

Annex A

BACKGROUND NOTE ON THE EC FEED HYGIENE REGULATION (183/2005)

These notes are a brief guide to the salient points of the Regulation. They should not be relied upon as a detailed or authoritative interpretation.

1. This Regulation is aimed at ensuring that controls throughout the feed chain are strengthened. In particular, it contains controls in relation to feed businesses' operational standards and provisions to help ensure that feeds can be traced and recalled in the event of a feed safety incident. It replaces the previous arrangements under Directive 95/69/EC, which required feed businesses to be approved or registered if they were involved in the manufacture, use, or marketing of certain feed additives.
2. A copy of the Regulation can be found at:

http://europa.eu.int/eurlex/lex/LexUriServ/site/en/oj/2005/l_035/l_03520050208en00010022.pdf

National Regulations (The Feed (Hygiene and Enforcement) (England) Regulations 2005) have also been made, which provide for enforcement (offences and penalties) and other administrative provisions. The guidance does not cover arrangements for the approval of premises manufacturing, selling or using coccidiostats, histomonostats and growth promoters, which are covered by separate legislation enforced by the Animal Medicines Inspectorate (AMI).

Who is covered?

1. With a few exceptions (see paragraph 10 of the *'Notes on completion of application documents'* – Annex B) the Regulation will apply to all feed businesses. Feed businesses are defined as ***'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.'***
4. Examples of businesses that are covered include manufacturers of compound feeds, feed materials, feed additives and premixtures, and importers and sellers of these products. Also covered are transporters of feed (e.g. haulage companies), storers of feed, food companies selling co-products for use as feed and pet food manufacturers. Livestock farms, fish farms and arable farms growing and using or selling crops for feed use are also within the scope of the Regulation. Annex D sets out the categorisation of the activities for use by businesses and when they should apply for approval or registration.

Approval and Registration

5. The Regulation requires certain feed businesses' premises to be approved and others to be registered. Approval requires a prior inspection visit by a

local authority before the premises are allowed to operate. This is to ensure that the premises are working to the required standards. Registration involves the placing of premises on a list with follow-up checks. Generally, premises subject to approval are those which carry out higher risk activities. Further information on how to apply for approval or registration is given in the attached '*Notes on completion of application documents*'.

Conditions

6. The Regulation contains various conditions which feed businesses will have to comply with, as appropriate. These are set out in a number of Annexes to the Regulation, as follows:

Annex I. This covers provisions applicable to businesses involved in primary production (i.e. farms). It includes general hygiene and record-keeping requirements:

Annex II. This applies to businesses operating other than at the level of primary production. It contains standards similar to those that currently apply to premises that are approved or registered under Directive 95/69/EC. These relate to facilities, personnel, quality control, storage and transport and record-keeping; and

Annex III. This is a code on feeding food-producing animals, which livestock farmers will have to comply with.

7. The Regulation will require feed businesses to put in place and operate procedures based on the principles of **Hazard Analysis and Critical Control Points (HACCP)**. HACCP is a system of safety management based on the prevention of feed and food safety problems. It provides a documented, structured approach to ensuring food safety and places a requirement on businesses to identify, manage and control hazards inherent in the handling and production process. Feed businesses involved in primary production will **not** be required to apply HACCP (except for any farms which buy-in and use feed additives and premixtures as such).

Dates of application

8. Feed businesses must be approved or registered by **1 January 2006**. Therefore applications **must** be returned to your local authority as soon as possible.
9. Feed businesses, which were previously approved or registered under Directive 95/69/EC, must comply with the conditions set out in the Regulation from **1 January 2006**.
10. Other feed businesses have until **1 January 2008** to comply with the conditions.
11. The Food Standards Agency intends to provide further guidance to help businesses comply with the conditions contained in the Feed Hygiene Regulation. Visit www.foodstandards.gov.uk for further details.