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► **B** **COUNCIL DIRECTIVE**
of 2 April 1979
on the ► M15 circulation ◀ of compound feedingstuffs
 (79/373/EEC)
 (OJ L 86, 6.4.1979, p. 30)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Directive 80/509/EEC of 2 May 1980	L 126	9	21.5.1980
► <u>M2</u>	Commission Directive 80/695/EEC of 27 June 1980	L 188	23	22.7.1980
► <u>M3</u>	Commission Directive 82/957/EEC of 22 December 1982	L 386	42	31.12.1982
► <u>M4</u>	Council Regulation (EEC) No 3768/85 of 20 December 1985	L 362	8	31.12.1985
► <u>M5</u>	Council Directive 86/354/EEC of 21 July 1986	L 212	27	2.8.1986
► <u>M6</u>	Commission Directive 87/235/EEC of 31 March 1987	L 102	34	14.4.1987
► <u>M7</u>	Council Directive 90/44/EEC of 22 January 1990	L 27	35	31.1.1990
► <u>M8</u>	Council Directive 90/654/EEC of 4 December 1990	L 353	48	17.12.1990
► <u>M9</u>	Council Directive 93/74/EEC of 13 September 1993	L 237	23	22.9.1993
► <u>M10</u>	Council Directive 95/69/EC of 22 December 1995	L 332	15	30.12.1995
► <u>M11</u>	Council Directive 96/24/EC of 29 April 1996	L 125	33	23.5.1996
► <u>M12</u>	Commission Directive 97/47/EC of 28 July 1997	L 211	45	5.8.1997
► <u>M13</u>	Commission Directive 98/87/EC of 13 November 1998	L 318	43	27.11.1998
► <u>M14</u>	Commission Directive 1999/61/EC of 18 June 1999	L 162	67	26.6.1999
► <u>M15</u>	Directive 2000/16/EC of the European Parliament and the Council of 10 April 2000	L 105	36	3.5.2000
► <u>M16</u>	Directive 2002/2/EC of the European Parliament and of the Council of 28 January 2002	L 63	23	6.3.2002
► <u>M17</u>	amended by Decision No 623/2007/EC of the European Parliament and of the Council of 23 May 2007	L 154	23	14.6.2007
► <u>M18</u>	Council Regulation (EC) No 807/2003 of 14 April 2003	L 122	36	16.5.2003
► <u>M19</u>	Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009	L 87	109	31.3.2009

Amended by:

► <u>A1</u>	Act of Accession of Greece	L 291	17	19.11.1979
► <u>A2</u>	Act of Accession of Austria, Sweden and Finland (adapted by Council Decision 95/1/EC, Euratom, ECSC)	C 241 L 1	21 1	29.8.1994 1.1.1995

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COUNCIL DIRECTIVE

of 2 April 1979

on the ►M15 circulation ◀ of compound feedingstuffs

(79/373/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas livestock production occupies a very important position in the agriculture of the European Economic Community; whereas satisfactory results depend to a large extent on the use of suitable, good-quality feedingstuffs;

Whereas rules governing feedingstuffs are important to an increase in agricultural productivity, in view of the important role played by compound feedingstuffs in this respect;

Whereas, when rules are being laid down for the ►M15 circulation ◀ of compound feedingstuffs, care should be taken to ensure that such feedingstuffs have a favourable effect on livestock production; whereas feedingstuffs must therefore always be wholesome, unadulterated and of merchantable quality; whereas they must neither represent a danger to animal or human health nor be marketed in a manner liable to mislead;

Whereas it is necessary to provide the user with accurate and meaningful information on the compound feedingstuffs at his disposal; whereas, therefore, at least the levels of analytical constituents having a direct effect on the quality of the feedingstuffs should be declared;

Whereas, pending the adoption of further provisions, it is necessary, given the existing practices in certain Member States, to provide temporarily for national administrations to require a fuller declaration of the composition of feedingstuffs, with regard to both analytical constituents and ►M11 feed materials ◀; whereas such declarations may be required only as provided for in this Directive;

Whereas, moreover, all producers of feedingstuffs should be able to show on their labelling certain information useful to the purchaser; whereas Member States also retain the right to authorize producers to provide further information;

Whereas, pending the adoption of Community provisions, Member States may, if their regulations contain these limitations when this Directive is adopted, continue to require that compound feedingstuffs marketed on their territories be manufactured from certain ►M11 feed materials ◀ or be free of certain ►M11 feed materials ◀;

Whereas, for as long as Community methods have not been established, Member States will not be able to require or allow energy values to be indicated unless this is required or permitted in their territories when this Directive is adopted;

Whereas, in order to give adequate protection to purchasers, compound feedingstuffs should normally be marketed in sealed packages or containers; whereas it appears necessary, however, to allow for

⁽¹⁾ OJ No C 34, 14.4.1971, p. 8.

⁽²⁾ OJ No C 10, 5.2.1972, p. 35.

⁽³⁾ OJ No C 4, 20.1.1972, p. 3.

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exceptions to this rule in certain special circumstances to be defined by the Community;

Whereas Member States must ensure that compound feedingstuffs satisfying the provisions of this Directive are not subject within the Community to any ►**M15** circulation ◀ restrictions in connection with their marking or packaging;

Whereas Member States must make suitable control arrangements to ensure compliance during ►**M15** circulation ◀ with the provisions laid down for compound feedingstuffs;

Whereas, in order to facilitate the implementation of the measures envisaged and, in particular, to amend and supplement them where necessary, provision should be made for a procedure establishing close cooperation between Member States and the Commission within the Standing Committee for Feedingstuffs set up by Decision 70/372/EEC ⁽¹⁾;

Whereas this Directive contains a number of national derogations; whereas it is therefore necessary to include provision for certain of them to be reviewed within a specified period,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive shall apply to compound feedingstuffs marketed within the Community.

2. This Directive shall apply without prejudice to the provisions on:

(a) ►**M11** feed materials; ◀

(b) additives used in feedingstuffs;

▼ M5

(c) undesirable substances and products in animal nutrition;

▼ B

(d) the fixing of maximum permitted levels for pesticide residues on or in products intended for human or animal consumption;

(e) the organization of markets in agricultural products;

▼ M5

(f) certain products used in animal nutrition;

▼ M7

(g) the approximation of the laws of the Member States relating to the making up, by mass or by volume, of certain prepackaged products;

▼ M9

(h) feedingstuffs for particular nutritional purposes.

▼ B

Article 2

For the purposes of this Directive, the following definitions shall apply:

▼ M5

(a) feedingstuffs: products of vegetable or animal origin in their natural state, fresh or preserved, and products derived from the industrial processing thereof, and organic or inorganic substances, used singly or in mixtures, whether or not containing additives, for oral animal feeding;

⁽¹⁾ OJ No L 170, 3.8.1970, p. 1.

▼ M11

- (b) compound feedingstuffs: mixtures of feed materials, whether or not containing additives, for oral animal feeding in the form of complete or complementary feedingstuffs;

▼ B

- (c) daily ration: the average total quantity of feedingstuffs, calculated on a moisture content of 12 %, required daily by an animal of a given species, age category and yield, to satisfy all its needs;
- (d) complete feedingstuffs: mixtures of feedingstuffs which, by reason of their composition, are sufficient for a daily ration;
- (e) complementary feedingstuffs: mixtures of feedingstuffs which have a high content of certain substances but which, by reason of their composition, are sufficient for a daily ration only if used in combination with other feedingstuffs;
- (f) mineral feedingstuffs: complementary feedingstuffs composed mainly of minerals and containing at least 40 % crude ash;
- (g) molassed feedingstuffs: complementary feeding stuffs prepared from molasses and containing at least 14 % total sugar expressed as sucrose;
- (h) animals: animals belonging to species normally kept and nourished or consumed by man;
- (i) pet animals: animals belonging to species normally nourished and kept, but not consumed, by man, except animals bred for fur;

▼ M5

- (j) milk replacer feeds: compound feedingstuffs administered in dry form or after dilution in a given quantity of liquid for feeding young animals as a supplement to, or substitute for, post-colostral milk or for feeding calves intended for slaughter;

▼ M11

- (k) feed materials: various products of vegetable or animal origin, in their natural state, fresh or preserved, and products derived from the industrial processing thereof, and organic or inorganic substances, whether or not containing additives, which are intended for use in oral animal feeding, either directly as such or after processing, in the preparation of compound feedingstuffs or as carriers of premixtures;

▼ M7

- (l) the minimum storage life of a compound feedingstuff: that the date until which, under proper storage conditions, that feedingstuff retains its specific properties;

▼ M15

- (m) 'putting into circulation' or 'circulation': the holding of compound feedingstuffs for the purposes of sale, including offering for sale, or any other form of transfer, whether free or not, to third parties, and the sale and other forms of transfer themselves.

▼ B*Article 3*

Member States shall prescribe that compound feedingstuffs may be marketed only if they are wholesome, unadulterated and of merchantable quality. They shall also prescribe that compound feedingstuffs may not represent a danger to animal or human health and may not be presented or marketed in a manner liable to mislead.

Article 4

1. Member States shall prescribe that compound feedingstuffs may be marketed only in sealed packages or containers. They shall also prescribe that the packages or containers be sealed in such a way

▼ B

that, when the package is opened, the seal is damaged and cannot be re-used.

▼ M19

2. The Commission shall adopt exceptions to the principle of paragraph 1 to be authorised at Community level. Those measures, designed to amend non-essential elements of this Directive, *inter alia*, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3), provided that the identity and quality of the compound feedingstuffs concerned are ensured.

▼ M7*Article 5*

1. Member States shall prescribe that compound feedingstuffs may not be marketed unless the particulars listed below, which shall be clearly visible, legible and indelible and for which the manufacturer, packer, importer, seller or distributor established within the Community shall be held responsible, are shown, in a space provided for that purpose, on the packaging, on the container or on a label attached thereto:

- (a) the description ‘complete feedingstuff’, ‘complementary feedingstuff’, ‘mineral feedingstuff’, ‘molassed feedingstuff’, ‘complete milk replacer feed’ or ‘complementary milk replacer feed’, as appropriate;
- (b) the species or category of animal for which the compound feedingstuff is intended;
- (c) directions for the proper use of the feedingstuff indicating the purpose for which the feedingstuff is intended;
- (d) for all compound feedingstuffs except those intended for pets other than dogs and cats: the ► **M11** feed materials ◀ to be declared in accordance with Article 5c;
- (e) where appropriate, the declarations of the analytical constituents in the cases provided for in Part A of the Annex;
- (f) as relevant to the case, the declarations provided for in Part B of the Annex in columns 1, 2 and 3;
- (g) the name or business name and the address or registered place of business of the person responsible for the particulars referred to in this paragraph;
- (h) the net quantity expressed in units of mass in the case of solid products, and in units of mass or volume in the case of liquid products;
- (i) the minimum storage life, to be indicated in accordance with Article 5d (1);

▼ M16

- (j) the batch reference number;

▼ M15

- (k) from 1 April 2001, the approval number allocated to the establishment in accordance with Article 5 of Council Directive 95/69/EC of 22 December 1995 laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector⁽¹⁾ or, as the case may be, the registration number allocated to the establishment in accordance with Article 10 of that Directive.

⁽¹⁾ OJ L 332, 30.12.1995, p. 15. Directive as last amended by Council Directive 1999/29/EC (OJ L 115, 4.5.1999, p. 32).

▼ M16▼ M17
_____▼ M7

2. Member States shall prescribe that compound feedingstuffs, when marketed in tankers or similar vehicles or in accordance with Article 4 (2), shall be accompanied by a document containing the particulars referred to in paragraph 1 of this Article. For small quantities of feedingstuffs intended for the final user, these particulars may be brought to the purchaser's attention by means of an appropriate notice at the point of sale.

3. Member States shall prescribe that, in conjunction with the particulars listed in paragraph 1, only the following additional particulars may be put in the space referred to in paragraph 1:

- (a) the identification mark or trade mark of the person responsible for the labelling particulars;
- (b) the name or business name and the address or registered place of business of the manufacturer, if this is not the person responsible for the labelling particulars;

▼ M16
_____▼ M7

- (d) the country of production or manufacture;
- (e) the price of the product;
- (f) the description or trade name of the product;

▼ M16
_____▼ M7

- (h) where appropriate, particulars relating to the provisions of Article 14 (a);
- (i) an indication of the physical condition of the feedingstuff or the specific processing it has undergone;
- (j) where appropriate, the declarations of the analytical constituents in the cases provided for in Part A of the Annex;
- (k) the declarations provided for in Part B of the Annex in columns 1, 2 and 4;
- (l) the date of manufacture to be indicated in accordance with Article 5d (2).

4. Member States may, for feedingstuffs produced and marketed in their territories:

- (a) permit the particulars specified in paragraph 1 (b) to (f) and (h) to be shown only in an accompanying document;
- (b) prescribe an official code number enabling the manufacturer to be identified where the latter is not responsible for the labelling particulars.

5. Member States shall prescribe that:

- (a) in the case of compound feedingstuffs constituted from no more than three ► M11 feed materials ◀, the particulars referred to in paragraph 1 (b) and (c) shall not be required where the ► M11 feed materials ◀ used appear clearly in the description;
- (b) in the case of whole grain mixes, the declarations referred to in paragraph 1 (e) and (f) shall not be required; they may, however, be provided;
- (c) the descriptions 'complete feedingstuff' or 'complementary feedingstuff' in respect of feedingstuffs intended for pets other

▼ M7

than dogs or cats may be replaced by the description ‘compound feedingstuff’. In this case, the declarations required or allowed under this Article shall be those laid down for complete feeding-stuffs;

▼ M16

- (d) the minimum storage life, the net quantity, the batch reference number and the approval or registration number may be marked outside the space reserved for the labelling particulars referred to in paragraph 1; in this case, these details shall be accompanied by an indication of where the information appears.

▼ M7

6. For compound feedingstuffs for pets, the descriptions:
- (a) in English ‘compound feedingstuff’, ‘complementary feedingstuff’, and ‘complete feedingstuff’ may be replaced by the descriptions ‘compound pet food’, ‘complementary pet food’ and ‘complete pet food’ respectively;
- (b) in Spanish ‘pienso’ may be replaced by the description ‘alimento’;
- (c) in Dutch ‘mengvoeder’, ‘aanvullend diervoeder’ and ‘volledig diervoeder’ may be replaced by the descriptions ‘samengesteld voeder’, ‘aanvullend samengesteld voeder’ and ‘volledig samengesteld voeder’ respectively.

▼ M16*Article 5c*

1. All feed materials used in the compound feedingstuff shall be listed by their specific names.
2. The listing of feed materials for feedingstuffs shall be subject to the following rules:
- (a) compound feedingstuffs intended for animals other than pets:
- (i) listing of feed materials for feedingstuffs with an indication, in descending order, of the percentages by weight present in the compound feedingstuff;
- (ii) as regards the above percentages, a tolerance of $\pm 15\%$ of the declared value shall be permitted;
- (b) compound feedingstuffs intended for pets: listing of feed materials for feedingstuffs either indicating the amount contained or naming them in descending order by weight.
3. In the case of compound feedingstuffs intended for pets, the indication of the specific name of the feed material for feedingstuffs may be replaced by the name of the category to which the feed material for feedingstuffs belongs, with reference to the categories grouping several feed materials established in accordance with Article 10(a).

Use of one of these two forms of declaration shall exclude use of the other save where one of the feed materials for feedingstuffs used belongs to none of the categories which have been defined; in that case, the feed material for feedingstuffs, designated by its specific name, shall be mentioned in descending order by weight in relation to the categories.

4. The labelling of compound feedingstuffs for pets may also draw attention by a specific declaration to the presence or low content of one or more feed materials for feedingstuffs, which are essential for characterising a feedingstuff. In such a case, the minimum or maximum content, expressed in terms of percentage by weight of the feed material(s) incorporated, shall be clearly indicated either opposite the declaration drawing special attention to the feed material(s) or in the list

▼ M16

of feed materials by mentioning the feed material(s) and the percentage (s) by weight concerned opposite the corresponding category of feed materials.

▼ M7*Article 5d*

1. The minimum storage life shall be given by the following indications:

- ‘use before ...’ followed by the date (day, month and year) in the case of microbiologically highly perishable feedingstuffs;
- ‘best before...’ followed by the date (month and year) in the case of other feedingstuffs.

▼ M15

Where other Community provisions concerning compound feedingstuffs require indication of a minimum storage life or an expiry date of guarantee, the indication referred to in the first subparagraph shall be made, giving only the earliest date.

▼ M7

2. The date of manufacture shall be expressed as follows: ‘manufactured ... (days, months, or year(s)) before the minimum storage life expiry date indicated’.

Where Article 5 (5) (d) applies, the abovementioned entry shall be followed by an indication of where that storage life is indicated.

Article 5e

The person responsible for the labelling particulars of a compound feedingstuff may provide information in addition to that required under this Directive.

However, such information:

▼ M9

- may not be designed to indicate the presence or content of analytical constituents other than those the declaration of which is provided for in Article 5 of this Directive or Article 5 (2) of Council Directive 93/74/EEC of 13 September 1993 on feedingstuffs intended for particular nutritional purposes ⁽¹⁾;

▼ M7

- must not mislead the user, in particular by attributing to the feedingstuff effects or properties that it does not possess or by suggesting that it possesses special characteristics when in fact all similar feedingstuffs possess such characteristics;
- must not claim that the feedingstuff will prevent, treat or cure a disease;
- must relate to objective or quantifiable factors which can be substantiated;
- must be clearly separated from all the particulars specified in Article 5.

Article 6

Member States shall prescribe that the general provisions contained in Part A of the Annex shall apply to the ► **M15** circulation ◀ of compound feedingstuffs.

⁽¹⁾ OJ No L 237, 22.9.1993, p. 23.

▼ B*Article 9*

Member States shall ensure that compound feedingstuffs are not subject, for reasons concerning the provisions included in this Directive, to ►**M15** circulation ◀ restrictions other than those provided for by this Directive.

▼ M19*Article 10*

In the light of advances in scientific and technical knowledge, the Commission shall:

- (a) establish categories grouping several feed materials;
- (b) adopt methods of calculating the energy value of compound feedingstuffs;
- (c) adopt amendments to the Annex.

All the above measures, designed to amend non-essential elements of this Directive, *inter alia*, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).

▼ M7*Article 10a*

1. Member States shall prescribe that the ►**M11** feed materials ◀ included on the list ►**M11** of the main feed materials listed in Part B of the Annex to Council Directive 96/25/EC of 29 April 1996 on the circulation of feed materials, amending Directives 70/524/EEC, 74/63/EEC, 82/471/EEC and 93/74/EEC and repealing Directive 77/101/EEC ⁽¹⁾ ◀ may be declared as such only under the names specified therein and on condition that they correspond to the descriptions and comply with any possible minimum compositional requirements contained therein.

▼ M11

2. Member States shall ensure that the provisions of headings (I), (II), (III) and (IV) of Part A 'General' of the Annex to Directive 96/25/EC are respected.

▼ M15

3. Member States shall prescribe that the feed materials appearing on the list provided for in Article 11(b) of Directive 96/25/EC may not be used as feed materials in the preparation of compound feedingstuffs, in accordance with the provisions laid down in that Directive.

▼ M11*Article 11*

For the purposes of ►**M15** circulation ◀ within the Community, the indications printed on the accompanying document, on the packaging, on the container or on the label attached thereto shall be written in at least one or several languages which the country of destination shall determine from among the national or official languages of the Community.

▼ M7*Article 12*

Member States shall make all necessary arrangements for official inspection during manufacture or ►**M15** circulation ◀, at least by sampling, in order to ensure compliance with the requirements of this Directive.

⁽¹⁾ OJ No L 125, 23.5.1996, p. 35

▼M16

They shall stipulate that the manufacturers of compound feedingstuffs are obliged to make available to the authorities responsible for carrying out official inspections, on request, any document concerning the composition of feedingstuffs intended to be put into circulation which enables the accuracy of the information given by the labelling to be verified.

▼M18*Article 13*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health set up by Article 58 of Regulation (EC) No 178/2002 ⁽¹⁾.

2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC ⁽²⁾ shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

▼M19

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

▼B*Article 14*

This Directive shall not affect the right of Member States:

- (a) to recommend types of compound feedingstuffs which meet certain analytical characteristics;
- (b) to refrain from applying the provisions of this Directive to compound feedingstuffs in respect of which it is proved at least by some appropriate marking that they are intended for export to third countries;
- (c) to refrain from applying the provisions of this Directive to compound feedingstuffs where a special label marking gives proof that they are intended for animals kept for scientific or experimental purposes.

Article 15

Not later than three years following notification of this Directive the Commission shall, on the basis of experience acquired, forward to the Council proposals for amendments to the Directive such as to achieve free movement of compound feedingstuffs and to eliminate certain disparities concerning the use of ►**M11** feed materials ◀ and labelling in particular. The Council shall act on these proposals not later than five years following notification of this Directive.

▼M16**▼M17***Article 15a*

At the latest on 6 November 2006, the Commission shall submit a report to the European Parliament and the Council, on the basis of the information received from Member States, on the implementation of the measures introduced by Article 5(1)(j) and (5)(d) and Article 5c and the second subparagraph of Article 12, particularly as regards the indication of quantities, in the form of percentage by weight, of feed materials on the labelling of compound feedingstuffs, including the permitted tolerance, accompanied by any proposals designed to improve these measures.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

▼ B

Article 16

Member States shall bring into force on 1 January 1981 the laws, regulations and administrative provisions necessary to comply with this Directive and shall forthwith inform the Commission thereof.

▼ M8

However, the Federal Republic of Germany may until 21 January 1992 derogate from the labelling provisions in Article 5 for compound feedingstuffs produced in the territory of the former German Democratic Republic.

▼ B

Article 17

This Directive is addressed to the Member States.

▼ **M7***ANNEX***PART A****General provisions**

1. The levels indicated or to be declared relate to the weight of the compound feedingstuff as such, unless otherwise stated.
2. The feedingstuff's moisture content must be stated if it exceeds:
 - 7 % in the case of milk replacer feeds and other compound feeding-stuffs with a milk-product content exceeding 40 %,
 - 5 % in the case of mineral feedingstuffs containing no organic substances,
 - 10 % in the case of mineral feedingstuffs containing organic substances,
 - 14 % in the case of other compound feedingstuffs.

In the case of compound feedingstuffs with a moisture content not exceeding the limits stated in the paragraphs above, that content may also be declared.
3. The level of ash insoluble in hydrochloric acid shall not exceed 3,3 % of the dry matter in the case of compound feedingstuffs composed mainly of rice by-products and 2,2 % of the dry matter in other cases.

However, the 2,2 % level may be exceeded in the case of:

 - compound feedingstuffs containing authorized mineral binding agents,
 - mineral compound feedingstuffs,
 - compound feedingstuffs containing more than 50 % of sugar beet chips or sugar beet pulp,
 - compound feedingstuffs intended for farmed fish with a fish meal content of over 15 %,

provided that the level is declared as a percentage of the feedingstuff as such.

In the case of compound feedingstuffs with a level of ash insoluble in hydrochloric acid not exceeding the limits stated in the paragraphs above, that level may also be declared.
4. The iron level in milk replacer feeds for calves of a live weight less than or equal to 70 kilograms must be at least 30 milligrams per kilogram of the complete feedingstuff at a moisture content of 12 %.
5. Where, on official inspection pursuant to Article 12, the composition of a compound feedingstuff other than for pets is found to depart from the declared composition, the following minimum tolerances shall be permitted, subject to Article 3:
 - 5.1. Where the content recorded is less than the declared content:
 - 5.1.1. Crude protein:
 - 2 units for declared contents of 20 % or more,
 - 10 % of the declared content for declared contents of less than 20 % but not less than 10 %,
 - 1 unit for declared contents of less than 10 %.
 - 5.1.2. Total sugar:
 - 2 units for declared contents of 20 % or more,
 - 10 % of the declared content for declared contents of less than 20 % but not less than 10 %,
 - 1 unit for declared contents of less than 10 %.
 - 5.1.3. Starch and total sugar plus starch:
 - 2,5 units for declared contents of 25 % or more,

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- 10 % of the declared content for declared contents of less than 25 % but not less than 10 %,
 - 1 unit for declared contents of less than 10 %.
- 5.1.4. Crude oils and fats:
- 1,5 units for declared contents of 15 % or more,
 - 10 % of the declared content for declared contents of less than 15 % but not less than 8 %,
 - 0,8 unit for declared contents of less than 8 %.
- 5.1.5. Sodium, potassium and magnesium:
- 1,5 units for declared contents of 15 % or more,
 - 10 % of the declared content for declared contents of less than 15 % but not less than 7,5 %,
 - 0,75 unit for declared contents of less than 7,5 % but not less than 5 %,
 - 15 % of the declared content for declared contents of less than 5 % but not less than 0,7 %,
 - 0,1 unit for declared contents of less than 0,7 %.
- 5.1.6. Total phosphorus and calcium:
- 1,2 units for declared contents of 16 % or more,
 - 7,5 % of the declared content for declared contents of less than 16 % but not less than 12 %,
 - 0,9 unit for declared contents of less than 12 % but not less than 6 %,
 - 15 % of the declared content for declared contents of less than 6 % but not less than 1 %,
 - 0,15 unit for declared contents of less than 1 %.
- 5.1.7. Methionine, lysine and threonine:
- 15 % of the declared content.
- 5.1.8. Cystine and tryptophan:
- 20 % of the declared content.
- 5.2. Where the content recorded is more than the declared content:
- 5.2.1. Moisture:
- 1 unit for declared contents of 10 % or more,
 - 10 % of the declared content for declared contents of less than 10 % but not less than 5 %,
 - 0,5 unit for declared contents of less than 5 %.
- 5.2.2. Crude ash:
- 1 unit for declared contents of 10 % or more,
 - 10 % of the declared content for declared contents of less than 10 % but not less than 5 %,
 - 0,5 unit for declared contents of less than 5 %.
- 5.2.3. Crude fibre:
- 1,8 units for declared contents of 12 % or more,
 - 15 % of the declared content for declared contents of less than 12 % but not less than 6 %,
 - 0,9 unit for declared contents of less than 6 %.
- 5.2.4. Ash insoluble in hydrochloric acid:
- 1 unit for declared contents of 10 % or more,
 - 10 % of the declared content for declared contents of less than 10 % but not less than 4 %,

▼M7

- 0,4 unit for declared contents of less than 4 %.
- 5.3. Where the variation noted is in the opposite direction to those referred to respectively in 5.1 and 5.2:
 - 5.3.1 — crude protein, crude oils and fats, total sugar, starch: tolerance twice that permitted for these substances in 5.1,
 - total phosphorus, calcium, potassium, magnesium, sodium, crude ash, crude fibre: tolerance three times that permitted for those substances in 5.1 and 5.2.
- 6. Where, on official inspection pursuant to Article 12, the composition of a compound feedingstuff for pets is found to depart from the declared composition, the following minimum tolerances shall be permitted, subject to Article 3:
 - 6.1. Where the content recorded is less than the declared content:
 - 6.1.1. Crude protein:
 - 3,2 units for declared contents of 20 % or more,
 - 16 % of the declared content for declared contents of less than 20 % but not less than 12,5 %,
 - 2 units for declared contents of less than 12,5 %.
 - 6.1.2. Crude oils and fats:
 - 2,5 units of the declared content.
 - 6.2. Where the content recorded is more than the declared content:
 - 6.2.1. Moisture:
 - 3 units for declared contents of 40 % or more,
 - 7,5 % of the declared content for declared contents of less than 40 % but not less than 20 %,
 - 1,5 units for declared contents of less than 20 %.
 - 6.2.2. Crude ash:
 - 1,5 units of the declared content.
 - 6.2.3. Crude fibre:
 - 1 unit of the declared content.
 - 6.3. Where the variation noted is in the opposite direction to those referred to respectively in 6.1 and 6.2:
 - 6.3.1. Crude protein:
 - tolerance twice that permitted for that substance in 6.1.1.
 - 6.3.2. Crude oils and fats:
 - identical tolerance to that permitted for that substance in 6.1.2.
 - 6.3.3. Crude ash, crude fibre:
 - tolerance three times that permitted for those substances in 6.2.2 and 6.2.3.

▼M12

- 7. Labelling of compound feedingstuffs containing protein derived from mammalian tissue.
 - 7.1. The labelling of compound feedingstuffs containing protein derived from mammalian tissue and intended for animals other than pets must contain the following statement: 'This compound feedingstuff contains protein derived from mammalian tissue the feeding of which to ruminants is prohibited'.

This does not apply to compound feedingstuffs which contain no protein derived from mammalian tissue other than the following;

 - milk and milk products,
 - gelatin,

▼M14

- hydrolysed proteins with a molecular weight below 10 000 daltons which have been:
 - (i) derived from hides and skins obtained from animals which have been slaughtered in a slaughterhouse and have undergone an *ante mortem* inspection by an official veterinarian in accordance with Chapter VI of Annex I of Directive 64/433/EEC and passed fit, as a result of such inspection, for slaughter for the purpose of that Directive;
and
 - (ii) produced by a production process which involves appropriate measures to minimise contamination of hides and skins, preparation of the hides and skins by brining, liming and intensive washing followed by exposure of the material to a pH of > 11 for > 3 hours at temperature > 80 °C and followed by heat treatment at > 140 °C for 30 minutes at > 3,6 bar or a by an equivalent production process approved by the Commission after consultation of the appropriate Scientific Committee;
and
 - (iii) come from establishments which carry out an own checks program (HACCP),

▼M12

- dicalcium phosphate derived from defatted bones, and
- dried plasma and other blood products.

7.2. Where a Member State prohibits the use of protein derived from mammalian tissue as referred to in 7.1, first sentence, in feedingstuffs for certain animals other than ruminants as permitted by Article 1 (2) of Council Directive 90/667/EEC ⁽¹⁾, the statement required in 7.1 must mention in addition the other species or categories of animals to which it has extended the prohibition on the use of the products in question.

⁽¹⁾ OJ No L 363, 27.12.1990, p. 51.

▼M7

Feedingstuffs	Analytical constituents and levels	Species or category of animal	
		Compulsory declarations according to Article 5 (1) (f)	Optional declarations according to Article 5 (3) (k)
(1)	(2)	(3)	(4)
Complementary feedingstuffs — Molassed	— Crude protein	} All animals	} All animals
	— Crude fibre		
	— Total sugar (as sucrose)		
	— Crude ash		
	— Crude oils and fats	.....
	— Calcium	.....
	— Phosphorus	.....
	— Sodium	.....
	— Potassium	.....
	— Magnesium $\geq 0,5\%$	Ruminants		Animals other than ruminants
— Magnesium $< 0,5\%$	.....	All animals	
Complementary feedingstuffs — Other	— Crude protein	} Animals except pets other than dogs or cats	} Pets other than dogs and cats
	— Crude oils and fats		
	— Crude fibre		
	— Crude ash		
	— Calcium $\geq 5\%$	Animals other than pets	Pets
	— Calcium $< 5\%$	.....	All animals
	— Phosphorus $\geq 2\%$	Animals other than pets	Pets
	— Phosphorus $< 2\%$	.....	All animals
	— Magnesium $\geq 0,5\%$	Ruminants	} Animals other than ruminants
	— Magnesium $< 0,5\%$	.....
	— Sodium	.....
	— Potassium	.....
	— Energy value	.....	Poultry (declaration according to EEC method)
		.....	Pigs and ruminants (declaration according to national official methods)
	— Lysine	Pigs	Animals other than pigs
	— Methionine	Poultry	Animals other than poultry
	— Cystine	.....	} All animals
— Threonine	.....	
— Tryptophan	.....	
— Starch	.....	
— Total sugar (as sucrose)	.....	
— Total sugar plus starch	.....	