mail) should be listed on the label of pet food in order to allow the purchaser to obtain information in addition to the mandatory particulars on other feed additives contained in the pet food and constituent feed materials that are designated in the form of groups (by category) of feed materials (*Article 19 FMR*).

d) Analytical constituents)

The analytical constituents and concentrations of **compound feed for non-food producing animals** should be labelled as follows.

Feedingstuff	Analytical constituents	Target species
Complete feed	Crude protein Crude fibres Crude fat <sup>55</sup> Crude ash	Cats, dogs and fur animals Cats, dogs and fur animals Cats, dogs and fur animals Cats, dogs and fur animals
Complementary feed - Mineral	Calcium Sodium Phosphorus	All animal species All animal species All animal species
Complementary feed - Other	Crude protein Crude fibres Crude fat Crude ash	Cats, dogs and fur animals Cats, dogs and fur animals Cats, dogs and fur animals Cats, dogs and fur animals

The terms “protein”, “fat content”, “ash residue” or “inorganic substance” can be used instead of the terms “crude protein”, “crude fat”, and “crude ash”.

If an **energy value** is given, the estimating formulas in line with Annex 4 of the FMV should be used for dietetic feedingstuffs for dogs and cats.

<sup>54</sup> Commission Directive 83/475/EEC of 23 June 1982 laying down the categories of ingredients which may be used for the purposes of labelling compound feedingstuffs for pet animals (OJ EC No. L 213 of 21 July 1982 P. 27) was not repealed and therefore applies as the list of categories pursuant to Article 17 (4). The Directive 82/475/EEC has been implemented in Annex 2 point b of the FMV.

<sup>55</sup> The term “raw oils and raw fats” is used in Annex VII of the FMR. To avoid misunderstandings with the common designation of vegetable and animal oils (feed material) as “raw oil”, only the term “raw fat” should be used in the indication of the analytical constituents.

Energy values for other species or protein values can be indicated on the basis of scientific methods. In this case information on the method of calculation must be provided.

#### 4.2.2.3 Deviating information for certain compound feeds

By way of derogation from the mandatory particulars referred to in 4.2.2.1,

- a) In the case of **compound feed constituted from no more than three feed materials**, the information on the animal species or category, as well as the instructions for proper use, are not required where the feed materials used are clearly indicated in the description (Article 21 (5) FMR). In cases of this kind, the analytical constituents should be indicated for the compound feed that are to be indicated for all animal species;
- b) The information on analytical constituents is not required for **mixes of whole plant grains, seeds and fruit** (Article 21 (4) FMR).

#### 4.2.3 Special Information for feedingstuffs intended for particular nutritional purposes (dietetic feedingstuffs)

The following additional information must be given when labelling dietetic feedingstuffs (*Article 18 point a FMR*):

- a) The qualifying expression "**Dietetic**" (*Article 18 point a FMR*)  
The qualifying expression "dietetic" is exclusively reserved for feed intended for particular nutritional purposes and to be used in connection with the designation of the feed.

Examples:

- Dietetic feed materials
- Dietetic complete feed
- Dietetic complementary feed

The use of the English word "diet" (= ration) is not permitted.

- b) **Particular nutritional purpose**

The particular nutritional purpose of the dietetic feedingstuff must be listed in accordance with Column 1 of Annex 2 point a, FMV.

**c) Additional information (Article 18 point b FMR)**

In addition to the information required for each feed material or compound feed in accordance with Chapters 4.1, 4.2.1 and 4.2.2, the information listed in the Columns 2 to 6 of Annex 2 point a of the FMV to characterize the particular nutritional purpose must also be given.

**d) Instructions for the use of the dietetic feedingstuff**

The instructions listed in Column 7 of Annex 2 point a of the FMV are to be included, e.g.

- Instructions on the length of time for use of the feedingstuff
- Instructions on rationing
- Instructions on veterinary advice

If no advice of a veterinarian or feeding expert is prescribed in Column 7 of Annex 2 point a of the FMV, the note should be included that the advice of a feeding expert or veterinarian should be obtained before using this feed or extending the duration of its use.

**Example of additionally prescribed information for a dietetic feedingstuff:**

<b>Particular nutritional purpose</b>	Support of kidney function with chronic renal insufficiency
<b>Essential nutritional-characteristics</b>	Low concentrations of phosphorus and protein but high-quality protein
<b>Animal species or genus</b>	Dogs and cats
<b>Reportable ingredients</b>	Calcium, phosphorus, potassium, sodium, content of essential fatty acids (if added)
<b>Notes on composition</b>	Feed material as a protein source
<b>Recommended feeding duration</b>	Up to 6 months initially
<b>Other provisions</b>	Note on packaging, container or label: <i>"It is recommended that the advice of a veterinarian be obtained before using this feed or extending the duration of its use".</i> Note in the instructions for use: <i>"Provide drinking water without restriction"</i>

#### **4.2.4 Special information for feeds that do not comply with feed law provisions**

Additional labelling requirements (Article 20 FMR) exist for feeds that do not comply with the feed law requirements. These include in particular contaminated materials that contain higher levels of undesired substances than the concentrations stipulated in Annex 5 of the FMV.

The special provisions for the labelling of feeds that do not satisfy Community requirements for safety and marketing are listed in Annex VIII of the FMR.

If the contamination is to be removed by means of detoxification, the contaminated material should be labelled with the following words:

“Feed with excessive concentration of ... (designation of the undesired substance(s) in accordance with Annex 5, FMV); only to be used as feed after detoxification by an approved company.”

**Note:** The detoxification of materials/feeds may only be performed by companies that are authorised in accordance with Art. 28 (1) in conjunction with Art 29 (1) of the FMV.<sup>56</sup>

If the contamination is to be removed by **cleaning** (e.g. sorting, peeling, washing, de-dusting, heating), the contaminated material should be labelled with the following words:

“Feed with excessive concentration of ... (designation of the undesired substance(s) in accordance with Annex 5, FMV); only to be used as feed after sufficient cleaning by a registered company.”

**Note:** Cleaning companies do not require authorisation.

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<sup>56</sup> Approval is based on Article 10 (2) of Regulation (EC) No. 183/2005; please refer also to the instruction sheet for decontamination companies:  
[http://www.bvl.bund.de/cIn\\_027/DE/02\\_\\_Futtermittel/00\\_\\_doks\\_\\_download/merkblatt\\_\\_10\\_\\_dekon,templateId=raw,property=publicationFile.pdf/merkblatt\\_10\\_dekon.pdf](http://www.bvl.bund.de/cIn_027/DE/02__Futtermittel/00__doks__download/merkblatt__10__dekon,templateId=raw,property=publicationFile.pdf/merkblatt_10_dekon.pdf)

#### **4.2.5 Exemption from labelling requirements in special circumstances**

Exceptions to the general labelling requirements for animal feed apply under special circumstances (*Article 21 FMR*).

- a) The following information does not have to be listed for feed material and compound feed if the **purchaser** (recipient<sup>57</sup>, also free of charge) confirms in writing before each business transaction that he/she relinquishes the right to information on
- the approval number of the company (if available)
  - the identification number of the batch or lot
  - the net mass, expressed as units of mass, or net volume (alternative in the case of liquid feeds),
  - moisture content or
  - in the case of feed materials, the mandatory particulars on the analytical constituents in accordance with the respective group of feed materials pursuant to Annex V of the FMR or catalogue.

A business transaction can comprise several consignments (*Article 21 (1) FMR*). The requirements for traceability in accordance with Article 18 of Regulation (EC) No. 178/2002 are not affected by this.

- b) With **packed animal feeds**, the information
- on the approval number of the company of the person responsible for labelling (if available)
  - that the manufacturer of compound feed is not necessarily the person responsible for labelling, as well as details of the approval number or identifying number and the name and address of the manufacturer or importer
  - on the identification number of the batch or lot
  - on the net mass, expressed as units of mass, or net volume (alternative in the case of liquid feeds)
  - on the best-before date for additives that are not technological additives contained in feed materials to which additives have been added
  - on the best-before date of compound feeds or
  - on the composition of compound feed
- can be listed on the packaging outside the label if a clear indication is given on the label as to where the information is to be found (*Article 21 (2) FMR*).

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<sup>57</sup> With reference to the recital 26, the exemption should also apply to supplies free of charge



c) In the case of **feed material** containing no additives except preservatives or silage additives, which are delivered by one feed company at the primary feed production level<sup>58</sup> (farmer) to another feed company at the primary feed production level for use in his/her own farm<sup>59</sup>, details concerning

- the approval number of the company (if available)
- the identification number of the batch or lot
- the net mass, expressed as units of mass, or net volume (alternative in the case of liquid feeds)
- moisture content or
- in the case of feed material, the mandatory particulars on the analytical constituents in accordance with the respective group of feed materials pursuant to Annex V of the FMR or catalogue

are not required on the labelling (Article 21 (3) FMR).

d) In the case of **feed materials or compound feeds delivered in bulk to ultimate users in quantities up to 20 kg**, the prescribed information can be imparted by means of a suitable notice at the point of sale.

In cases of this kind, information concerning

- feed type
- in the case of feed material, the name and mandatory particulars in accordance with the respective group of feed materials pursuant to Annex V of the FMR or catalogue
- the proper use of compound feed and the animals species or categories to which it can be fed

must be imparted to the buyer on or with the invoice at the latest (Article 21 (6) FMR).

e) In the case of pet food **sold in packages with several containers**, the mandatory general labelling particulars concerning

- the name or business name and address of the feed operator responsible for labelling
- the approval number (if available)

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<sup>58</sup> The German translation of Article 21 (3) FMR is imprecise, the English original version states more clearly that the exemption should only apply to feed materials produced at primarily production level. This also ensues from the recital 26. **Rectification dated ...**

<sup>59</sup> In order to demarcate feed operators at the primary feed production level pursuant to Article 5 (1) of Regulation (EC) No. 183/2005, also see "Guidance on the registration of companies pursuant to Regulation (EC) No. 183/2005" [http://www.bvl.bund.de/clin\\_007/DE/02\\_Futtermittel/00\\_doks\\_download/fm\\_Leitfaden\\_Registrierung\\_Betriebe,te\\_mplateId=raw,property=publicationFile.pdf/fm\\_Leitfaden\\_Registrierung\\_Betriebe.pdf](http://www.bvl.bund.de/clin_007/DE/02_Futtermittel/00_doks_download/fm_Leitfaden_Registrierung_Betriebe,te_mplateId=raw,property=publicationFile.pdf/fm_Leitfaden_Registrierung_Betriebe.pdf)

- the approval number or identification number of the manufacturer of compound feed if the manufacturer is not the person responsible for labelling
- additives (if any have been added)
- moisture content
- instructions for proper use or
- the composition, analytical constituents and concentrations for compound feed (if prescribed)

can be listed on the outer packaging instead of on each container if the combined total weight of the individual containers in the pack does not exceed 10 kg (Article 21 (7) FMR).

In cases of this kind, the **following information should be provided at least on each individual container:**

in the case of feed materials for pet animals

- the type of feed pursuant to Article 15 point a of the FMR
- the designation of the feed material pursuant to Article 16 (1) point a of the FMR
- the mandatory particulars pursuant to Annex V of the FMR in accordance with Article 16 (1) point b of the FMR
- the animal species if a species-limited additive had been added to the feed material Article 16 (2) point a of the FMR
- instructions for proper use if additives had been added Article 16 (2) point b of the FMR
- shelf life of the additives if additives had been added Article 16 (2) point c of the FMR
- the identification number of the batch or lot pursuant to Article 15 point d of the FMR
- the net mass, expressed as unit of mass, or the net volume (in the case of liquid feeds) pursuant to Article 15 point e of the FMR;

With regard to compound feed for pet animals

- the type of feed pursuant to Article 15 point a of the FMR
- the identification number of the batch or lot pursuant to Article 15 point d of the FMR
- the net mass, expressed as unit of mass, or the net volume (in the case of liquid feeds) pursuant to Article 15 point e of the FMR
- the species or category of animals for which the compound feed is intended pursuant to Article 17 (1) point a of the FMR
- the minimum storage life Article 17 (1) point d of the FMR.