

**Summary of Requirements for  
Food and Drink Businesses that  
Supply Material for Animal Feed  
Use  
(Regulation 183/2005 on Feed  
Hygiene)**

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**For all queries about this guidance — including if you require the information in an alternative format such as audio, large print or Braille — please use the number below.**

**Animal Feed and Animal By-Products Branch  
020 7276 8471**

## Summary

<b>Intended audience:</b>	<ul style="list-style-type: none"> <li>• Importers</li> <li>• Manufacturers and processors</li> <li>• Retailers, caterers and carers</li> </ul>
<b>Which UK nations does this cover?</b>	All UK nations.
<b>Purpose:</b>	To provide guidance on the requirements of EC Regulation 1831/2003 on feed hygiene as they apply to food and drink businesses which supply material for animal feed use.
<b>Legal status:</b>	This is regulatory guidance which specifies the requirements that certain businesses in the food and drink sector must observe to comply with the legislation.
<b>Key words</b>	<ul style="list-style-type: none"> <li>• Animal feed</li> <li>• Food law, monitoring and controls</li> <li>• Hygiene and food safety</li> <li>• Imports</li> </ul>
<b>Review date</b>	This guidance is current. It will only need to be reviewed if the legislation to which it relates is itself amended.
<b>Sunset date</b>	The EU legislation in question has no sunset clause.

## REVISION HISTORY

This guidance follows the Government [Code of Practice on Guidance](#). If you believe this guidance breaches the Code for any reason, please let us know by emailing [betterregulation@foodstandards.gsi.gov.uk](mailto:betterregulation@foodstandards.gsi.gov.uk). If you have any comments on the guidance itself, please call us using the contact number on page 2 or complete our ongoing [Guidance survey](#): <https://www.surveymonkey.com/s/55QQDCG>

Revision No.	Revision date	Purpose of revision and paragraph number	Revised by
1	March 2014	Updating of contact details	Joseph Nicholas

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## **INTRODUCTION**

1. EC Regulation 183/2005 of 12 January 2005 laying down requirements for feed hygiene (the Feed Hygiene Regulation) was one of a number of animal feed measures proposed in the European Commission's White Paper on Food Safety of January 2000. It contains a number of provisions aimed at improving feed safety, including rules to improve the operational standards of feed businesses and traceability measures to ensure that in the case of a feed contamination incident feed products can be easily traced and recalled if necessary. The Regulation also requires the registration and/or approval of feed business establishments.

## **INTENDED AUDIENCE**

2. This guidance is intended for food and drink businesses (including retailers) that provide materials (e.g. surplus food products) for use in animal feed (including pet food).

## **PURPOSE OF GUIDANCE**

3. This question-and-answer guidance note is intended to help relevant food and drink businesses comply with the requirements of EC Regulation 183/2005.

## **LEGAL STATUS OF GUIDANCE**

4. This guidance note has been produced to explain the legal requirements of EC Regulation 183/2005 laying down requirements for feed hygiene. However, it cannot cover every situation and stakeholders may need to consider the legislation itself to see how it applies in their particular circumstances. If this guidance note is followed it will help stakeholders comply with the law. Businesses with specific queries may wish to seek the advice of their local enforcement authority, which in Great Britain will usually be the trading standards department of the local authority.

## **THE GUIDANCE**

### **Background**

5. Regulation (EC) 183/2005 (the Feed Hygiene Regulation) includes rules to improve the operational standards of feed businesses and traceability measures to ensure that, in the case of a feed contamination incident, feed products can be easily traced and recalled if necessary.

6. The Regulation also requires the registration and/or approval of feed business establishments.

### Scope

7. Virtually all feed businesses that produce, supply or use animal feed, are covered by the scope of the Regulation. This includes importers of feed materials, manufacturers of compound feeds and feed additives and feed merchants as well as livestock and arable farms.

8. Food and drink businesses (including retailers) that supply products for animal feed use (including for pet food) are covered by the Feed Hygiene Regulation and must comply with its requirements.

9. Where appropriate, it is particularly important that systems are in place to ensure that products prohibited for use in animal feeds (in particular, animal products such as meat and fish) do not enter the farmed livestock feed chain.

10. This guidance includes information on the main requirements of the Feed Hygiene Regulation, including how food and drink businesses can apply for registration and where to go for more information.

### Specific Requirements

11. *What activities carried out by food and drink businesses are covered by the Regulation?*

In general terms, any food and drink business that puts into circulation, material for feed use (including pet food) comes within the scope of the Regulation. Some examples (non-exhaustive) include:

- food and drink manufacturers supplying surplus material (e.g. out of date products, products that do not meet the required specification, or surplus ingredients such as dough). This may include bakery, confectionery, dairy or oil products;
- retailers that supply surplus material for feed use. These may include major supermarkets or smaller retail outlets such as bakeries (pet food retailers are not covered by the requirements);
- food manufacturers selling "co-products", i.e. materials generated as part of the food manufacturing process. This includes wheat bran, residues of soya bean from the extraction of oils, and vegetable trimmings (e.g. carrot tops and potato skins);
- drink companies selling co-products such as brewers or distillers grains; and
- meat and fish processors supplying animal by-products for use in pet food, whether or not subject to further processing, and fishmeal.

12. Often food and drink manufacturers and retailers sell products to an intermediary such as a food processor, who processes the material for animal feed use. In other cases, food businesses may sell products direct to farms. In all these cases, the supplying food/drink business must comply with the requirements of the Feed Hygiene Regulation.

13. Feed businesses must only source and use feed from establishments registered or approved under the Feed Hygiene Regulation.

14. *What are the approval or registration requirements for food and drink businesses supplying products for feed use?*

Approval requires a prior inspection visit by the enforcement authority before a feed business establishment is allowed to operate. Registration involves the placing of establishments on a list with follow-up inspections. The requirement for approval only applies to those establishments that carry out certain higher risk activities such as the manufacture of feed additives and premixtures, or the processing or blending of certain oils and fats. It is likely that the vast majority of food and drink establishments supplying products for feed use will be carrying out activities subject to the registration requirement.

15. Under the terms of the Feed Hygiene Regulation, a food or drink company supplying material for feed use is a feed business.

16. *How does a food and drink business apply for registration?*

The Feed Hygiene Regulation requires feed business operators to notify the relevant enforcement authority of any establishment under their control, active in any stage of the production, processing, storage, transport or distribution of feed with a view to applying for registration.

17. In Great Britain, local authorities (usually trading standards departments) are responsible for the enforcement of feed legislation and the registration of feed business establishments. In Northern Ireland, the relevant enforcement authority is the Department of Agriculture and Rural Development (DARD). Food and drink businesses in Great Britain seeking registration for their establishments should complete the associated application form. Businesses in Northern Ireland should contact DARD's Agri-Food Inspection Branch at <Afib.admin@dardni.gov.uk>.

18. The application form enables a business, e.g. a retailer, with more than one establishment (premises) in an enforcement authority's area to submit an application covering several establishments.

19. A food or drink manufacturer unsure if its establishment(s) has been registered previously as a feed business is advised to contact its local enforcement authority.



## Activities

20. The application form requires information on activities carried out by a business. There is a list of activity codes and descriptions appended to the application form.

<i>Activity Code</i>	<i>Activity Description</i>	<i>Notes</i>	<i>Examples of Feed Businesses</i>
<i>R7</i>	<i>Manufacture and/or placing on the market of feed materials</i>	<i>Feed materials are products which can be fed singly to animals or used as ingredients of compound feeds</i>	<i>Includes food manufacturers e.g. bakers, dairies and branches of supermarkets and other food retailers involved in the transfer of surplus food (e.g. out-of-date bakery products) into the feed chain</i>
<i>R12</i>	<i>Food businesses selling co-products of the food industry which are destined as feed materials</i>	<i>This includes selling of feed materials generated as co-products of the manufacture of food products (e.g. wheat bran, brewers grains, residues of soyabean and rapeseed from the extraction of oils, vegetable trimmings).</i>	<i>Brewers, distillers, food manufacturers</i>

21. However, in practice it is expected that most food and drink businesses engaged in feed activities will be carrying out one or both of these registrable activities. If a business changes its activities or its ownership, it should notify its local authority or DARD.

22. *What are the other main requirements of the Feed Hygiene Regulation with which food and drink businesses must comply?*

The Feed Hygiene Regulation contains various operational requirements with which businesses must comply and which are set out in the Annexes to the Regulation.

23. Annex II is applicable to businesses supplying the feed chain, and includes requirements relating to facilities and equipment, personnel, production procedures, quality control, storage, transport and record-keeping. In addition, businesses are required to apply the principles of a HACCP system.

24. The extent of the application of Annex II and HACCP will depend on the nature of the activities being carried out. For example, at food and drink business

establishments the requirements will apply to the relevant operations that relate to products that are to be supplied for feed. Many food businesses will have a form of HACCP in place to cover their food operations and it may extend these to materials designated for feed. Key aspects include measures to ensure that material is not contaminated and record-keeping to ensure that material can be traced in the event of a feed incident. Documents and records that must be kept should be commensurate with the nature and size of the business.

## The Animal By-Products Regulations

25. *What other food is allowed in or prohibited from use in feed for farmed animals?*

Defra and the equivalent Agriculture Departments in the devolved countries are responsible for Animal By-Products legislation in Great Britain. The Department of Agriculture and Rural Development (DARD) has similar responsibility in Northern Ireland. Controls are delivered in Great Britain by Defra's Animal Health and Veterinary Agency (AHVLA).

26. Certain low risk surplus food materials which are no longer intended for human consumption and which constitute or contain products of animal origin can be used as feed materials for farmed animals. These include bakery products (e.g. bread, cakes, pastry, biscuits), pasta, chocolate, sweets and similar products such as breakfast cereals which:

- may contain ingredients such as rennet or melted fat, milk, milk-products, flavourings, egg, honey, flavourings or gelatine of non-ruminant origin which may have been incorporated into those products but which do not constitute the main characteristic ingredient; and
- do not contain, and have not been in contact with raw eggs, meat, fish and products or preparations derived from or incorporating meat or fish.

27. Dairy products, egg products, rendered fats and fish oils may also be used as feed materials, subject to detailed requirements in the Animal By-Product Regulations. Further information can be found in guidance on the AHVLA website at <http://www.defra.gov.uk/ahvla-en/disease-control/abp/>

28. Catering waste from kitchens or restaurants cannot be used in feed for farmed animals.

29. Meat and fish (and meat and fish products) are prohibited from use in feed for farmed animals. Establishments which have meat and fish on their premises must ensure that the requirements of the Animal By-products Regulations are met. This includes ensuring that prohibited material is:

- disposed of appropriately; and
- kept entirely separate from bakery, confectionery and other products which are permitted and intended for use in feed for farmed animals.

30. Measures to ensure these requirements are met should be documented in establishments' HACCP plans.

31. The Food and Drink Federation has produced a useful guide for their members on the application of the requirements of the Feed Hygiene Regulation, Animal By-Products controls and other legislation.

### **Other Legislation with which Food and Drink Businesses must comply**

32. There is a range of feed legislation that food and drink businesses may need to observe. This includes controls on undesirable substance (contaminants such as lead, arsenic, aflatoxin, dioxins, etc.) set out in EC Directive 2002/32; Regulation 767/2009 on the marketing and use of feed; and the general feed safety requirements laid down in Regulation 178/2002.

### **Further Information**

33. Further guidance on Feed Hygiene can be found on the Food Standards Agency website at <http://www.food.gov.uk/multimedia/pdfs/enforcement/feedhygeregengqa.pdf> Local Trading Standards offices and DARD may also be contacted for advice.

## **NATIONAL LEGISLATION**

34. EC Regulations are directly applicable in all Member States, but in order to give them effect in the UK it was necessary to introduce certain national rules. For EC Regulation 183/2005, national enforcement powers (e.g. penalties and offences) and procedures for application for registration and approval were introduced in the Feed (Hygiene and Enforcement) (England) Regulations 2005 (S.I. 2005 No. 3280), which came into force on 1 January 2006. (There is separate but parallel legislation in Scotland, Wales and Northern Ireland.)

35. The Regulations can be found online at <http://www.legislation.gov.uk/browse/uk> (enter the year and number of the measure in the search boxes at the top of the page and select the type of legislation from the drop-down box alongside). Regulation 183/2005 can be found online at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2005R0183:20090420:EN:PDF> Details of other animal feed legislation can be found on the Food Standards Agency's website at <http://www.food.gov.uk/foodindustry/farmingfood/animalfeed/animalfeedlegislation>

## **CONTACTS**

Queries about the content of this guidance should be directed to William Francis, telephone 020 7276 8471, e-mail <william.francis@foodstandards.gsi.gov.uk> of the Animal Feed and Animal By-Products Branch, Food Standards Agency, Area 1B, Aviation House, 125 Kingsway, London WC2B 6NH.