

Subsidiary Legislation made under s.337.

## **Animal Feeding Stuffs Rules 2004**

### **LN.2004/103**

		<i>Commencement</i>	<b>28.10.2004</b>
Amending enactments	Relevant current provisions	Commencement date	
LN. 2008/028	Sch. 1	24.4.2008	
2010/099	Sch. 1	27.5.2010	
2011/011	Sch. 1	10.2.2011	

**Transposing:**

Directive 2002/32/EC  
Directive 2003/57/EC  
Directive 2003/100/EC  
Directive 2006/77/EC  
Directive 2010/6/EU

**1950-07**

Public Health

**2004/103**

**Animal Feeding Stuffs Rules 2004**

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**ARRANGEMENT OF RULES**

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**SCHEDULE I**

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**SCHEDULE II**

**Title.**

1. These Rules may be cited as the Animal Feeding Stuffs Rules 2004.

**Interpretation.**

2. In these Rules–

“additives” means substances, micro-organisms or preparations, other than feed materials and pre-mixtures, which are intentionally added to animal nutrition in order to–

- (a) affect favourably the characteristics of feed materials, compound feeding stuffs or animal products,
- (b) satisfy the nutritional needs of animals or improve animal production (in particular by affecting the gastro-intestinal flora or the digestibility of feeding stuffs),
- (c) introduce into nutrition elements conducive to obtaining particular nutritional objectives or to meeting the nutritional needs of animals at a particular time, or
- (d) prevent or reduce the harmful effects caused by animal excretions or improve the animal environment;

“Agency” means the Environmental Agency Limited, whose registered office is at No. 3, Bell Lane, Gibraltar;

“animal” means an animal belonging to species normally fed and kept or consumed by man as well as an animal living freely in the wild in cases where it is fed with feeding stuffs;

“circulation” and “put into circulation” means the holding of products intended for feeding stuffs for the purposes of sale, including offering for sale, or any other form of transfer, whether free or not, to third parties, and the sale or other forms of transfer themselves;

“complementary feeding stuffs” means mixtures of feeding stuffs which have a high content of certain substances and which, by reason of their composition, are sufficient for a daily ration only if used in combination with other feeding stuffs;

“complete feeding stuffs” means mixtures of feeding stuffs which, by reason of their composition, are sufficient for a daily ration;

“compound feeding stuffs” means mixtures of feed materials, whether or not containing additives, which are intended for oral animal feeding as complete or complementary feeding stuffs;

“daily ration” means the average total quantity of feeding stuffs, calculated on a moisture content of 12%, required daily by an animal of a given species, age, class and yield, to satisfy all its needs;

“feed materials” means various products of vegetable or animal origin, in their natural state, fresh or preserved, and products derived from the industrial processing thereof, and organic or inorganic substances, whether or not containing additives, which are intended for use in oral animal feeding either directly as such or, after processing, in the preparation of compound feeding stuffs or as substrates for premixtures;

“feeding stuffs” means products of vegetable or animal origin, in their natural state, fresh or preserved, and products derived from the industrial processing thereof, and organic or inorganic substances, used singly or in mixtures, whether or not containing additives, for oral animal feeding;

“premises” include any land, vehicle, vessel aircraft or hovercraft;

“premixtures” means mixtures of additives or mixtures of one or more additives with substances used as carriers, intended for the manufacture of feeding stuffs;

“products intended for feeding stuffs” means feed materials, premixtures, additives, feeding stuffs and all other products intended for use or used in feeding stuffs;

“third country” means a country which is not an EEA State;

“undesirable substance” means any substance or product, with the exception of pathogenic agents, which is present in and/or on the product intended for feeding stuffs and which presents a potential danger to animal or human health or to the environment or could adversely affect livestock production.

**Control of feeding stuffs containing undesirable substances.**

3.(1) No person shall put into circulation or use for feeding stuffs in Gibraltar any products intended for feeding stuffs unless they are sound, genuine and of merchantable quality and when correctly used do not represent any danger to human health, animal health or to the environment.

(2) In particular, products intended for feeding stuffs shall not be deemed to be in conformity with sub-rule (1) if the levels of an undesirable substance they contain exceed the maximum levels detailed in Schedule I.

(3) No person shall put into circulation or use for feeding stuffs in Gibraltar products intended for feeding stuffs containing levels of an undesirable substance that exceed the maximum level detailed in Schedule I which have been mixed for dilution purposes with the same, or other, products intended for feeding stuffs.

(4) Sub-rule (5) applies in so far as there are no other provisions for complementary feeding stuffs.

(5) No person shall put into circulation or use for feeding stuffs in Gibraltar complementary feeding stuffs (taking into account the proportion prescribed for their use in a daily ration) that contain levels of the undesirable substances listed in Schedule I which exceed those fixed for complete feeding stuffs.

(6) The provisions of sub-rules (1)-(5) shall also apply to persons exporting to third countries products intended for feeding stuffs which have been produced in an EEA State.

**Duty to give a statutory statement.**

4.(1) A person who—

- (a) puts into circulation any products intended for feeding stuffs; or
- (b) exports to a third country any products intended for feeding stuffs which have been produced in an EEA State,

shall give to the person to whom the products are to be transferred a statement in writing (a “statutory statement”) containing particulars as to the nature, substance and quality of the material. In particular, the statutory statement shall include details of the exact percentages by weight of any undesirable substances contained in the products intended for feeding stuffs.

(2) Any statutory statement required to be given on the transfer of any products intended for feeding stuffs shall be given not later than the time when the product is delivered to the person to whom the products are to be transferred, and, if given before that time, shall be deemed to have been given at that time.

(3) Any person who fails to give a statutory statement within the time required by sub-rule (2) or which is false in any material regard shall be liable on summary conviction to a fine not exceeding the statutory maximum.

**Enforcement.**

5.(1) It shall be the duty of the Agency to enforce these Rules.

(2) For the purpose of performing their duty under these Rules, the Agency shall appoint—

- (a) such inspectors as may be necessary; and
- (b) such suitably qualified analysts as may be necessary.

**Power to enter premises and take samples.**

6.(1) An inspector appointed by the Agency under rule 5(2) may at all reasonable times, and on producing, if requested to do so, some duly authenticated document showing his authority, enter—

- (a) any premises on which he has reasonable cause to believe that material covered by these Rules has been, or is being manufactured or produced or is being kept for the purpose of being put into circulation, incorporated into another product or used; or
- (b) any premises (not being premises used only as a dwelling) on which he has reasonable cause to believe that there is any product covered by these Rules which the occupier of the premises has in his possession or under his control.

(2) If a justice of the peace, on sworn information in writing, is satisfied that there is reasonable ground for entry into any such premises as are mentioned in sub-rule (1), and either—

- (a) that admission to the premises has been refused, or a refusal is apprehended, and that notice of the intention to apply for a warrant has been given to the occupier; or
- (b) that an application for admission, or the giving of such a notice would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or the occupier temporarily absent,

the justice may by warrant signed by him authorise the inspector to enter the premises, if need be by reasonable force.

- (3) Every warrant granted under this rule shall continue in force for a period of one month.
- (4) An inspector entering premises by virtue of this rule, or of a warrant issued under it, may take with him such other persons and such equipment as may appear to him to be necessary,

and on leaving any unoccupied premises which he has entered by virtue of such a warrant, shall leave them as effectively secured against unauthorised entry as he found them.

(5) An inspector entering premises by virtue of this rule, or a warrant issued under it, shall have the right to inspect—

- (a) any material appearing to him to be covered by these Rules;
- (b) any article appearing to him to be a container or package used or intended to be used to wrap or package any such material, or to be a label used or intended to be used in connection with any such material; or
- (c) any plant or equipment appearing to him to be used, or intended to be used, in connection with the manufacture or production of any such material and any process of manufacture or production of any such material.

(6) Subject to sub-rule (7), an inspector entering premises by virtue of this rule, or of a warrant issued under it, shall have the right to take on those premises a sample of any relevant material (that is to say, material appearing to him to be a feeding stuff manufactured, produced, put into circulation or intended to be put into circulation, or to be material used, or intended to be used, as a feeding stuff) in accordance with the provisions of Schedule II.

(7) Where, for the purpose of taking a sample pursuant to sub-rule (6), an inspector takes some of it from each of one or more containers, which are exposed for sale by retail, and none of which weighs more than six kilograms, the owner of the container or containers may require the inspector to purchase the container or containers on behalf of the Agency.

(8) An inspector entering premises by virtue of this rule, or of a warrant issued under it, shall have the right—

- (a) to require any person carrying on, or appearing to be carrying on, a business which consists of or includes the manufacture, production, putting into circulation, or use of a material covered by these Rules, or any person employed in connection with such a business, to produce any record (in whatever form it is held) relating to or arising out of the exercise in the course of that business of any such activity, and which is in his possession or under his control; and
- (b) to inspect and take copies of any record, or of any entry in any record, produced in pursuance of the preceding paragraph.

(9) An inspector exercising the power conferred by sub-rule (8) in respect of a record held by means of a computer—

- (a) shall be entitled at any reasonable time to have access to, and inspect and check the operation of, any computer and associated apparatus or material which is or has been, or which it appears is or has been, in use in connection with the record in question;
- (b) may require—
  - (i) the person by whom or on whose behalf the computer is or has been so used; or
  - (ii) any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material,to afford the inspector such reasonable assistance as he may require for that purpose; and
- (c) may require the record, or an extract from the record, to be produced in a form in which it may be taken away.

(10) An inspector entering premises by virtue of this rule, or of a warrant issued under it, shall have the right to seize and detain any material which he has reasonable cause to believe to be a material covered by these Rules in relation to which an offence under these Rules is being or has been committed, and any record which he has reasonable cause to believe to be a record which may be required as evidence in proceedings under these Rules.

**Sampling and analysis.**

7.(1) Where a sample has been taken by an inspector under rule 6, he shall divide it into three parts as near as may be equal size and cause each part to be marked, sealed and fastened up in accordance with the provisions of Schedule II; and the inspector—

- (a) shall send one part to the analyst appointed by the Agency under rule 5;
- (b) sent another part to the person on whose premises the sample was taken; and
- (c) retain the remaining part for nine months.

(2) If the person who manufactured any material of which an inspector has taken a sample is not a person to whom a part of the sample is required to be sent under sub-rule (1), that sub-rule shall have effect as if for the reference to three parts there were substituted a reference to four parts, and the inspector shall send the fourth part to the manufacturer unless he does not know the manufacturers name or address, and is unable after making reasonable inquiries to



ascertain that name or address before the expiration of fourteen days from the date when the sample was taken.

(3) Any sample required to be sent to any person in pursuance of this rule shall be sent by registered post or by recorded delivery or be delivered or given by hand.

(4) There shall be sent with the part of the sample sent to the analyst a statement signed by the inspector that the sample was taken in accordance with the provisions of these Rules.

(5) The analyst shall analyse the part of the sample that was sent to him under sub-rule 1(a) and send a certificate of analysis, which shall include details of the exact percentages by weight of any undesirable substances contained in the products, to the inspector. The inspector shall send a copy of the certificate of analysis to the person to whom a part of the sample has been sent under sub-rules (1)(b) and (2).

(6) Where a sample is to be analysed pursuant to these Rules the analysis shall be carried out in accordance with any scientifically valid method the application of which does not contravene any general principle of the Treaty establishing the European Community.

(7) Where a sample of feeding stuff has been taken by an inspector and sent to an analyst for analysis, any analysis of the oil content of that feeding stuff shall be disregarded unless it is carried out before the expiry of the period of three weeks commencing with the date of sampling.

#### **Offences.**

8.(1) A person who—

- (a) puts into circulation any products intended for feeding stuffs;
- (b) uses for feeding stuffs any products intended for feeding stuffs; or
- (c) exports to a third country any products intended for feeding stuffs which have been produced in an EEA State,

shall be guilty of an offence if a sampled portion of the product is shown by an analysis of the sample taken from it not to be in conformity with rule 3.

(2) A person guilty of an offence under sub-rule (1) shall be liable—

- (a) on summary conviction, to a fine up to level 5 on the standard scale;
- (b) on conviction on indictment, to a fine.

## SCHEDULE I

Rule 3

## PART I

## PRESCRIBED LIMITS FOR UNDESIRABLE SUBSTANCES

Undesirable substances	Products intended for feeding stuffs	Maximum content in mg/kg (ppm) relative to a feeding stuff with a moisture content of 12 %
1. Arsenic ( <sup>5</sup> )( <sup>6</sup> )	Feed materials with the exception of:	2
	— meal made from grass, from dried lucerne and from dried clover, and dried sugar beet pulp and dried molasses sugar beet pulp,	4
	— palm kernel expeller,	4 ( <sup>7</sup> )
	— phosphates and calcareous marine algae,	10
	— calcium carbonate,	15
	— magnesium oxide,	20
	— feeding stuffs obtained from the processing of fish or other marine animals, including fish,	25 ( <sup>7</sup> )
	— seaweed meal and feed materials derived from seaweed,	40 ( <sup>7</sup> )
	Iron particles used as tracer.	50
	Additives belonging to the functional group of compounds of trace elements except:	30
	— copper sulphate pentahydrate and copper carbonate,	50
— zinc oxide, manganese oxide and copper oxide,	100	
Complete feeding stuffs with the exception of:	2	

	— complete feeding stuffs for fish and complete feeding stuffs for fur animals,	10 <sup>(7)</sup>
	Complementary feeding stuffs with the exception of:	4
	— mineral feeding stuffs,	12
2. Lead <sup>(9)</sup>	Feed materials with the exception of:	10
	— green fodder <sup>(8)</sup>	30 <sup>(10)</sup>
	— phosphates and calcareous marine algae	15
	— calcium carbonate	20
	— yeasts	5
	Additives belonging to the functional group of compounds of trace elements except	100
	— zinc oxide	400 <sup>(10)</sup>
	— manganous oxide, iron carbonate, copper carbonate	200 <sup>(10)</sup>
	Additives belonging to the functional groups of binders and anti-caking agents except	30 <sup>(10)</sup>
	— clinoptilolite of volcanic origin	60 <sup>(10)</sup>
	Premixtures	200 <sup>(10)</sup>
	Complementary feeding stuffs with the exception of	10
	— mineral feeding stuffs	15
	Complete feeding stuffs	5
3. Fluorine <sup>(11)</sup>	Feed materials with the exception of	150
	— feeding stuffs of animal origin with the exception of marine crustaceans such as marine krill	500
	— marine crustaceans such as marine krill	3 000
	— phosphates	2 000
	— calcium carbonate	350

	— magnesium oxide	600
	— calcareous marine algae	1 000
	Vermiculite (E 561)	3 000 <sup>(17)</sup>
	Complementary feeding stuffs	
	— containing $\leq 4$ % phosphorus	500
	— containing $> 4$ % phosphorus	125 per 1 % phosphorus
	Complete feeding stuffs with the exception of	150
	— complete feeding stuffs for cattle sheep and goats	
	— in lactation	30
	— other	50
	— complete feeding stuffs for pigs	100
	— complete feeding stuffs for poultry	350
	— complete feeding stuffs for chicks	250
	— complete feeding stuffs for fish	350
4. Mercury (11A) (11B)	Feed materials	0,1
	with the exception of:	
	— feeding stuffs produced by the processing of fish or other aquatic animals	0,5
	— calcium carbonate	0,3
	Compound (complementary and complete) feeding stuffs	0,1
	with the exception of:	
	— mineral feed	0,4
	— compound feeding stuffs for fish	0,2
	— compound feeding stuffs for dogs, cats and fur animals	0,3

5. Nitrites	Feed materials	15 (expressed as sodium nitrite)
	with the exception of:	
	— fishmeal,	30 (expressed as sodium nitrite)
	— silage.	—
	Complete feeding stuffs	15 (expressed as sodium nitrite)
	with the exception of:	
	— complete feedingstuffs for dogs and cats with a moisture content exceeding 20%	—
6. Cadmium <sup>(12)</sup>	Feed materials of vegetable origin	1
	Feed materials of animal origin	2
	Feed materials of mineral origin except	2
	— phosphates	10
	Additives belonging to the functional group of compounds of trace elements except	10
	— copper oxide, manganous oxide, zinc oxide and manganous sulphate monohydrate	30 <sup>(10)</sup>
	Additives belonging to the functional groups of binders and anti-caking agents	2
	Premixtures	15 <sup>(10)</sup>
	Mineral feeding stuffs	
	— containing < 7 % phosphorus	5
	— containing ≥ 7 % phosphorus	0,75 per 1 % phosphorus, with a maximum of 7,5
	Complementary feeding stuffs for pet animals	2
Other complementary feeding stuffs	0,5	

	Complete feeding stuffs for cattle, sheep and goats and feeding stuffs for fish except	1
	— complete feeding stuffs for pets	2
	— complete feeding stuffs for calves, lambs and kids and other complete feeding stuffs	0,5
7. Aflatoxin B1	All feed materials	0,02
	Complete feeding stuffs for cattle, sheep and goats with the exception of:	0,02
	— complete feeding stuffs for dairy animals	0,005
	— complete feeding stuffs for calves and lambs	0,01
	Complete feeding stuffs for pigs and poultry (except young animals)	0,02
	Other complete feeding stuffs	0,01
	Complementary feeding stuffs for cattle, sheep and goats (except complementary feeding stuffs for dairy animals, calves and lambs)	0,02
	Complementary feeding stuffs for pigs and poultry (except young animals)	0,02
	Other complementary feeding stuffs	0,005
8. Hydrocyanic acid	Feed materials with the exception of:	50
	— linseed	250
	— linseed cakes	350
	— manioc products and almond cakes	100
	Complete feeding stuffs with the exception of:	50
	— complete feeding stuffs for chicks	10
9. Free gossypol	Feed materials	20
	with the exception of:	
	— cottonseed	5 000

	— cottonseed cakes and cottonseed meal	1 200
	Complete feeding stuffs	20
	with the exception of:	
	— complete feeding stuffs for adult cattle	500
	— complete feeding stuffs for sheep (except lambs and goats (except kids)	300
	— complete feeding stuffs for poultry (except laying hens) and calves	100
	— complete feeding stuffs for rabbits, lambs, kids and pigs (except piglets)	60
10. Theobromine	Complete feeding stuffs with the exception of:	300
	— complete feeding stuffs for pigs,	200
	— complete feeding stuffs for dogs, rabbits, horses and fur animals,	50
11. Volatile mustard oil	Feed materials with the exception of:	100
	— rapeseed cakes	4 000 (expressed as allyl isothiocyanate)
	Complete feeding stuffs with the exception of:	150 (expressed as allyl isothiocyanate)
	— complete feeding stuffs for cattle, sheep and goats (except young animals)	1 000 (expressed as allyl isothiocyanate)
	— complete feeding stuffs for pigs (except piglets) and poultry	500 (expressed as allyl isothiocyanate)
12. Vinal thioxazoli-done (Vinyloxazo-lidine thione)	Complete feeding stuffs for poultry with the exception of:	1 000
	— complete feeding stuffs for laying hens	500

13. Rye ergot ( <i>Claviceps purpurea</i> )	All feeding stuffs containing unground cereals	1 000
14. Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances separately or in combination including.  <i>Datura</i> sp.	All feeding stuffs	3 000  1 000
15. Seeds and husks from <i>Ricinus communis</i> L., <i>Croton tiglium</i> L. and <i>Abrus precatorius</i> L. as well as their processed derivatives <sup>(20)</sup> , separately or in combination.	All feeding stuffs	10
16. <i>Crotalaria</i> spp.	All feeding stuffs	100
17. Aldrin <sup>(13)</sup>	All feeding stuffs with the exception of	0,01 <sup>(14)</sup>
18. Dieldrin <sup>(13)</sup>	— fats and oils	0,1 <sup>(14)</sup>
	— fish feed	0,02 <sup>(14)</sup>
19. Camphechlor (toxaphene) — sum of indicator congeners CHB 26, 50 and 62 <sup>(15)</sup>	— Fish, other aquatic animals, their products and by-products with the exception of fish oil	0,02
	— Fish oil <sup>(16)</sup>	0,2
	— Feeding stuffs for fish <sup>(16)</sup>	0,05



20. Chlordane (sum of cis- and trans-isomers and of oxychlordane, expressed as chlordane)	All feeding stuffs with the exception of	0,02
	— fats and oils	0,05
21. DDT (sum of DDT-, DDD- (or TDE-) and DDE-isomers, expressed as DDT)	All feeding stuffs with the exception of	0,05
	— fats and oils	0,5
22. Endosulfan (sum of alpha- and beta-isomers and of endosulfansulphate expressed as endosulfan)	All feeding stuffs with the exception of	0,1
	— maize and maize products derived from the processing thereof	0,2
	— oilseeds and products derived from the processing thereof with the exception of crude vegetable oil	0,5
	— crude vegetable oil	1,0
	— complete feeding stuffs for fish	0,005
23. Endrin (sum of endrin and of delta-ketoi-endrin, expressed as endrin)	All feeding stuffs with the exception of	0,01
	— fats and oils	0,05
24. Heptachlor (sum of heptachlor and of heptachlore-poxide, expressed as heptachlor)	All feeding stuffs with the exception of	0,01
	— fats and oils	0,2
25. Hexachloro-benzene HCB)	All feeding stuffs with the exception of	0,01
	— fats and oils	0,2

26. Hexachloro-cyclohexane (HCH)		
26.1. alpha-isomers	All feeding stuffs with the exception of	0,02
	— fats and oils	0,2
26.2. beta-isomers	All feed materials with the exception of	0,01
	— fats and oils	0,1
	All compound feeding stuffs with the exception of	0,01
	— compound feeding stuffs for dairy cattle	0,005
26.3. gamma-isomers	All feeding stuffs with the exception of	0,2
	— fats and oils	2,0
27a. Dioxins (sum of polychlori-nated dibenzo- <i>para</i> -dioxins (PCDDs) and polychlori-nated dibenzofurans (PCDFs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997 <sup>(1)</sup> )	(a) Feed materials of plant origin with the exception of vegetable oils and their by-products	0,75 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(b) Vegetable oils and their by-products	
	(c) Feed materials of mineral origin	0,75 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(d) Animal fat, including milk fat and egg fat	1,0 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(e) Other land animal products including milk and milk products and eggs and egg products	2,0 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(f) Fish oil	0,75 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup> 6,0 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(g) Fish, other aquatic animals, their products and by-products with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat <sup>(4)</sup>	1,25 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(h) Fish protein hydrolysates containing more than 20 % fat	2,25 ng WHO-PCDD/

		F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(i) The additives kaolinitic clay, calcium sulphate dihydrate, vermiculite, natrolite-phonolite, synthetic calcium aluminates and clinoptilolite of sedimentary origin belonging to the functional groups of binders and anti-caking agents	0,75 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(j) Additives belonging to the functional group of compounds of trace elements	1,0 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(k) Premixtures	1,0 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(l) Compound feeding stuffs, with the exception of feed for fur animals, pet foods and feed for fish	0,75 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
	(m) Feed for fish.  Pet foods	2,25 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>
27b. Sum of dioxins and dioxin-like PCBs (sum of polychlorinated dibenzo- <i>para</i> -dioxins (PCDDs), polychlorinated dibenzofurans (PCDFs) and polychlorinated biphenyls (PCBs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997 <sup>(1)</sup> )	(a) Feed materials of plant origin with the exception of vegetable oils and their by-products	1,25 ng WHO-PCDD/ F-PCB-TEQ/kg <sup>(2)</sup>
	(b) Vegetable oils and their by-products	
	(c) Feed materials of mineral origin	1,5 ng WHO-PCDD/ F-PCB-TEQ/kg <sup>(2)</sup>
	(d) Animal fat, including milk fat and egg fat	1,5 ng WHO-PCDD/F-PCB-TEQ/kg <sup>(2)</sup>
	(e) Other land animal products including milk and milk products and eggs and egg products	3,0 ng WHO-PCDD/ F-PCB-TEQ/kg <sup>(2)</sup>
	(f) Fish oil	1,25 ng WHO-PCDD/ F-PCB-TEQ/kg <sup>(2)</sup>
	(g) Fish, other aquatic animals, their products and by-products with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat <sup>(4)</sup>	24,0 ng WHO-PCDD/ F-PCB-TEQ/kg <sup>(2)</sup>

		4,5 ng WHO-PCDD/ F-PCB-TEQ/kg (2)
(h)	Fish protein hydrolysates containing more than 20 % fat	11,0 ng WHO-PCDD/ F-PCB-TEQ/kg (2)
(i)	Additives belonging to the functional groups of binders and anti-caking agents	1,5 ng WHO-PCDD/ F-PCB-TEQ/kg (2)
(j)	Additives belonging to the functional group of compounds of trace elements	1,5 ng WHO-PCDD/ F-PCB-TEQ/kg (2)
(k)	Premixtures	1,5 ng WHO-PCDD/ F-PCB-TEQ/kg (2)
(l)	Compound feeding stuffs, with the exception of feed for fur animals, pet foods and feed for fish	1,5 ng WHO-PCDD/ F-PCB-TEQ/kg (2)
(m)	Feed for fish.  Pet foods	7,0 ng WHO-PCDD/ F-PCB-TEQ/kg (2)

30. Unhusked beech mast — <i>Fagus silvatica</i> L.	}	}
32. Deleted		
	All feeding stuffs	Seeds and fruit of the plant species listed opposite as well as their processed derivatives may only be present in feeding stuffs in trace amounts not quantitatively determinable

<p>33. Purghera — <i>Jatropha curcas</i> L.</p>		
<p>35. Indian mustard — <i>Brassica juncea</i> (L.) Czern. And Coss. ssp. <i>intergrifolia</i> (West.) Thell.</p>		
<p>36. Sareptian mustard — <i>Brassica juncea</i> (L.) Czern. And Coss. ssp. <i>juncea</i></p>	<p>All feeding stuffs</p>	<p>Seeds and fruit of the plant species listed opposite as well as their processed derivates may only be present in feeding stuffs in trace amounts not quantitatively determinable</p>
<p>37. Chinese mustard — <i>Brassica juncea</i> (L.) Czern. And Coss. ssp. <i>juncea</i> var. <i>lutea</i> Batalin</p>		
<p>38. Black mustard — <i>Brassica nigra</i> (L.) Koch</p>		
<p>39. Ethiopian mustard — <i>Brassica</i> <i>carinata</i> A. Braun</p>	<p>All feeding stuffs</p>	<p>Seeds and fruit of the plant species listed opposite as well as their processed derivates may only be present in feeding stuffs in trace amounts not quantitatively determinable</p>
<p>40. Lasalocid sodium</p>	<p>Feed materials</p>	<p>1,25</p>
	<p>Compound feed for — dogs, calves, rabbits, equine species, dairy animals, laying birds, turkeys</p>	<p>1,25</p>

	(> 12 weeks) and chickens reared for laying (> 16 weeks);	
	— chickens for fattening, chickens reared for laying (< 16 weeks) and turkeys (< 12 weeks) for the period before slaughter in which the use of lasalocid sodium is prohibited (withdrawal feed);	1,25
	— other animal species.	3,75
	Premixtures for use in feed in which the use of lasalocid sodium is not authorised.	( <sup>19</sup> )
41. Narasin	Feed materials	0,7
	Compound feed for	
	— turkeys, rabbits, equine species, laying birds and chickens reared for laying (> 16 weeks);	0,7
	— chickens for fattening for the period before slaughter in which the use of narasin is prohibited (withdrawal feed);	0,7
	— other animal species.	2,1
	Premixtures for use in feed in which the use of narasin is not authorised.	( <sup>19</sup> )
42. Salinomycin sodium	Feed materials	0,7
	Compound feed for	
	— equine species, turkeys, laying birds and chickens reared for laying (> 12 weeks);	0,7
	— chickens for fattening, chickens reared for laying (< 12 weeks) and rabbits for	0,7

	fattening for the period before slaughter in which the use of salinomycin sodium is prohibited (withdrawal feed);	
	— other animal species.	2,1
	Premixtures for use in feed in which the use of salinomycin sodium is not authorised.	( <sup>19</sup> )
43. Monensin sodium	Feed materials	1,25
	Compound feed for	
	equine species, dogs, small ruminants (sheep and goat), ducks, bovine, dairy cattle, laying birds, chickens reared for laying (> 16 weeks) and turkeys (> 16 weeks);	1,25
	— chickens for fattening, chickens reared for laying (< 16 weeks) and turkeys (< 16 weeks) for the period before slaughter in which the use of monensin sodium is prohibited (withdrawal feed);	1,25
	— other animal species.	3,75
	Premixtures for use in feed in which the use of monensin sodium is not authorised.	( <sup>19</sup> )
44. Semduramicin sodium	Feed materials	0,25
	Compound feed for	
	— laying birds and chickens reared for laying (> 16 weeks);	0,25
	— chickens for fattening for the period before slaughter in which the use of semduramicin sodium is prohibited (withdrawal feed);	0,25
	— other animal species.	0,75

	Premixtures for use in feed in which the use of semduramicin sodium is not authorised.	( <sup>19</sup> )
45. Maduramicin ammonium alpha	Feed materials	0,05
	Compound feed for	
	— equine species, rabbits, turkeys (> 16 weeks), laying birds and chickens reared for laying (> 16 weeks);	0,05
	— chickens for fattening and turkeys (< 16 weeks) for the period before slaughter in which the use of maduramicin ammonium alpha is prohibited (withdrawal feed);	0,05
	— other animal species.	0,15
	Premixtures for use in feed in which the use of maduramicin ammonium alpha is not authorised.	( <sup>19</sup> )
46. Robenidine hydrochloride	Feed materials	0,7
	Compound feed for	
	— laying birds and chickens reared for laying (> 16 weeks);	0,7
	— chickens for fattening, rabbits for fattening and breeding and turkeys for the period before slaughter in which the use of robenidine hydrochloride is prohibited (withdrawal feed);	0,7
	— other animal species.	2,1
	Premixtures for use in feed in which the use of robenidine hydrochloride is not authorised.	( <sup>19</sup> )



47. Decoquinat	Feed materials	0,4
	Compound feed for	
	— laying birds and chickens reared for laying (> 16 weeks);	0,4
	— chickens for fattening for the period before slaughter in which the use of decoquinat is prohibited (withdrawal feed);	0,4
	— other animal species.	1,2
	Premixtures for use in feed in which the use of decoquinat is not authorised.	( <sup>19</sup> )
48. Halofuginone hydrobromide	Feed materials	0,03
	Compound feed for	
	— laying birds, chickens reared for laying (> 16 weeks) and turkeys (> 12 weeks);	0,03
	— chickens for fattening and turkeys (< 12 weeks) for the period before slaughter in which the use of halofuginone hydrobromide is prohibited (withdrawal feed);	0,03
	— other animal species other than chickens reared for laying (< 16 weeks).	0,09
	Premixtures for use in feed in which the use of halofuginone hydrobromide is not authorised.	( <sup>19</sup> )
49. Nicarbazin	Feed materials	0,5
	Compound feed for	
	— equine species, laying birds and chickens reared for laying (> 16 weeks);	0,5
		0,5

	— chickens for fattening for the period before slaughter in which the use of nicarbazin (in combination with narasin) is prohibited (withdrawal feed);	
	— other animal species.	1,5
	Premixtures for use in feed in which the use of nicarbazin (in combination with narasin) is not authorised.	( <sup>19</sup> )
50. Diclazuril	Feed materials	0,01
	Compound feed for	
	— laying birds, chickens reared for laying (> 16 weeks) and turkeys for fattening (> 12 weeks);	0,01
	— rabbits for fattening and breeding for the period before slaughter in which the use of diclazuril is prohibited (withdrawal feed);	0,01
	— other animal species other than chickens reared for laying (< 16 weeks), chickens for fattening and turkeys for fattening (< 12 weeks).	0,03
	Premixtures for use in feed in which the use of diclazuril is not authorised.	( <sup>19</sup> )

(<sup>1</sup>) WHO-TEFs for human risk assessment based on the conclusions of the World Health Organisation meeting in Stockholm, Sweden, 15-18 June 1997 (Van den Berg et al., (1998) Toxic Equivalency Factors (TEFs) for PCBs, PCDDs, and PCDFs for Humans and for Wildlife. Environmental Health Perspectives, 106(12), 775).

Congener	TEF value	Congener	TEF value
<b>Dibenzo-p-dioxins (PCDDs)</b>		<b>"Dioxin-like" PCBs</b>	
2,3,7,8-TCDD	1	<b>Non-ortho PCBs +</b>	
1,2,3,7,8-PeCDD	1	<b>Mono-ortho PCBs</b>	
1,2,3,4,7,8-HxCDD	0,1	<b>Non-ortho PCBs</b>	
1,2,3,6,7,8-HxCDD	0,1	PCB 77	0,0001
1,2,3,7,8,9-HxCDD	0,1	PCB 81	0,0001
1,2,3,4,6,7,8-HpCDD	0,01	PCB 126	0,1
OCDD	0,0001	PCB 169	0,01

<b>Dibenzofurans (PCDFs)</b>		<b>Mono-ortho PCBs</b>	
2,3,7,8-TCDF	0,1	PCB 105	0,0001
1,2,3,7,8-PeCDF	0,05	PCB 114	0,0005
2,3,4,7,8-PeCDF	0,5	PCB 118	0,0001
1,2,3,4,7,8-HxCDF	0,1	PCB 123	0,0001
1,2,3,6,7,8-HxCDF	0,1	PCB 156	0,0005
1,2,3,7,8,9-HxCDF	0,1	PCB 157	0,0005
2,3,4,6,7,8-HxCDF	0,1	PCB 167	0,00001
1,2,3,4,6,7,8-HpCDF	0,01	PCB 189	0,0001
1,2,3,4,7,8,9-HpCDF	0,01		
OCDF	0,0001		

Abbreviations used: "T" = tetra; "Pe" = penta; "Hx" = hexa; "Hp" = hepta; "O" = octa; "CDD" = chlorodibenzodioxin; "CDF" = chlorodibenzofuran; "CB" = chlorobiphenyl.

<sup>(2)</sup> Upper-bound concentrations; upper-bound concentrations are calculated on the assumption that all values of the different congeners below the limit of quantification are equal to the limit of quantification.

<sup>(3)</sup> The separate maximum level for dioxins (PCDD/F) remains applicable for a temporary period. The products intended for animal feed mentioned in point 27a have to comply both with the maximum levels for dioxins and with the maximum levels for the sum of dioxins and dioxin-like PCBs during that temporary period.

<sup>(4)</sup> Fresh fish directly delivered and used without intermediate processing for the production of feed for fur animals is not subject to the maximum levels, while maximum levels of 4,0 ng WHO-PCDD/F-TEQ/kg product and 8,0 ng WHO-PCDD/F-PCB-TEQ/kg product are applicable to fresh fish used for the direct feeding of pet animals, zoo and circus animals. The products, processed animal proteins produced from these animals (fur animals, pet animals, zoo and circus animals) cannot enter the food chain and cannot be fed to farmed animals which are kept, fattened or bred for the production of food.

<sup>(5)</sup> The maximum levels refer to total arsenic.

<sup>(6)</sup> Maximum levels refer to an analytical determination of arsenic, whereby extraction is performed in nitric acid (5 % w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

<sup>(7)</sup> Upon request of the competent authorities, the responsible operator must perform an analysis to demonstrate that the content of inorganic arsenic is lower than 2 ppm. This analysis is of particular importance for the seaweed species *Hizikia fusiforme*.

<sup>(8)</sup> Green fodder includes products intended for animal feed such as hay, silage, fresh grass, etc ...

<sup>(9)</sup> Maximum levels refer to an analytical determination of lead, whereby extraction is performed in nitric acid (5 % w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

<sup>(10)</sup> The levels shall be reviewed by 31 December 2007 with the aim of reducing the maximum levels.

<sup>(11)</sup> Maximum levels refer to an analytical determination of fluorine, whereby extraction is performed with hydrochloric acid 1 N for 20 minutes at ambient temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

<sup>(11A)</sup> The maximum levels refer to total mercury.

<sup>(11B)</sup> Maximum levels refer to an analytical determination of mercury, whereby extraction is performed in nitric acid (5 % w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

<sup>(12)</sup> Maximum levels refer to an analytical determination of lead, whereby extraction is performed in nitric acid (5 % w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

<sup>(13)</sup> Singly or combined expressed as dieldrin.

<sup>(14)</sup> Maximum level for aldrin and dieldrin, singly or combined, expressed as dieldrin.

<sup>(15)</sup> Numbering system according to Parlar, prefixed by either 'CHB' or 'Parlar':

- CHB 26: 2-endo,3-exo,5-endo, 6-exo, 8,8,10,10-octochlorobornane,
- CHB 50: 2-endo,3-exo,5-endo, 6-exo, 8,8,9,10,10-nonachlorobornane,
- CHB 62: 2,2,5,5,8,9,9,10,10-nonachlorobornane.

<sup>(16)</sup> The levels shall be reviewed by 31 December 2007 with the aim of reducing the maximum levels.

<sup>(17)</sup> The levels shall be reviewed by 31 December 2008 with the aim of reducing the maximum levels.

<sup>(18)</sup> Without prejudice to the authorised levels in the frame of Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition.

<sup>(19)</sup> The maximum level of the substance in the premixture is the concentration which shall not result in a level of the substance higher than 50 % of the maximum levels established in the feed when the instructions for use of the premixture are followed.

<sup>(20)</sup> In so far determinable by analytical microscopy.

## PART II

Undesirable substances	Products intended for feeding stuffs	Action threshold relative to a feeding stuff with a moisture content of 12 %	Comments and additional information (e.g. nature of investigations to be performed)
1. Dioxins (sum of polychlorinated dibenzo- <i>para</i> -dioxins (PCDDs), polychlorinated dibenzo-furans (PCDFs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997 <sup>(1)</sup> )	(a) Feed materials of plant origin with the exception of vegetable oils and their by-products	0,5 ng WHO-PCDD/F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(b) Vegetable oils and their by-products	0,5 ng WHO-PCDD/F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(c) Feed materials of mineral origin	0,5 ng WHO-PCDD/F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(d) Animal fat, including milk fat and egg fat	1,0 ng WHO-PCDD/F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(e) Other land animal products including milk and milk products and eggs and egg products	0,5 ng WHO-PCDD/F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(f) Fish oil	5,0 ng WHO-PCDD/F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	In many cases it might not be necessary to perform an investigation into the source of contamination as the background level in some areas is close to or above the action level. However, in cases where the action level is exceeded all information, such as sampling period, geographical origin, fish species etc., should be recorded with a view to

<p>(g) Fish, other aquatic animals, their products and by-products with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat</p> <p>(h) Fish protein hydrolysates containing more than 20 % fat</p>	<p>1,0 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup></p> <p>1,75 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup></p>	<p>future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.</p> <p>In many cases it might not be necessary to perform an investigation into the source of contamination as the background level in some areas is close to or above the action level. However, in cases where the action level is exceeded, all information, such as sampling period, geographical origin, fish species etc., must be recorded with a view to future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.</p> <p>In many cases it might not be necessary to perform an investigation into the source of contamination as the background level in some areas is close to or above the action level. However, in cases where the action level is exceeded, all information, such as sampling period, geographical origin, fish species etc., must be recorded with a view to future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.</p>
<p>(i) Additives belonging to the functional groups of binders and anti-caking agents</p>	<p>0,5 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup></p>	<p>Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.</p>
<p>(j) Additives belonging to the functional group of compounds of trace elements</p> <p>(k) Premixtures</p>	<p>0,5 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup></p> <p>0,5 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup></p>	<p>Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.</p> <p>Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.</p>
<p>(l) Compound feeding stuffs, with the exception of feeding stuffs for fur</p>	<p>0,5 ng WHO-PCDD/ F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup></p>	<p>Identification of source of contamination. Once source is identified, take appropriate</p>

	animals, pet foods and feeding stuffs for fish		measures, where possible, to reduce or eliminate source of contamination.
	(m) Feeding stuffs for fish. Pet foods	1,75 ng WHO-PCDD/F-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	In many cases it might not be necessary to perform an investigation into the source of contamination as the background level in some areas is close to or above the action level. However, in cases where the action level is exceeded, all information, such as sampling period, geographical origin, fish species etc., must be recorded with a view to future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.
2. Dioxin like PCBs (sum of polychlorinated biphenyls (PCBs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997 <sup>(1)</sup> )	(a) Feed materials of plant origin with the exception of vegetable oils and their by-products	0,35 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(b) Vegetable oils and their by-products	0,5 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(c) Feed materials of mineral origin	0,35 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(d) Animal fat, including milk fat and egg fat	0,75 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(e) Other land animal products including milk and milk products and eggs and egg products	0,35 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(f) Fish oil	14,0 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	In many cases it might not be necessary to perform an investigation into the source of contamination as the background

		level in some areas is close to or above the action level. However, in cases where the action level is exceeded, all information, such as sampling period, geographical origin, fish species etc., must be recorded with a view to future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.
(g) Fish, other aquatic animals, their products and by-products with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat	2,5 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	In many cases it might not be necessary to perform an investigation into the source of contamination as the background level in some areas is close to or above the action level. However, in cases where the action level is exceeded, all information, such as sampling period, geographical origin, fish species etc., must be recorded with a view to future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.
(h) Fish protein hydrolysates containing more than 20 % fat	7,0 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	In many cases it might not be necessary to perform an investigation into the source of contamination as the background level in some areas is close to or above the action level. However, in cases where the action level is exceeded, all information, such as sampling period, geographical origin, fish species etc., must be recorded with a view to future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.
(i) Additives belonging to the functional groups of binders and anti-caking agents	0,5 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
(j) Additives belonging to the functional group of compounds of trace elements	0,35 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
(k) Premixtures		Identification of source of

		0,35 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(l) Compound feeding stuffs, with the exception of feeding stuffs for fur animals, pet foods and feeding stuffs for fish	0,5 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.
	(m) Feeding stuffs for fish. Pet foods	3,5 ng WHO-PCB-TEQ/kg <sup>(2)</sup> <sup>(3)</sup>	In many cases it might not be necessary to perform an investigation into the source of contamination as the background level in some areas is close to or above the action level. However, in cases where the action level is exceeded, all information, such as sampling period, geographical origin, fish species etc., must be recorded with a view to future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.

<sup>(1)</sup> WHO-TEFs for human risk assessment based on the conclusions of the World Health Organisation meeting in Stockholm, Sweden, 15-18 June 1997 (Van den Berg et al., (1998) Toxic Equivalency Factors (TEFs) for PCBs, PCDDs, PCDFs for Humans and for Wildlife. Environmental Health Perspectives, 106(12), 775).

Congener	TEF value	Congener	TEF value
<b>Dibenzo-p-dioxins (PCDDs)</b>		<b>"Dioxin-like" PCBs</b>	
2,3,7,8-TCDD	1	<b>Non-ortho PCBs +</b>	
1,2,3,7,8-PeCDD	1	<b>Mono-ortho PCBs</b>	
1,2,3,4,7,8-HxCDD	0,1	<b>Non-ortho PCBs</b>	
1,2,3,6,7,8-HxCDD	0,1	PCB 77	0,0001
1,2,3,7,8,9-HxCDD	0,1	PCB 81	0,0001
1,2,3,4,6,7,8-HpCDD	0,01	PCB 126	0,1
OCDD	0,0001	PCB 169	0,01
<b>Dibenzofurans (PCDFs)</b>		<b>Mono-ortho PCBs</b>	
2,3,7,8-TCDF	0,1	PCB 105	0,0001
1,2,3,7,8-PeCDF	0,05	PCB 114	0,0005
2,3,4,7,8-PeCDF	0,5	PCB 118	0,0001
1,2,3,4,7,8-HxCDF	0,1	PCB 123	0,0001
1,2,3,6,7,8-HxCDF	0,1	PCB 156	0,0005
1,2,3,7,8,9-HxCDF	0,1	PCB 157	0,0005
2,3,4,6,7,8-HxCDF	0,1	PCB 167	0,00001
1,2,3,4,6,7,8-HpCDF	0,01	PCB 189	0,0001
1,2,3,4,7,8,9-HpCDF	0,01		
OCDF	0,0001		
Abbreviations used: "T" = tetra; "Pe" = penta; "Hx" = hexa; "Hp" = hepta; "O" = octa; "CDD" = chlorodibenzodioxin; "CDF" = chlorodibenzofuran; "CB" = chlorobiphenyl.			

<sup>(2)</sup> Upper-bound concentrations; upper-bound concentrations are calculated on the assumption that all values of the different congeners below the limit of quantification are equal to the limit of quantification.

<sup>(3)</sup> The Commission will review these action levels by 31 December 2008 at the latest at the same time as it reviews the maximum levels for the sum of dioxins and dioxin-like PCBs..



## SCHEDULE II

## Rule 6

## PART I

1. The manner in which samples of feeding stuffs are to be taken, prepared, marked and sealed shall be as follows.
2. In the case of feeding stuffs in packages or containers only unopened packages or containers which appear to the inspector proposing to take to the sample to be the original packages or containers of the feeding stuff, shall be selected for the purpose of the sample.
3. An inspector who intends to take a sample shall satisfy himself that the conditions in which the material concerned is stored are not such as might have caused undue deterioration of it, and that it appears not to have been contaminated with any other material.
4. The sample shall be taken and prepared as quickly as possible, having regard to the precautions necessary to ensure that it remains representative of the sampled portion. Instruments, surfaces and containers used in sampling shall be clean and dry.
5. No sample shall be drawn from any part of the sampled portion which appears to be damaged.
6. Where any appreciable portion of the feeding stuff appears to be mouldy, or is otherwise apparently unsuitable for feeding purposes, separate samples, shall be drawn of the unsuitable portion and of the residue of the feeding stuff respectively. These shall be treated as separate sampled portions.
7. The sampling apparatus shall consist of materials which cannot contaminate the feeding stuff to be sampled.
8. Subject to paragraph 9, in the absence of good reason to the contrary, the sampling apparatus for solid feeding stuffs shall be taken from among the following—
  - (a) a flat bottomed shovel with vertical sides;
  - (b) a sampling spear with dimensions appropriate to the characteristics of the sampled portion in all respects, including dimensions of the container and particle size of the feeding stuff;
  - (c) mechanical apparatus which, if used for the purpose of sampling a feeding stuff being moved at the time the sample is taken, must be capable of taking samples right across the flow of the product;

- (d) apparatus designed to divide the samples into approximately equal parts.
9. A sampling spear shall not be used if, prior to the taking of a sample, the manufacturer or person on whose premises the material is held objects to such use of the ground that the material is unsuitable.
10. Each container of a final sample shall be so secured and sealed by the person taking the sample that the container cannot be opened without breaking the seal; alternatively the container may be placed in a stout envelope or in a linen, cotton or plastic bag, and this further receptacle then secured and sealed in such a manner that the contents cannot be removed without breaking the seal or the receptacle.
11. A label shall be attached to the container or receptacle containing the final sample and sealed in such a manner that it cannot be removed without the seal being broken. The label shall be marked with the following particulars, which shall be visible without the seal being broken—
- (a) name of the inspector;
  - (b) identification mark given by the inspector to the sample;
  - (c) place of sampling;
  - (d) date of sampling;
  - (e) name of the material; and
  - (f) identification code, batch reference number or consignment identification of the material sampled, where readily available.
12. The label referred to above shall be signed or initialed by the person taking the sample or by on behalf of the holder of the material sampled.
13. Any sample taken in accordance with the preceding paragraphs of this schedule shall be considered as representative of the sampled portion.