

**Trader Notice No. 07/2013**

18 November 2013

TO : Manufacturers of Compound Feed,  
Manufacturers of Mineral Mixtures,  
Manufacturers of Nutritional Supplements,  
Manufacturers of Feed Materials,  
Manufacturers of Premixtures,  
Manufacturers of Feed Additives,  
Manufacturers of Pet Food,  
Food Recyclers,  
Irish Grain and Feed Association.

**Re: Compliance of Feed Business Operators with Transmissible Spongiform Encephalopathies (TSE) and Animal By-Products (ABP) Regulations.**

Feed Business Operators (FBO's) who are involved in the manufacture, import, export, distribution, supply or use of all animal feed must ensure compliance with critical aspects of EU feed legislation such as Regulation (EC) No 183/2005 of the European Parliament and of the Council (laying down requirements for feed hygiene), Regulation (EC) No 767/2009 of the European Parliament and of the Council (on the placing on the market and use of feed) and Directive 2002/32/EC of the European Parliament and of the Council (on undesirable substances in animal feed).

*It is important also to remember the need for compliance with TSE and ABP Regulations, as they also relate to animal feed.*

**TSE Regulations**

- Regulation (EC) No 999/2001 of the European Parliament and of the Council lays down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSE's) in animals. The Regulation applies to the production and placing on the market of live animals and products of animal origin and in certain specific cases to exports thereof.
- Specific prohibitions concerning animal feeding are detailed in *Article 7* of this Regulation:
  - 1) The feeding to ruminants of protein derived from animals is prohibited.
  - 2) The prohibition provided for in point 1 is also extended to animals other than ruminants and restricted, as regards the feeding of those animals with products of animal origin, in accordance with Annex IV of the Regulation.
  - 3) Points 1 and 2 above apply without prejudice to the provisions laid down in Annex IV setting out the derogations from the prohibition contained in those paragraphs.
- Under a recent amendment to Annex IV of Regulation (EC) No 999/2001 regarding specific requirements of the feeding of animals, Regulation (EU) No 56/2013 provides that the previous prohibition on the feeding to aquaculture animals of processed animal protein, other than fishmeal derived from non-ruminants, and compound feed containing such processed animal protein which are produced and placed on the market, has been removed.

### ABP Regulations

- Regulation (EC) No 1069/2009 of the European Parliament and of the Council lays down public health and animal health rules for animal by-products and derived products, in order to prevent and minimise risks to public and animal health arising from those products, and in particular to protect the safety of the food and feed chain.
- In addition, Regulation (EU) No 142/2011 of the European Parliament and of the Council implements Regulation (EC) No 1069/2009 and also implements Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at National Borders under that Directive.
- Under Regulation (EC) No 1069/2009, Article 3 states that:

‘animal by-products’ means entire bodies or parts of animals, products of animal origin or other products obtained from animals, which are not intended for human consumption, including oocytes, embryos and semen.

Examples of products of animal origin in animal feed include milk powders, whey, tallow, fish oil, fishmeal, dicalcium phosphate of animal origin etc. In some cases additives used in the production of compound feed can be coated with products that have been derived from animals, for example, Vitamin D can be coated with lanolin derived from sheep wool.

- FBO's should also note that set out in Title II of Regulation (EC) No 1069/2009 there are ‘Obligations of Operators’ which must be adhered to. This includes requirements on the collection, transportation and traceability of ABP's

Accordingly, it is the responsibility of FBO's to familiarise themselves with the requirements of animal feed legislation as well as relevant TSE and ABP legislation to ensure compliance with the laws that apply to their activities.

If you require any further information please direct enquiries to Dr. Mary Canty (mary.canty@agrculture.gov.ie).

Yours Sincerely,



Caroline Nevin  
Animal Feed Control Group  
Dept of Agriculture, Food & the Marine  
Backweston Campus  
Celbridge  
Co Kildare