

## **ARTICLE 18(3) OF THE EC FEED HYGIENE REGULATION (183/2005) COMPLIANCE STATEMENTS**

1. Article 18(3) requires certain feed businesses operators to make a statement by **1 January 2008** that establishments under their control comply with the various conditions of the Feed Hygiene Regulation. This provision applies in all Member States in the EU.
2. The Food Standards Agency (FSA) has previously provided information to the feed industry about the requirements of the Regulation. This note explains how to make a statement of compliance.

### **What feed business establishments should make a compliance statement?**

3. It applies to those feed business establishments, including farms that were not subject to the previous legislation (EC Directive 95/69). This covers a wide range of feed businesses establishments<sup>1</sup>, including for example:
  - feed importers;
  - merchants;
  - hauliers;
  - businesses that store feed;
  - food businesses that provide co-products to the feed industry;
  - livestock farms, including fish farms (other than on-farm mixers which were subject to Directive 95/69/EC);
  - Arable farms growing or selling crops for feed use.

### *Transitional Requirements*

4. Operators of the above establishments were required to make an application by 1 January 2006 to their local authority for the registration of their establishment. However, some feed business operators could take advantage of certain transitional requirements. This provided that if a feed business establishment appeared on an existing official list, a separate application for registration under the EC Feed Hygiene Regulation (183/2005) was not required. This mainly applied to farms which were part of existing official registration schemes and food businesses selling products for animal feed use already registered under the EC Food Hygiene Regulations (852/2004). However, businesses that took advantage of these transitional requirements will still need to make a compliance statement.
5. Please note that where an establishment or intermediary was previously approved or registered under EC Directive 95/69, the responsible feed business operator does not have to make a statement of compliance in respect of these entities. These are mainly businesses that manufacture, market or use additives or premixtures of additives. Such businesses have already fulfilled this requirement under the terms of EC Directive

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<sup>1</sup> The legal definition of a feed business means 'any undertaking whether for profit or not and whether public or private, carrying out any operation of production, manufacture, processing, storage, transport or distribution of feed including any producer producing, processing or storing feed for feeding to animals on his own holding' and 'establishment' means any unit of a feed business.

95/69, which contained similar requirements to those under Regulation 183/2005.

### *Pet Foods*

6. The requirements of the Regulation apply to businesses that manufacture, import, store or market pet foods. Many pet food manufacturers were previously registered under EC Directive 95/69 so will not be required to make a compliance statement. Also, businesses engaged in the retailing of pet foods are outside the scope of the Regulation.

### **What are the conditions that feed businesses have to comply with?**

7. Regulation 183/2005 contains various conditions which feed businesses will have to comply with, as appropriate. Some of these are set out in the Annexes to the Regulation (see below).

**Annex I** - this applies to primary producers (i.e. farms). It requires farmers to put in place procedures to avoid hazards and carry out record-keeping.

**Annex II** - this applies to businesses operating other than at the level of primary production. It includes requirements relating to facilities and equipment, personnel, production, quality control, storage and transport and record-keeping.

In addition, feed businesses (except most farms) are required to apply the principles of a Hazard Analysis and Critical Control Points (HACCP) System.

**Annex III** of the Regulation is a code of Good Animal Feeding Practice which is applicable to livestock farmers.

For more detailed information on the Annexes referred to above and, the principles of HACCP (Article 6 of the Regulation 183/2005), please view the web address given below (in the where to find further information section).

Feed businesses that were previously approved or registered under EC Directive 95/69 were required to comply with the requirements by 1 January 2006. Other businesses have to comply by 1 January 2008.

### **How should a statement of compliance be made?**

8. A statement of compliance template is attached – if this is completed it fulfils the legal requirement for feed businesses to make a compliance statement. There is also a separate list attached at Annex A which provides the approval and registration activities covered by the scope of the Regulation. Local authorities in Great Britain (mainly trading standards departments) are responsible for the enforcement of Regulation 183/2005. These are part of a county, metropolitan or unitary authority.

The completed form should be sent to the local authority in the area where a feed business is situated. Details of relevant authorities can be found at the following link:

<http://www.direct.gov.uk/en/DI1/Directories/Localcouncils/index.htm>

In Northern Ireland, the statement of compliance should be made to the Department of Agriculture and Rural Development.

There is no fee for making a statement of compliance.

### **What are the requirements for farms?**

9. The requirements of the Feed Hygiene Regulation apply to most livestock farms and arable farms growing or marketing crops for feed use. In the Regulation, farms are sometimes referred to as primary producers. Separate guidance notes explaining the requirements for farms are attached to this guidance.

### **Where to find further information**

- Feed businesses can contact their local authority for further information about making a statement of compliance.
- Further background on Regulation 183/2005 can be found on the Agency's website at:

<http://www.food.gov.uk/foodindustry/farmingfood/animalfeed/animalfeedlegislation>

- The FSA contacts for issues relating to the Feed Hygiene Regulation are:

Sharon Nandhra  
Primary Production Division (Animal Feed Unit)  
Food Standards Agency  
Rm 415B, Aviation House  
125 Kingsway,  
London WC2B 6NH  
Phone: 020-7276-8469  
Fax: 020-7276-8478  
E-mail: <sharon.nandhra@foodstandards.gsi.gov.uk>

Ned Mazhar  
Primary Production Division (Animal Feed Unit)  
Food Standards Agency  
Room 415b, Aviation House  
125 Kingsway  
London WC2B 6NH  
Phone: 020-7276-8609  
Fax: 020-7276 -8478  
E-mail: <nader.mazhar@foodstandards.gsi.gov.uk>

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Animal Feed Unit  
Food Standards Agency**

## EC FEED HYGIENE REGULATION (183/2005)

### Approval and Registration Activities

#### A. Approval Activities

Code	Activity description	Notes
	<u>Manufacture and/or placing<sup>1</sup> on the market of certain feed additives</u>	
A1	Manufacture and/or placing on the market of nutritional additives.	This includes: vitamins, pro-vitamins and chemically defined substances having a similar effect; trace elements; amino acids, their salts and analogues and urea and its derivatives.
A2	Manufacture and/or placing on the market of zootechnical additives: Digestibility enhancers, gut flora stabilisers and substances which favourably affect the environment.	This includes enzymes and micro-organisms.
A3	Manufacture and/or placing on the market of antioxidant additives with a maximum content in feeds specified in EC Regulation 1831/2003.	This covers propyl gallate, octyl gallate, dodecyl gallate, butylated hydroxyanisole (BHA), butylated hydroxytoluene (BHT), ethoxyquin.
A4	Manufacture and/or placing on the market of colorant additives: carotenoids and xanthophylls.	
A5	Manufacture and/or placing on the market of proteins obtained from micro-organisms belonging to groups of bacteria, yeast, algae and lower fungi.	
A6	Manufacture and/or placing on the market of co-products of the manufacture of amino acids by fermentation.	These products were previously covered by Council Directive 82/471/EEC on Certain Products (Bioproteins) and are now authorised under the EC Feed Additives Regulation (1831/2003).

<sup>1</sup> These activities cover premises that both manufacture and place such products on the market (sell) and also those premises that do not manufacture but buy and sell products.

Manufacture and/or placing<sup>1</sup> on the market of  
premixtures containing certain feed additives  
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- A7 Manufacture and/or placing on the market of premixtures containing vitamins A and D.
- A8 Manufacture and/or placing on the market <sup>1</sup>of premixtures containing copper and selenium.

## R. Registration Activities

<i>Code</i>	<i>Activity description</i>	<i>Notes</i>
R1	Manufacture and/or placing on the market <sup>1</sup> of feed additives (other than those subject to approval )	This includes preservatives, emulsifiers, stabilisers, thickeners, gelling agents, binders, anticaking agents, acidity regulators, antioxidants (not subject to a maximum permitted level), silage agents, denaturants, substances to control radionucleide contamination, colourants (except carotenoids and xanthophylls).
R2	Manufacture and/or placing on the market <sup>1</sup> of premixtures (other than those subject to approval)	This includes premixtures containing any feed additive excluding vitamins A and D and copper and selenium.
R3	Manufacture and/or placing on the market <sup>1</sup> of bioproteins (“certain products”) not subject to approval.	This includes urea and its salts, ammonium salts, amino acids and their salts, analogues of amino acids.
R4	Manufacture of compound feedingstuffs (other than those subject to approval).	This includes the manufacture of complete and complementary feeds, with or without additives.
R5	Placing on the market of compound feeds.	Covers premises engaged in the buying and selling of compound feeds but not manufacturing such feeds.
R6	Manufacture of pet foods	Includes the manufacture of complete and complementary feeds with or without additives.
R7	Manufacture and/or placing on the market <sup>1</sup> of feed materials.	Feed materials are products which are intended as ingredients of compound feeds or which can be fed singly to animals (e.g. cereal or cereal products).
R8	Transport of feed and feed products	This includes the premises of businesses that transport feed materials, compound feed, feed additives and premixtures.

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<sup>1</sup> These activities cover premises that both manufacture and place such products on the market (sell) and also those premises that do not manufacture but buy and sell products.

*Transport of feed and feed products by manufacturers own vehicles are covered by the approval/registration of the manufacturer's premises.*

- R9 Storage of feed and feed products. Only covers premises not covered by another approval/registration activity relating to the manufacture or placing on the market of the products in question.
- In other words , it excludes storage facilities at a manufacturer's or transporter's premises.*

Farms

- R10 Mixing feeds, on farms, with additives and premixtures. This activity is subject to registration under existing legislation (EC Directive 95/69 as implemented by the Feeding Stuffs (Establishment and Intermediaries) Regulations 1999). It covers cases where farms buy-in additives and premixtures products (i.e. not contained in a compound feed) and mix them with feeds (forage, cereals etc.)
- R 11 Mixing feeds, on farms, with compound feedingstuffs which contain additives. This activity is subject to registration under existing legislation (EC Directive 95/69 as implemented by the Feeding stuffs (Establishment and Intermediaries) Regulations 1999).

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Note: Certain other activities are subject to the provisions of the Feed Hygiene Regulation which have not been specifically identified above. This includes:

- R12 Food Businesses selling co-products of the food industry which are destined as feed materials. This includes brewers, distillers, dairies and food manufacturers carrying out such an activity.
- R13 Livestock farms which do not mix feeds or mix feeds without additives This includes fish farms.
- R14 Arable farms growing or selling crops for feed.

**However, most of these premises will be registered under other official schemes and if this is the case no application for registration under the Feed Hygiene Regulation needs to be made. This includes food businesses registered under the Food Hygiene Regulations.**

# Statement of compliance

## Statement of compliance in relation to Article 18(3) of the EC Feed Hygiene Regulation (183/2005)

*(If you need help filling in this form, please contact your local authority)*

**1. Name or business name of the feed business to which the statement of compliance relates:**

Name:

Business Name:

**2. Address and associated details of the feed business establishment to which the statement of compliance relates:**

Address:

Telephone No:

E-mail:

**3. Activity or activities carried out on the premises (please use the code or activity description – see attached document):**

Code:

Activity:

**4. Applicant details (only complete if different to the address indicated in at 2 above):**

Name:

Address):

**5. Approval and/or Registration Number (only if available)**

**Statement of compliance: *The feed business establishment specified above, complies with the conditions of the Feed Hygiene Regulation (183/2005)***

Signature of Applicant:  On behalf of Applicant:	Date:
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**Please return this form to the relevant local authority for the area in which the feed business establishment to which this statement of compliance relates is situated.**