

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 (Text with EEA relevance)

### CHAPTER 3

#### PLACING ON THE MARKET OF SPECIFIC TYPES OF FEED

##### *[<sup>F1</sup>Article 7*

##### **Characteristics of types of feed**

The appropriate authority may, where necessary, prescribe whether a certain product constitutes feed for the purposes of this Regulation.]

##### **Textual Amendments**

**F1** [Art. 7](#) substituted (31.12.2020) by [The Animal Feed \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/654\)](#), regs. 1, **98**; 2020 c. 1, Sch. 5 para. 1(1)

##### *Article 8*

##### **Content of feed additives**

1 Without prejudice to the conditions of use provided for in the relevant legal act authorising the respective feed additive, feed materials and complementary feed shall 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.

2 The level of 100 times the relevant fixed maximum content in complete feed referred to in paragraph 1 may only be exceeded if the composition of the products concerned fulfils the particular nutritional purpose in respect of the relevant intended use under Article 10 of this Regulation. The conditions of use for such feed shall be further specified in the list of intended uses. Establishments under the control of a producer of such feed who uses feed additives referred to in Chapter 2 of Annex IV to Regulation (EC) No 183/2005 must be approved in accordance with point 1(b) of Article 10 of that Regulation.

##### *Article 9*

##### **Marketing of feed intended for particular nutritional purposes**

Feed intended for particular nutritional purposes may only be marketed as such if its intended use is included in the list of intended uses established in accordance with Article 10 and if it meets the essential nutritional characteristics for the respective particular nutritional purpose set forth in that list.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 767/2009 of the European Parliament and of the Council, CHAPTER 3. (See end of Document for details)

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*[<sup>F2</sup>Article 10*

**List of intended uses of feed intended for particular nutritional purposes**

The appropriate authority may prescribe how the list of intended uses set out in Directive [2008/38/EC](#) may be updated, to include—

- a how an intended use is to be assessed;
- b how the conditions of use should be determined;
- c the procedure by which—
  - i an application for adding a new use may be made;
  - ii an amendment to a use or one or more of its conditions may be authorised; and
  - iii a use may be removed.]

**Textual Amendments**

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