

## COMMISSION DIRECTIVE 94/39/EC

of 25 July 1994

establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/74/EEC of 13 September 1993 on feedingstuffs intended for particular nutritional purposes<sup>(1)</sup>, and in particular Article 6(a) thereof,

Whereas Council Directive 93/74/EEC provides for the establishment of a positive list of the intended uses of animal feedingstuffs for particular nutritional purposes; whereas that list must indicate the precise use, that is to say, the particular nutritional purpose, the essential nutritional characteristics, the labelling declarations and where appropriate the special labelling requirements;

Whereas certain nutritional purposes cannot be included at present in the list of intended uses due to the absence of Community methods of control for the energy value in pet foods and for dietary fibre in feedingstuffs; whereas this list must be completed as soon as these methods have been adopted;

Whereas the established list may be modified, where appropriate, following developments in scientific and technical knowledge;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Member States shall require that feedingstuffs intended for particular nutritional purposes within the meaning of

Council Directive 93/74/EEC shall be marketed only if their intended uses are included in Part B of the Annex to this Directive and if they fulfil the other provisions laid down in that Part of the Annex.

Furthermore, the Member States shall ensure that the provisions under 'General provisions' of Part A of the Annex are complied with.

*Article 2*

Member States shall bring into force the laws, regulations and administrative provisions necessary for them to comply with this Directive no later than 30 June 1995. They shall immediately inform the Commission thereof.

When Member States adopt these provisions these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

*Article 3*

This Directive shall enter into force 20 days after its publication in the *Official Journal of the European Communities*.

Done at Brussels, 25 July 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 237, 22. 9. 1993, p. 23.

## ANNEX

## PART A

## General provisions

1. Where there is more than one group of nutritional characteristics indicated in column 2 of Part B, denoted by 'and/or', for the same nutritional purpose, the manufacturer has the option to use either or both groups of essential characteristics, in order to achieve the nutritional purpose defined in column 1. For each option the corresponding labelling declarations are given opposite in column 4.
2. Where a group of additives is mentioned in column 2 or column 4 of Part B the additive(s) used must be authorized in Council Directive 70/524/EEC (1) as corresponding to the specified essential characteristic.
3. Where the source(s) of ingredients or of analytical constituents is (are) required in column 4 of Part B, the manufacturer must make a precise declaration (e.g. specific name of the ingredient(s), animal species or part of the animal) allowing the evaluation of conformity of the feedingstuff with the corresponding essential nutritional characteristics.
4. Where the declaration of a substance, also authorized as an additive, is required in column 4 of Part B and is accompanied by the expression 'total' the declared content must refer to, as appropriate, the quantity naturally present where none is added or, by derogation from Directive 70/524/EEC, the total quantity of the substance naturally present and the amount added as an additive.
5. The declarations required in column 4 with the reference 'if added' are compulsory where the ingredient or the additive has been incorporated or increased specifically to enable the achievement of the particular nutritional purpose.
6. The declarations to be given in accordance with column 4 of Part B concerning analytical constituents and additives must be quantitative.
7. The recommended period of use indicated in column 5 of part B indicates a range within which the nutritional purpose should normally be achieved. Manufacturers can refer to more precise periods of use, within the fixed limits.
8. Where a feedingstuff is intended to meet more than one particular nutritional purpose, it must comply with the corresponding entries in Part B.
9. In the case of complementary feedingstuffs intended for particular nutritional purposes guidance on the balance of the daily ration must be provided in the instructions for use contained on the label.

(1) OJ No L 270, 14. 12. 1970, p. 1.



1	2	3	4	5	6
Reduction of struvite stone recurrence <sup>(2)</sup>	Urine acidifying properties and moderate level of magnesium	Dogs and cats	<ul style="list-style-type: none"> <li>— Calcium</li> <li>— Phosphorus</li> <li>— Sodium</li> <li>— Magnesium</li> <li>— Potassium</li> <li>— Chlorides</li> <li>— Sulphur</li> <li>— Urine acidifying substances</li> </ul>	Up to 6 months	Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use.'
Reduction of urate stones formation	Low level of purines, low level of protein but of high quality	Dogs and cats	Protein source(s)	Up to 6 months but lifetime use in cases of irreversible disturbance of uric acid metabolism	Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use.'
Reduction of oxalate stones formation	Low level of calcium, low level of vitamin D, and urine alkalinizing properties	Dogs and cats	<ul style="list-style-type: none"> <li>— Phosphorus</li> <li>— Calcium</li> <li>— Sodium</li> <li>— Magnesium</li> <li>— Potassium</li> <li>— Chlorides</li> <li>— Sulphur</li> <li>— Total vitamin D</li> <li>— Hydroxyproline</li> <li>— Urine alkalinizing substances</li> </ul>	Up to 6 months	Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use.'
Reduction of cystine stones formation	Low level of protein, moderate level of sulphur amino acids, and urine alkalinizing properties	Dogs and cats	<ul style="list-style-type: none"> <li>— Total sulphur amino acids</li> <li>— Sodium</li> <li>— Potassium</li> <li>— Chlorides</li> <li>— Sulphur</li> <li>— Urine alkalinizing substances</li> </ul>	Initially up to 1 <sup>st</sup> year	Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use or before extending the period of use.'
Reduction of ingredient and nutrient intolerances <sup>(4)</sup>	— Selected protein source(s)	Dogs and cats	<ul style="list-style-type: none"> <li>— Protein source(s)</li> <li>— Content of essential fatty acids (if added)</li> </ul>	3 to 8 weeks: if signs of intolerance disappear this feed can be used indefinitely	—

1	2	3	4	5	6
<p>Reduction of acute intestinal absorptive disorders</p>	<p>and/or — Selected carbohydrate source(s)</p>	<p>Dogs and cats</p>	<ul style="list-style-type: none"> <li>— Carbohydrate source(s)</li> <li>— Content of essential fatty acids (if added)</li> <li>— Highly digestible ingredients including their treatment if appropriate</li> <li>— Sodium</li> <li>— Potassium</li> <li>— Source(s) of mucilaginous substances (if added)</li> </ul>	<p>1 to 2 weeks</p>	<p>Indicate on the package, container or label:</p> <ul style="list-style-type: none"> <li>— 'During periods of and recovery from acute diarrhoea.'</li> <li>— 'It is recommended that a veterinarian's opinion be sought before use.'</li> </ul>
<p>Compensation for maldigestion (2)</p>	<p>Highly digestible ingredients and low level of fat</p>	<p>Dogs and cats</p>	<p>Highly digestible ingredients including their treatment if appropriate</p>	<p>3 to 12 weeks, but lifetime in case of chronic pancreatic insufficiency</p>	<p>Indicate on the package, container or label:</p> <p>'It is recommended that a veterinarian's opinion be sought before use.'</p>
<p>Support of heart function in case of chronic cardiac insufficiency</p>	<p>Low level of sodium and increased K/Na ratio</p>	<p>Dogs and cats</p>	<ul style="list-style-type: none"> <li>— Sodium</li> <li>— Potassium</li> <li>— Magnesium</li> </ul>	<p>Initially up to 6 months</p>	<p>Indicate on the package, container or label:</p> <p>'It is recommended that a veterinarian's opinion be sought before use or before extending the period of use.'</p>
<p>Regulation of glucose supply (Diabetes mellitus)</p>	<p>Low level of rapid glucose-releasing carbohydrates</p>	<p>Dogs and cats</p>	<ul style="list-style-type: none"> <li>— Carbohydrate source(s)</li> <li>— Treatment of carbohydrates if appropriate</li> <li>— Starch</li> <li>— Total sugar</li> <li>— Fructose (if added)</li> <li>— Content of essential fatty acids (if added)</li> <li>— Source(s) of short and medium chain fatty acids (if added)</li> </ul>	<p>Initially up to 6 months</p>	<p>Indicate on the package, container or label:</p> <p>'It is recommended that a veterinarian's opinion be sought before use or before extending the period of use.'</p>

1	2	3	4	5	6
Support of liver function in case of chronic liver insufficiency	<ul style="list-style-type: none"> <li>— High quality protein, moderate level of protein, low level of fat, high level of essential fatty acids and high level of highly digestible carbohydrates</li> <li>— High quality protein, moderate level of protein, moderate level of fat and high level of essential fatty acids</li> </ul>	Dogs	<ul style="list-style-type: none"> <li>— Protein source(s)</li> <li>— Content of essential fatty acids</li> <li>— Highly digestible carbohydrates including their treatment if appropriate</li> <li>— Sodium</li> <li>— Total copper</li> </ul>	Initially up to 6 months	Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use or before extending the period of use.'
Regulation of lipid metabolism in case of hyperlipidaemia	Low level of fat and high level of essential fatty acids	Dogs and cats	<ul style="list-style-type: none"> <li>— Protein source(s)</li> <li>— Content of essential fatty acids</li> <li>— Sodium</li> <li>— Total copper</li> </ul>	Initially up to 2 months	Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use or before extending the period of use.'
Reduction of copper in the liver	Low level of copper	Dogs	Total copper	Initially up to 6 months	Indicate on the package, container or label: 'It is recommended that a opinion be sought before use or before extending the period of use.'
Support of skin function in case of dermatosis and excessive loss of hair	High level of essential fatty acids	Dogs and cats	Content of essential fatty acids	Up to 2 months	Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use.'
Reduction of the risk of milk fever	— Low level of calcium	Dairy cows	<ul style="list-style-type: none"> <li>— Calcium</li> <li>— Phosphorus</li> <li>— Magnesium</li> </ul>	1 to 4 weeks before calving	Indicate in the instructions for use: 'Stop feeding after calving.'

1	2	3	4	5	6
<p>Reduction of the risk of ketosis <sup>(9)</sup> (7)</p>	<p>and/or — Low cations/anions ratio</p>	<p>Dairy cows and ewes</p>	<ul style="list-style-type: none"> <li>— Calcium</li> <li>— Phosphorus</li> <li>— Sodium</li> <li>— Potassium</li> <li>— Chlorides</li> <li>— Sulphur</li> </ul>	<p>3 to 6 weeks after calving <sup>(8)</sup> Last 6 weeks before and the first 3 weeks after lambing <sup>(9)</sup></p>	
<p>Reduction of the risk of tetany (hypomagnesaemia)</p>	<p>Ingredients providing glucogenic energy sources</p> <p>High level of magnesium, easily available carbohydrates, moderate level of protein and low level of potassium</p>	<p>Ruminants</p>	<ul style="list-style-type: none"> <li>— Ingredients glucogenic energy sources</li> <li>— Propane-1,2-diol (if added as a glucose precursor)</li> <li>— Glycerol (if added as a glucose precursor)</li> </ul>	<p>3 to 10 weeks during periods of fast grass growth</p>	<p>In the instructions for use guidance shall be provided on the balance of the daily ration, with regard to the inclusion of fibre and easily available energy sources.</p> <p>In case of feedingsuffs for ovines indicate on the package, container or label: 'Especially for lactating ewes.'</p>
<p>Reduction of the risk of acidosis</p>	<p>Low level of easily fermentable carbohydrates and high buffering capacity</p>	<p>Ruminants</p>	<ul style="list-style-type: none"> <li>— Starch</li> <li>— Total sugars</li> </ul>	<p>Maximum 2 months <sup>(10)</sup></p>	<p>In the instructions for use guidance shall be provided on the balance of the daily ration, with regard to the inclusion of fibre and easily fermentable carbohydrate sources.</p> <p>In case of feedingsuffs for dairy cows indicate on the package, container or label: 'Especially for high yielding cows.'</p>

1	2	3	4	5	6
Stabilization of water and electrolyte balance	Predominantly electrolytes and easily absorbable carbohydrates	Calves Piglets Lambs Kids Foals	— Carbohydrate source(s) — Sodium — Potassium — Chlorides	1 to 7 days (1 to 3 days if fed exclusively)	In case of feedings for ruminants for fattening indicate on the package, container or label: 'Especially for intensively fed ...' <sup>(1)</sup> Indicate on the package, container or label: — 'In case of risk of, during periods of, or recovery from digestive disturbance (diarrhoea).' — 'It is recommended that a veterinarian's opinion be sought before use.'
Reduction of the risk of urinary calculi	Low level of phosphorus, magnesium, and urine acidifying properties	Ruminants	— Calcium — Phosphorus — Sodium — Magnesium — Potassium — Chlorides — Sulphur — Urine acidifying substances	Up to 6 weeks	Indicate on the package, container or label: 'Especially for intensively fed young animals.' Indicate in the instructions for use: 'Water should be available at all times.'
Reduction of stress reactions	— High level magnesium  and/or — Highly digestible ingredients	Pigs	Magnesium  — Highly digestible ingredients including their treatment if appropriate — Content of n-3 fatty acids (if added)	1 to 7 days	Guidance shall be provided on the situation in which the use of this feed is appropriate.
Stabilization of physiological digestion	— Low buffering capacity, and highly digestible ingredients	Piglets	— Highly digestible ingredients including their treatment if appropriate — Buffering capacity — Source(s) of astringent substances (if added) — Source(s) of mucilaginous substances (if added)	2 to 4 weeks	Indicate on the package, container or label: 'In case of risk of, during periods of, or recovery from, digestive disturbance.'

1	2	3	4	5	6
Reduction of the risk of constipation	— Highly digestible ingredients	Pigs	— Highly digestible ingredients including their treatment if appropriate — Source(s) of astringent substances (if added) — Source(s) of mucilaginous substances (if added)	10 to 14 days before and 10 to 14 days after farrowing	—
Reduction of the risk of liver syndrome	Ingredients stimulating intestinal passage Low energy and high proportion of metabolizable energy from lipids with high level of polyunsaturated fatty acids	Sows Laying hens	Ingredients stimulating intestinal passage — Energy value (calculated according to EEC method) — Percentage of metabolizable energy from lipids — Content of polyunsaturated fatty acids	Up to 12 weeks	—
Compensation for mal-absorption	Low level of saturated fatty acids and high level of fat soluble vitamins	Poultry excluding geese and pigeons	— Percentage of saturated fatty acids in relation to total fatty acids — Total vitamin A — Total vitamin D — Total vitamin E — Total vitamin K	During the first 2 weeks after hatching	—
Compensation for chronic digestive disorders of small intestine	Highly digestible carbohydrates, proteins and fats	Equines	Highly digestible ingredients, source of carbohydrates, proteins and fats, including their treatment if appropriate	Up to 3 months	Guidance shall be provided on the situations in which the use of this feed is appropriate. Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use.'
Reduction of the risk of digestive disorders of large intestine	High level of fibre, but highly digestible ingredients	Equines	Highly digestible ingredients including their treatment if appropriate	1 to 2 weeks	Guidance shall be provided on the situations in which the use of this feed is appropriate. Indicate on the package, container or label: 'It is recommended that a veterinarian's opinion be sought before use.'

1	2	3	4	5	6
Reduction of stress reactions	Highly digestible ingredients and high level of magnesium	Equines	— Magnesium — Highly digestible ingredients including their treatment if appropriate	2 to 4 weeks	Guidance shall be provided on the situations in which the use of this feed is appropriate.
Compensation of electrolyte loss in cases of heavy sweating	Predominantly electrolytes and easily absorbable carbohydrates	Equines	— Sodium — Potassium — Chlorides — Glucose	1 to 2 days	Indicate on the instructions for use : 'Water should be available at all times.'

(1) If appropriate the manufacturer may also recommend use of temporary renal insufficiency.

(2) If the feedingstuff is recommended for temporary renal insufficiency the recommended period for use shall be two to four weeks.

(3) In case of feedingstuffs for cats, 'feline lower urinary tract disease' or 'feline urological syndrome — F.U.S.' may complete the particular nutritional purpose.

(4) In case of feedingstuffs for a particular intolerance reference to the specific intolerance can replace 'ingredient and nutrient'.

(5) The manufacturer may complete the particular nutritional purpose with the reference: 'exocrine pancreatic insufficiency'.

(6) The term 'ketosis' may be replaced by 'acetonæmia'.

(7) The manufacturers may also recommend the use for ketosis recuperation.

(8) In the case of feedingstuffs for dairy cows.

(9) In the case of feedingstuffs for ewes.

(10) In case of feedingstuffs for dairy cows: 'maximum two months from the start of lactation'.

(11) Indicate the category of ruminants concerned.