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Rev1

NOTICE TO STAKEHOLDERS

WITHDRAWAL OF THE UNITED KINGDOM AND EU RULES ON ANIMAL FEED

The United Kingdom submitted on 29 March 2017 the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union. This means that, unless a ratified withdrawal agreement¹ establishes another date, all Union primary and secondary law will cease to apply to the United Kingdom from 30 March 2019, 00:00h (CET) ('the withdrawal date').² The United Kingdom will then become a 'third country'.³

Preparing for the withdrawal is not just a matter for EU and national authorities but also for private parties.

In view of the considerable uncertainties, in particular concerning the content of a possible withdrawal agreement, business operators involved in the activities falling under the scope of animal nutrition, such as applicants and authorisation holders of feed additives, applicants requesting an update of the list of feed intended for particular nutritional purposes ("PARNUTS") and feed business operators (FBOs) intending to export to the EU, are reminded of legal repercussions, which need to be considered when the United Kingdom becomes a third country.

Subject to any transitional arrangement that may be contained in a possible withdrawal agreement, as of the withdrawal date, the EU rules in the field of animal nutrition no longer apply to the United Kingdom. This has, in particular, the following consequences in the different areas of EU feed law:

- **applicants (natural or legal persons) for authorisation of feed additives** must be established within the EU or the European Economic Area (EEA) or designate a representative established within the EU and communicate its relevant contact details to the European Commission in accordance with Article 4(3) of Regulation (EC) No 1831/2003 on additives for use in animal nutrition;

¹ Negotiations are ongoing with the United Kingdom with a view to reaching a withdrawal agreement.

² Furthermore, in accordance with Article 50(3) of the Treaty on European Union, the European Council, in agreement with the United Kingdom, may unanimously decide that the Treaties cease to apply at a later date.

³ A third country is a country not member of the EU.

- **holders of authorisations of feed additives linked to an authorisation holder**⁴ have to designate a representative established within the EU or the EEA. The relevant contact details of the representative have to be communicated to the European Commission;
- **applicants for authorisations of feed additives** for which the authorisation has not yet been granted by an implementing Regulation, because it is in process of evaluation or authorisation, have to designate a representative established within the EU or the EEA. The relevant contact details of the representative have to be communicated to the European Commission;
- **applicants for generic authorisations**⁵ of feed additives for which the authorisation has not yet been granted by an implementing Regulation because it is in process of evaluation or authorisation, have to designate a representative established within the EU or the EEA. The relevant contact details of the representative have to be communicated to the European Commission;
- **applicants (natural or legal persons) requesting to update the list of PARNUTs** for which the authorisation is not yet granted, because it is in process of evaluation or authorisation, have to designate a representative established within the EU or the EEA and communicate its contact details to the European Commission. In addition to applications introduced by natural or legal persons, Member States may apply to update the list of PARNUTs;
- **FBOs intending to export to the EU** must designate a representative within the EU or the EEA for the establishments involved in that activity. In accordance with EU legislation on official controls and on feed hygiene, Member States are responsible for the authorisation of such imports from third countries. The representatives have certain obligations that should be considered by FBOs when exporting to the EU.

Applicants, holders of authorisations and FBOs will need to act sufficiently in advance to avoid any impact on the continuous supply of feed within the European Union. The necessary information will need to be submitted in due time considering the procedural timelines foreseen in the regulatory framework.

The website of the Commission on animal feed (https://ec.europa.eu/food/safety/animal-feed_en) provides general information on animal feed as well as a series of "Questions and answers" in relation to animal nutrition. These pages will be updated with further information, where necessary.

European Commission
Directorate-General Health and Food Safety

⁴ Additives containing, consisting of or produced from GMOs, zootechnical additives, coccidiostats and histomonostats.

⁵ Technological additives, sensory additives and nutritional additives.