



**FEFANA position regarding the Presidency compromise text  
on the proposal for a Regulation on the placing on the market and use of feed**

FEFANA has analyzed with high interest the last version of the Presidency of the Council compromise text on the proposal for a Regulation on the placing on the market and use of feed. We appreciate and welcome the move on the Article 13, which we see as a suitable compromise on a very important topic. We have however identified two areas which in our view still require modification before adoption.

- **Content of feed additives (Article 8):**

Article 8, paragraph 2 of this compromise text indicates that: *“By way of derogation from the first paragraph, the factor 100 for feed materials or complementary feed may be exceeded if the composition of such products meets the particular nutritional purpose in respect of the relevant intended use according to Article 10. The conditions of use for complementary feed shall be further specified in the list of intended uses.”*

FEFANA welcome the recognition by the Council of the need to address the legal status of Feed Supplements, and so the tentative modifications introduced in the text. We however consider that feed intended for particular nutritional purposes (also called “dietetic feed” and previously set up in the Council Directive 93/74) does not provide a very suitable approach for Feed Supplements. Dietetic feed do not provide an appropriate mean for (re)action in specific situation as temporary increased nutritional needs or stress and the authorization regime does also not seem very adequate. Furthermore, it is noticeable that Feed Supplements placed on the market shall be high concentrated e.g. to enable farmers to react quickly to unexpected conditions on farm. They are usually mixed with the ration or water or provided individually.

This approach would also generate several legal and practical difficulties regarding the authorization of the additives and of the particular nutritional needs, regarding the articulation with the Feed Hygiene Regulation, and regarding the scope of the particular nutritional purposes, which is by definition relating to impaired physiological situations. The approach proposed would also create an unnecessary burden on both operators and authorities for authorizing the numerous feed supplements.

In general we have difficulties to understand the reason why to create a rough-and-ready settlement for this important range of products while their status can be settle in a simple and more straightforward way. **Our proposal is to follow the European Parliament request to include the definition for Feed Supplements under Article 3 of the proposal.** As an additional option, a code on Feed Supplements (to be adopted under commitology) could be requested under Article 8, but even without this the legal status of this range of product would be greatly improved compared to the current situation.

- **Article 30 - Amendment to Regulation (EC) No 1831/2003:**

The proposal has introduced a new labeling regime for feed, including an important role for code of practice, what we welcome. The legislative link to the labeling of feed additives and premixtures is recognized through the fact that this proposal is used to amend in some aspects the labeling provisions introduced under Regulation 1831/2003. The compromise proposal does however not go far enough, creating an unharmonized situation between the labeling of feed additives / premixture on one hand and general labeling of feed on the other hand. There is no argument for such different treatment.

**FEFANA considers that if the proposal is indeed used to amend in some respects the labeling regime of feed additives (amendment of Article 16 of Regulation 1831/2003 via the Article 30 of the proposal), it is indispensable to also introduce the labeling definition and equivalent provisions regarding the code of practice in the Feed Additive Regulation via this Article 30.**

This might seem particularly appropriate bearing in mind that in order to address the recognized implementations difficulties of the Article 16 of Regulation 1831/2003, a comprehensive code of practice for the labeling of additives and premixtures was already developed and put in place by our industry in cooperation with the feed industry.

#### **About FEFANA**

FEFANA is the EU Feed Additives and Premixtures Association. It was established on October 13th, 2004 and is the new juridical form of the feed additives producers association that was founded in 1963. With 91 members from 28 countries, the association is the interface between the feed additives industry and the European Union authorities, including Member States authorities, in order to promote, safeguard and defend common and general interests of the industry (in several topics like guidelines, register, labelling and definitions, analysis, feed hygiene and food chain safety or non-feed use of additives). FEFANA's chairperson is Dr. Hadden Graham of AB Vista.