ACAF/03/9

ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

Eighteenth Meeting of ACAF 11 February 2003 – Information Paper

UPDATE ON THE FOOD STANDARDS AGENCY'S IMPLEMENTATION OF ACAF'S RECOMMENDATIONS ON FEED LABELLING

Secretariat January 2003

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Purpose

1. The purpose of this paper is to report on progress made in implementing the recommendations in the Committee's Report on Animal Feed Labelling since the last update paper (ACAF/02/23) was issued in June 2002.

Background

2. ACAF issued the Report on its Review of Animal Feed Labelling on 27 June 2001. It covered two main areas: the listing of ingredients in manufactured animal feeds and the labelling of the presence and/or absence of genetically modified (GM) material. The Report made 15 recommendations (7 on ingredients listing and 8 on GM labelling).

3. The Agency carried out a consultation exercise on the Report and the responses to this were reported to ACAF members at its meeting on 25 September 2001 (ACAF/01/40). The Agency also held a meeting with stakeholders which was summarised in ACAF/01/40.

4. It was agreed that the Secretariat would keep members informed of progress on the implementation of their recommendations. The attached chart outlines the latest position with regard to each recommendation.

ACAF Secretariat
Food Standards Agency
January 2003

Ingredient Listing

1. The Committee recommends that suppliers to feed manufacturers of ingredients which contain more than one material must provide the necessary details of composition, also in descending order by weight (para 17).	This is a matter between feed manufacturers and their suppliers to enable more accurate ingredient listing of compound (manufactured) feed.
2. The Committee recommends that the Food Standards Agency reviews whether farmers and others could be misled by terms used in the description of feed materials (para 18).	Commission has funded, and is now considering the conclusions and recommendations of, a feasibility study on the practicality of having an EU positive list of feed materials. Member states currently await receipt of a copy of the study and the Commission's report.
3. The Committee concludes that the proposal to declare the inclusion of each feed ingredient by percentage as a mandatory requirement is unnecessary. It recommends that the proposal should be rejected (para 19). 4. The Committee recommends the removal of the restriction imposed under the European Community's Directive 79/373/EEC, on manufacturers providing percentage information on feed ingredients if they wish (para. 21). 5. The Committee fully endorses the Commission's proposal to remove the option to declare feed ingredients by category (para. 21). 7. The Committee supports declaring each ingredient of a compound feed according to one of five bands, provided that each ingredient continues to be shown in descending order by weight of inclusion (para. 26).	Directive 2002/2/EC, which comes into force on 6 November 2003, removes the category option for livestock feeds and requires the ingredients of compound feeds to be declared by percentage in descending order by weight, subject to a tolerance of +/-15%. This Directive was adopted by qualified majority, with the UK voting against. It had argued against percentages, but as a compromise had been prepared to agree to declaration in five percentage bands. Consultation on the draft Feeding Stuffs (Amendment) (England) Regulations 2003 to implement the Directive is now expected to begin on 17 February 2003, with a period of eight weeks to allow for responses from stakeholders. This period has been adopted because the draft Regulations will also implement Directive 2002/32/EC prohibiting the blending down of consignments of feed with contamination above specified MPLs, which has a coming into force date of 1 August 2003. These Regulations will apply in England; separate but parallel legislation will be required for Scotland, Wales and Northern Ireland.

6. The Committee recommends that the EC should be asked to amend the relevant Directives to require all additives to be indicated in the statutory statement on a compound feed. This should be either by category of additive, or by specific mention of the individual additive when used for its specific effect on the animal or resulting animal products. The EC should explore in particular the consistent declaration of all added trace elements, indicating clearly the total levels in the feed (para. 24).	A proposed new EC Feed Additives Regulation is under discussion in the European Parliament (EP) and the Council. It retains the status quo where the labelling of additives in a compound feed is concerned, pending separate proposals to amend Council Directive 79/373/EEC on the marketing of compound feedigstuffs. The UK has sought labelling provisions to indicate the presence of all additves.

GM Labelling

8. The Committee recommends within the existing EC legislative concepts, a system of labelling for compound (manufactured) feeds comparable to that for food, insofar as ingredients must be identified as "genetically modified" where appropriate (para. 41).	Under the European Commission proposals on the traceability and labelling of GMOs and GM food and feed, subject to co-decision by the EP and the Council, similar labelling rules will apply to human food and animal feed. Food and feed derived from GMOs will be required to be labelled accordingly whether or not it contains GM protein or DNA. Political agreement was reached on the two EC GM proposals at the end of 2002. The Common Position texts will now return to the European Parliament for the second reading.
9. The Committee recommends that companies releasing new GMOs onto the market should be required to supply details of the analytical techniques, including their sensitivity, which could be used in the detection of the relevant genetic event (para. 50).	The ability to detect specific genetic events will be vital for the success of forthcoming EC rules on the traceability and labelling of GMOs and derived products. Applications for the authorisation of new GM foods and feeds will require individual companies to provide detailed information concerning the particular genetic event.

10. The Committee believes that the methods of detection and the setting of valid but limited tolerances should be an important part to any future EC regime on GM animal feeds and that the European Standardisation body (CEN) might have a part to play in this (para. 50).	Work is proceeding in this area, both domestically and internationally, and will be part of the new regime in the EC proposals when implemented.
11. In relation to the European Commission's debate on the traceability and labelling of GMOs and derived products, the Committee supports the principle of transparency to allow the ultimate consumer to make choices about foods produced using GM technology. However, it cautions that the Government, in its negotiating role, should take account of the practical difficulties of assuring traceability and labelling of all animal feed materials (para. 60).	The Agency fully supports this recommendation. The United Kingdom line on the proposals supported transparency for the consumer subject to rules being proportionate, practicable and enforceable. The agreed proposal will require the labelling of feed ingredients derived from GMOs which cannot be distinguished analytically from its non-GM counterpart. The UK will continue to press the Commission for guidance on enforcement of such labelling.
12. The Committee recommends that the Government maintains its pressure to have the draft EC proposals covering the authorisation and labelling of animal feeds that contain GMOs or material derived from GMOs published and consulted upon without further delay (para. 61).	The proposals on GM Food and Feed, and Traceability and Labelling were issued in July 2001 and have been the subject of wide ranging consultation exercises by the Agency. Political Agreement was reached at Agriculture Council in November 2002.
13. The Committee recommends that any use of the term "GM-free" (or "free from modified genetic material") should relate to total freedom of any linkage with any genetically modified organism, whether this has been used in the derivation of a vitamin or enzyme, or in any other way. There might nevertheless be a threshold of 1%, provided this degree of precision is possible (para. 62).	This recommendation has been noted by the Agency. Comments have been sought from interested parties with a view to trying to find a measure of agreement on terminology which might be used, in particular by supermarkets in their references to feed for animals whose produce they sell. The FSA Board called for further consideration of the term "GM Free" when they discussed GM labelling at their November 2002 meeting. As part of the EC proposals on GM food and feed, the Commission has been asked to clarify the scope of "feed produced from

	genetically modified organisms". An interim view is that this would include enzymes derived from GMOs, as well as vitamins and amino acids produced from GMO substrates. Further clarification is required from the Commission concerning the position of foods, feeds and ingredients made using GM micro-organisms and processing aids.
14. The Committee recommends that the ingredients of GM origin in a feed should be labelled in the ingredients lists by law, with the implication that those not so labelled are not of GM origin (para. 65).	The Agency agrees that such labelling will be important in feed ingredient lists. In the EC proposals there will only be a requirement to label feed from GM origin. Unlabelled feed will be taken as non-GM.
15. The Committee recommends that the Food Standards Agency and the enforcement authorities monitor the pronouncements of retailers and other companies about the absence of GM material in animal feed. This is with a view to ensuring that consumer choice is not prejudiced by misleading information, and could involve asking companies to justify their claims (para. 66).	The Agency agrees that consumers should not be misled and is actively monitoring the relevant claims and pronouncements.