

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 767/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F1}ANNEX IV

Permitted tolerances for the compositional labelling of feed materials or compound feed provided for in Article 11(5)

Textual Amendments

F1 Substituted by [Commission Regulation \(EU\) No 939/2010 of 20 October 2010 amending Annex IV to Regulation \(EC\) No 767/2009 on permitted tolerances for the compositional labelling of feed materials or compound feed as referred to in Article 11\(5\) \(Text with EEA relevance\).](#)

[^{F2}Part A: Tolerances for the analytical constituents set out in Annexes I, V, VI and VII

- (1) The tolerances laid down in this Part include technical and analytical deviations. Once analytical tolerances covering measurement uncertainties and procedural variations are fixed ^{F3}..., the values set in point 2 should be adapted accordingly in order to cover only the technical tolerances.

Textual Amendments

F3 Words in Annex 4 Pt. A point (1) omitted (31.12.2020) by virtue of [The Animal Feed \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/654\), regs. 1, 120; 2020 c. 1, Sch. 5 para. 1\(1\)](#)

- (2) Where the composition of a feed material or compound feed is found to deviate from the labelled value of the analytical constituents set out in Annexes I, V, VI and VII the following tolerances shall apply:

Constituent	Declared content of the constituent [%]	Tolerance ^a	
		Below the labelled value	Above the labelled value
crude fat	< 8	1	2
	8 - 24	12,5 %	25 %
	> 24	3	6
crude fat, feed for non-food producing animals	< 16	2	4
	16 - 24	12,5 %	25 %
	> 24	3	6
crude protein	< 8	1	1
	8 - 24	12,5 %	12,5 %
	> 24	3	3
crude protein, feed for non-food producing animals	< 16	2	2
	16 - 24	12,5 %	12,5 %
	> 24	3	3
crude ash	< 8	2	1

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	8 - 32	25 %	12,5 %
	> 32	8	4
crude fibre	< 10	1,75	1,75
	10 - 20	17,5 %	17,5 %
	> 20	3,5	3,5
sugar	< 10	1,75	3,5
	10 - 20	17,5 %	35 %
	> 20	3,5	7
starch	< 10	3,5	3,5
	10 - 20	35 %	35 %
	> 20	7	7
calcium	< 1	0,3	0,6
	1 - 5	30 %	60 %
	> 5	1,5	3
magnesium	< 1	0,3	0,6
	1 - 5	30 %	60 %
	> 5	1,5	3
sodium	< 1	0,3	0,6
	1 - 5	30 %	60 %
	> 5	1,5	3
total phosphorus	< 1	0,3	0,3
	1 - 5	30 %	30 %
	> 5	1,5	1,5
ash insoluble in hydrochloric acid	< 1	no limits are set	0,3
	[F ⁴ 1 - 5]		30 %
	> 5		1,5
potassium	< 1	0,2	0,4
	1 - 5	20 %	40 %
	> 5	1	2
moisture	< 2	no limits are set	0,4
	2 - < 5		20 %
	5 - 12,5		1
	> 12,5		8 %
energy value ^b		5 %	10 %

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protein value ^b		10 %	20 %
a	The tolerances are given either as an absolute percentage value (this value must be subtracted from/added to the declared content) or as a relative value marked with ' % ' after the value (this percentage must be applied to the declared content to calculate the acceptable deviation).		
b	The tolerances are applicable where no tolerance has been laid down in accordance with an EU method or in accordance with an official national method in the Member State in which the feed is placed on the market or in accordance with a method adopted by the European Committee for Standardisation (https://standards.cen.eu/dyn/www/?p=204:32:0:::FSP_ORG_ID,FSP_LANG_ID:6308,25&cs=1C252307F473504B6354F4EE56B99E235).]		

Textual Amendments

- F4** Substituted by Commission Regulation (EU) 2018/1903 of 5 December 2018 correcting Annexes IV, VI and VII to Regulation (EC) No 767/2009 of the European Parliament and of the Council on the placing on the market and use of feed, and correcting certain language versions of Annexes II, IV, V and VI to that Regulation (Text with EEA relevance).

Part B:

Tolerances for feed additives labelled according to Annexes I, V, VI and VII

- The tolerances laid down in this Part include technical deviation only. They shall apply to feed additives in the list of feed additives and in the list of analytical constituents.

As regards feed additives listed as analytical constituents, the tolerances shall apply to the total amount labelled as the guaranteed quantity at the end of the minimum storage life of the feed.

Where the content of a feed additive in a feed material or compound feed is found to be below the declared content, the following tolerances shall apply⁽¹⁾:

- 10 % of the declared content if the declared content is 1 000 units or more;
 - 100 units if the declared content is less than 1 000 units but not less than 500 units;
 - 20 % of the declared content if the declared content is less than 500 units but not less than 1 unit;
 - 0,2 units if the declared content is less than 1 unit but not less than 0,5 units;
 - 40 % of the declared content if the declared content is less than 0,5 units.
- Where a minimum and/or a maximum content of an additive in a feed is laid down in the respective authorisation act for that feed additive, the technical tolerances laid down in point 1 shall only apply above a minimum content or below a maximum content, where appropriate.
 - As long as the fixed maximum content of an additive as referred to in point 2 is not exceeded, the deviation above the declared content may go up to three times the tolerance laid down in point 1. However, if for feed additives belonging to the group of micro-organisms a maximum content is laid down in the respective authorising act for that feed additive, the maximum content shall constitute the upper permitted value.]

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- (1) [^{F1}1 unit in this point means 1 mg, 1 000 IU, 1×10^9 CFU or 100 enzyme activity units of the respective feed additive per kg feed, as appropriate.]

Textual Amendments

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 3(2)(c) words substituted by [S.I. 2019/654 reg. 95\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 95 substituted immediately before IP completion day by S.I. 2020/1504, regs. 1(2), 12(18))
- Art. 3(2)(f) words substituted by [S.I. 2019/654 reg. 95\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 95 substituted immediately before IP completion day by S.I. 2020/1504, regs. 1(2), 12(18))
- Art. 3(2)(v)-(y) inserted by [S.I. 2019/654 reg. 95\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 95 substituted immediately before IP completion day by S.I. 2020/1504, regs. 1(2), 12(18))
- Art. 16.1(a) word substituted by [S.I. 2022/1351 reg. 18\(2\)](#)
- Art. 28A(3)(d) words substituted by [S.I. 2019/1013 reg. 83](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/1013 revoked immediately before IP completion day by S.I. 2020/1504, regs. 1(2), 21(e))