



Dr. Maroš Šefčovič

Executive Vice-President for the European Green Deal, Interinstitutional Relations and Foresight
European Commission
Rue de la Loi 200/ Wetstraat 200
1049 Bruxelles/Brussel
Belgium

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Sent by Email only

Dear Dr. Šefčovič,

Request of the EU feed chain to the European Commission to publish the legislative proposal of the revised Regulation (EC) No 1831/2003 on additives for use in animal nutrition in Q4 2024

Our associations, which represent large segments of the EU feed chain, are committed to improving animal health and the welfare of farmed animals and pets and to supporting farmers in improving the sustainability of livestock farming. To realise this potential, as well as foster an enabling environment for innovation in feed additives, we hereby call on you to swiftly put forward the long-awaited EC proposal amending Regulation (EC) No 1831/2003.

Feed additives are used to optimise feed formulations for animals on-farm, in aquaculture and for companion animals. They enable **more efficient and sustainable feed**, thereby contributing to better animal rearing through **reduced use of resources, less waste, fewer emissions** and/or by **helping to maintain animals in good health and/or to improve their welfare**. Maintaining animals in optimal health through a wide range of tools, including biosecurity, good farming practices, vaccination and animal nutrition and, thus, with higher resilience to stressors can prevent or **limit the need for veterinary treatments. This includes reducing the need to use antibiotics** and hence contribute to the **fight against antimicrobial resistance**.

An EU legislative framework that supports innovation in the sector is critically important to **provide farmers with more options in their toolbox to meet the increasing demands for more sustainable animal farming**. Modernisation of the EU feed additives regulation should also contribute to reversing negative trends, such as the feed additives industry increasingly moving research and development and production outside of the EU to third countries which possess more pro-innovation regulatory environments and lower labour and production costs. Today, it is widely recognised that **the EU livestock farming and**

aquaculture sectors, as well as the pet food industry, have become increasingly dependent on third countries for the import of some essential feed additives, notably vitamins and amino acids. In some instances, this dependency is on a single third country which supplies the entire EU demand for a particular essential feed additive, placing the EU in a vulnerable situation in the current context of geopolitical tensions and a strained EU feed and food supply chain.

The revision of [Regulation \(EC\) No 1831/2003 on additives for use in animal nutrition](#) had started with a [fit-for-purpose evaluation](#) which was already completed in 2020. After long delay, the results of this process were only published on 28 February 2024 as [Commission Staff Working Document Evaluation of Regulation \(EC\) 1831/2003 on additives for use in animal nutrition](#). The report reconfirms the need for action to modernise some outdated provisions in the legislation to remove red tape and restrictions on innovation. Between 2021 and 2022, the European Commission had also undertaken all the necessary consultations for an impact assessment.

Furthermore, the Commission recognised the need for modernising the EU rules on feed additives as key enabler to achieve certain Green Deal objectives for the EU livestock and aquaculture sector in the [Farm to Fork strategy and the connected action plan](#). The initial target period of Q4/2021 for presenting a legislative proposal to the European Parliament and the Council (ref. [2021 Commission Work Programme](#) - page 8) was postponed several times.

The EU feed chain, represented by the undersigning organisations, calls on the European Commission to present its **proposal of a revised Regulation (EC) No 1831/2003 on additives for use in animal nutrition** as a matter of urgency at the earliest stage possible, ideally in Q4 2024, for the following reasons:

- The increasing **risk of a loss of market access of some feed additives** that have contributed for years to a safe and sustainable feed and food chain due to lack of protection on investment for companies investing considerable resources in authorisations,
- The increasing **loss of opportunities for the EU farming and petfood sector to improve competitiveness and sustainability via innovative feed additives** caused by disproportionate time and resource-intensive authorisation procedures creating obstacles to bringing new products to the market; this is especially constraining for SMEs,
- Recognised **inconsistencies between the EU feed additive regulation and other EU legislation** such as the Regulation on the classification, labelling and packaging of substances and mixtures and the biocidal products regulation,
- **Outdated and excessively costly product labelling requirements** that are not aligned with possibilities for use of modern communication tools, also in view of **digitalisation having been introduced in labelling requirements of other EU sectorial legislation**,
- Need for feed additives producers and premixers to **appropriately communicate down chain about sustainability-related secondary/indirect effects of innovative feed additives**,
- The non-harmonized approach to the production and movement of safe feed additives not authorised in the EU for export to third countries, **constraining EU industrial production capacity**,
- Need to provide a **clear signal to feed additive producers that there is an interest for them in investing in production capacity for feed additives in Europe** thanks to a framework that incentivises innovations allowing the EU to retain its position as global technology and research leader in this critical area.

Please find appended to this letter the EU feed chain's key proposals for the modernisation of Regulation (EC) No 1831/2003 on additives for use in animal nutrition.

We remain at your disposal to provide further clarifications.

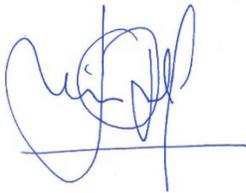
Yours sincerely



Roxane Feller, Secretary General of AnimalhealthEurope



Patrick Pagani, Deputy Secretary General of the Committee of Professional Agricultural Organisations & General Confederation of Agricultural Cooperatives



Javier Ojeda, Secretary General of the Federation of European Aquaculture Producers



Sonia Franck, Secretary General of the European Pet Food Industry Federation



Alexander Döring, Secretary General of the European Feed Manufacturers' Federation



Joerg Seifert, Secretary General of the EU Association of Specialty Feed Ingredients and their Mixtures

Cc:

Dr Stella Kyriakides, EU Commissioner for Health and Food Safety

Mr Janusz Wojciechowski, EU Commissioner for Agriculture

Mr Thierry Breton, EU Commissioner for Internal Market

Key proposals of the EU feed chain related to the required modernisation of Regulation (EC) No 1831/2003 on additives for use in animal nutrition

The following proposals focus on selected key aspects of the current Regulation where modernisation is required for a well-functioning EU feed chain serving sustainable livestock and aquaculture production and healthy pets. These and other important issues were addressed during the evaluation (2017-2020) and the impact assessment consultations (2021-2022), to which many stakeholders from the private and public sectors have contributed.

Revise the current generic authorisation period of ten years

The current Regulation limits the authorisation of feed additives to ten years and therefore requires periodical renewal. The renewal procedure entails considerable costs and workload for all those involved in the procedure (industry, EFSA and EC) and in certain cases it can result in the discontinuation of market availability for all or certain species of feed additives which are perfectly safe and effective. While the risk-based approach should remain the driving principle governing the pre-market authorisation and maintenance of feed additives in the market, an alignment with other and more recent legal texts drafted in accordance with the principles of Regulation (EC) 178/2002 - the General Food Law (*e.g.*: food additives, novel food, etc) is proposed. The envisaged solution for modernisation of the Regulation is to replace the current time-limited requirement (ten years renewal period) by a risk-based, more flexible approach mirroring the approach followed for food additives, i.e. that, by default, no renewal should be required for feed additives unless:

- Any data related to the safety of the feed additive would become available to feed business operators, to authorities or to other parties justifying re-evaluation;
- Post-marketing provisions are established at authorisation requiring a re-evaluation, as may be relevant for particular types of feed additives, depending on their safety profile;
- Significant changes are introduced into the manufacturing process which affect or may affect the characterisation and safety of the feed additive (in analogy to the approach for food additives).

Reform of the non-holder specific authorisations

The investments and time required for placing a new feed additive on the market or for getting a new application of an existing feed additive approved is limiting or even preventing innovation for non-holder specific feed additives when applicants face undue economic risk for their business. This is true for many feed additives found in the categories 'Technological additives', 'Sensory additives', and 'Nutritional additives'.

The implementation of a holder specific authorisation approach for new feed additives or new use of existing feed additives would protect those feed business operators who submit a new dossier from unfair competition at the start when they place the product on the market. The protection could then expire after a defined number of years to be determined to allow other suppliers of the same feed additive to also benefit from the authorisation and a larger range of customers to get access to the new product.

Expand the current concept of labelling from physical label to digital labelling and review and revise the information that must appear on a physical label, and create the possibility to use claims related to secondary effects of feed additives and premixtures

The current labelling requirements require thorough review and revision in terms of making them clearer, smarter, more user-friendly and, last but not least, less costly. Although the most important information should always be provided on the physical label, there is a need to allow digital labelling for information

non-essential to the customer. There should be adjustment of the feed additive regulation to adapt label/labelling requirements to practical needs, facilitating information flow along all stages of the feed chain, create coherence with other legislations, including Reg. (EC) 767/2009. A modernised approach to the labelling must embrace the use of digital solutions and ensure accuracy, truthfulness and transparency. It could be implemented as follows:

- Provision of non-essential elements via digital, e.g. accessible via QR code from an online source, or other means, e.g. making use of printouts and or information on invoices to accompany the essential elements printed on the physical label on the package.
- Simplification via internationally recognised pictograms, which could replace long wordings on the package, e.g., for indication of use-by dates, target species or instructions for use (similar to pictograms in the CLP Regulation (EC) 1272/2008, or for medical devices (e.g. Regulation (EU) 2017/745; ISO 15223:2020), or for veterinary medicinal products).
- The development by feed chain organisations of a **voluntary EU Code of Good Labelling Practice** subject to validation by authorities, would allow for the defining of additional professional rules and recommendations to further harmonize the implementation of labelling requirements by feed additives and premixtures business operators and to encourage provision of additional voluntary labelling particulars. It would define the rules for the phrasing and justification of claims, in particular related to secondary effects, such as sustainability-related positive impacts, of feed additives and premixtures. This approach was successfully experienced for compound feed and petfood under Regulation (EC) No 767/2009.

Introduce a provision for the EU internal transport of additives / premixtures only intended for export

Feed additives that are not authorised in the EU and premixtures containing them which are not unsafe and intended only for export should be permitted to be transported within the EU for the purpose of shipping them to third countries without this being regarded as them being placed on the market. Respective legal provisions should be introduced. Full traceability can be ensured as per provisions in Article 18 of Regulation (EC) 178/2002 to prevent the placing on the market within the EU. The specific risks involved in handling non-authorised feed additives are not in principle different from existing practices where feed additives that are only authorised for one target species can be processed in a premixtures facility of feed-mill-producing feed for all species. For such practices, feed business operators have measures in place in line with, for example, the hazard analysis and critical control point (HACCP) principles according to Regulation (EC) 1831/2003 on Feed Additives; following the same approach, measures may be specifically defined for traceability of non-authorised feed additives. This measure would support the retention of industrial capacity and production in the EU to the benefit of a more resilient EU feed chain.

Eliminate inconsistencies in the Feed Additives Regulation, especially related to the provisions to use additives in water for drinking

While the definition of feed additives in the current regulation refers to their use in feed *and* water, technological feed additives and some sensory feed additives are currently being restricted in the authorising regulations for feed usage only. This significantly limits farmers in the optional use of these feed additives which can be beneficial for adequate nutrition, animal health and welfare. The suggestion has been made to reconsider some of the objections from the past and create a framework for the use of technological and sensory additives for use in water for drinking to provide extra tools to farmers supporting the health and well-being of their animals.