



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.07.1998
COM(1998) 453 final

95/0299 (CNS)

Amended proposal for a

COUNCIL DIRECTIVE

on the undesirable substances and products in animal nutrition

(consolidated version)

(presented by the Commission pursuant to Article 189 a (2)
of the EC-Treaty)

Explanatory memorandum

1. On 6 December 1995, the Commission presented a proposal for a Council Directive codifying Council Directive 74/63/EEC of 17 December 1973 on the undesirable substances in animal nutrition ⁽¹⁾.
2. In view of the outcome of the work already carried out in the Council on the proposal referred to at point 1., the Commission has decided to present - in accordance with Article 189a (2) of the EC Treaty - an amended proposal for codification of the Directive in question, as set out in the attached text (Annex I).

This amended proposal also takes account of amendments purely of form or wording by the Consultative Working Party of Legal Services set up under the Interinstitutional Agreement of 20 December 1994 on an accelerated working method for official consolidation of legislative texts, where these are considered justified ⁽²⁾.

3. To facilitate reading and examination, the full text of the amended proposal for codification is also attached (Annex II).

⁽¹⁾ COM(95)598 final of 6. 12. 1995.

⁽²⁾ Cf. the abovementioned opinion of the Consultative Working Party of 16 April 1996, transmitted to the European Parliament, the Council and the Commission on 7 May 1996.

ANNEX I

AMENDED PROPOSAL FOR A COUNCIL DIRECTIVE

on the undesirable substances in animal nutrition

consolidated version

The proposal for a Council Directive – consolidated version COM(95)598 final of 6. 12. 1995 – 95/0299 (CNS) is amended as follows:

1. Footnote 3 relating to recital 1 shall be replaced by the following text:

'3. OJ No L 38, 11. 2. 1974, p. 31. Directive as last amended by Commission Directive 97/8/EC (OJ No L 48, 19. 2. 1997, p. 22).'

2. In all cases, the term 'straight feedingstuffs' shall be replaced by the term 'feed materials' and the reference '96/25/EC - Art 14 (2) (a)' shall be inserted into the right-hand margin.

3. In all cases, the term 'raw material' shall be replaced by the term 'feed materials' and the reference '96/25/EC - Art 14. (2) (e)' shall be inserted into the right-hand margin.

4. Article 2 (b) shall be replaced by the following text:

'(b) "feed materials": 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 feedingstuffs or as carriers of premixtures;' 96/25/EC - Art.14 (2) (b)

5. Article 2 (e) shall be replaced by the following text:

'(e) "compound feedingstuffs": mixtures of feed materials, whether or not containing additives, which are intended for oral animal feeding as complete or complementary feedingstuffs;' 96/25/EC Art. 14 (2) (c)

6. Article 2 (f) shall be deleted.

7. Article 5 (2) (a) shall be replaced by the following text:

'(a) it is intended for use by establishments which meet the conditions of Council Directive 95/69/EC ⁽¹⁾. 95/69/EC Art. 18 (adapted)

⁽¹⁾ OJ No L 332, 30. 12. 1995, p. 15.'

8. In Articles 13 (2) and 14 (2), the reference 'Act of Accession, AT, FI, SI' appearing in the right-hand margin shall be replaced by the reference '95/1/EC, Euratom, ECSC'.

9. Annexes I, II, III and IV shall be replaced by the following text:

ANNEX I

97/8/EC – Art. 1

(Article 3 (2), Article 4, Article 5 (2) and (3), Article 8, Article 12 (3))

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
A. Substances (ions or elements)		
1. Arsenic	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
	— phosphates and feedingstuffs obtained from the processing of fish or other marine animals	10
	Complete feedingstuffs with the exception of:	2
	— complete feedingstuffs for fish	4
	Complementary feedingstuffs with the exception of:	4
	— Mineral feedingstuffs	12
2. Lead	Feed materials with the exception of:	10
	— green fodder	40
	— phosphates	30
	— yeasts	5
	Complete feedingstuffs	5
	Complementary feedingstuffs with the exception of:	10
	— Mineral feedingstuffs	30
3. Fluorine	Feed materials with the exception of:	150
	— feedingstuffs of animal origin	500
	— phosphates	2 000
	Complete feedingstuffs with the exception of:	150
	— complete feedingstuffs for cattle, sheep and goats	
	— in milk	30
	— other	50
	— complete feedingstuffs for pigs	100
	— complete feedingstuffs for poultry	350
	— complete feedingstuffs for chicks	250
	Mineral mixtures for cattle, sheep and goats	2 000 ⁽¹⁾
	Other complementary feedingstuffs	125 ⁽²⁾
4. Mercury	Feed materials with the exception of:	0,1
	— feedingstuffs produced by the processing of fish or other marine animals	0,5
	Complete feedingstuffs with the exception of:	0,1
	— complete feedingstuffs for dogs and cats	0,4
	Complementary feedingstuffs except:	0,2
	— complementary feedingstuffs for dogs and cats	

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
5. Nitrites	Fish meal Complete feedingstuffs excluding: — feedingstuffs intended for pets except birds and aquarium fish	60 (expressed as sodium nitrite) 15 (expressed as sodium nitrite)
6. Cadmium	Feed materials of vegetable origin Feed materials of animal origin except: — feedingstuffs for pets Phosphates Complete feedingstuffs for cattle, sheep and goats except: — complete feedingstuffs for calves, lambs and kids Other complete feedingstuffs except: — feedingstuffs for pets Mineral feedingstuffs Other complementary feedingstuffs for cattle, sheep and goats	1 2 10 ⁽³⁾ 1 0.5 5 ⁽⁴⁾ 0.5
B. Products		
1. Aflatoxin B ₁	Feed materials with the exception of: — Groundnut, copra, palm-kernel, cotton seed, babassu, maize and products derived from the processing thereof Complete feedingstuffs for cattle, sheep and goats with the exception of: — dairy cattle — calves and lambs Complete feedingstuffs for pigs and poultry (except young animals) Other complete feedingstuffs Complementary feedingstuffs for cattle, sheep and goats (except complementary feedingstuffs for dairy animals, calves and lambs) Complementary feedingstuffs for pigs and poultry (except young animals) Other complementary feedingstuffs	0,05 0,02 0,05 0,005 0,01 0,02 0,01 0,05 0,03 0,005
2. Hydrocyanic acid	Feed materials with the exception of: — linseed — linseed cakes — manioc products and almond cakes Complete feedingstuffs with the exception of: — complete feedingstuffs for chicks	50 250 350 100 50 10

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
3. Free Gossypol	Feed materials with the exception of: — cotton-seed cakes Complete feedingstuffs with the exception of: — complete feedingstuffs for cattle, sheep and goats — complete feedingstuffs for poultry (except laying hens and calves) — complete feedingstuffs for rabbits and pigs (except piglets)	20 1 200 20 500 100 60
4. Theobromine	Complete feedingstuffs with the exception of: — complete feedingstuffs for adult cattle	300 700
5. Volatile mustard oil	Feed materials with the exception of: — rape-seed cakes Complete feedingstuffs with the exception of: — complete feedingstuffs for cattle, sheep and goats (except young animals) — complete feedingstuffs for pigs (except piglets) and poultry	100 4 000 (expressed as allyl isothiocyanate) 150 (expressed as allyl isothiocyanate) 1 000 (expressed as allyl isothiocyanate) 500 (expressed as allyl isothiocyanate)
6. Vinyl thiooxazolidone (Vinylloxazolidine thione)	Complete feedingstuffs for poultry with the exception of: — complete feedingstuffs for laying hens	1 000 500
7. Rye Ergot (<i>Claviceps purpurea</i>)	All feedingstuffs containing unground cereals	1 000
8. Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances separately or in combination including (a) <i>Lolium temulentum</i> L., (b) <i>Lolium remotum</i> Schrank, (c) <i>Datura stramonium</i> L.	All feedingstuffs	3 000 1 000 1 000 1 000
9. Castor oil plant — <i>Ricinus communis</i> L.	All feedingstuffs	10 (expressed in terms of castor-oil plant husks)
10. <i>Crotalaria</i> spp.	All feedingstuffs	100

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
11. Aldrin	All feedingstuffs with the exception of: — fats	0,01
12. Dieldrin		0,2
13. Camphechlor (Toxaphene)	All feedingstuffs	0,1
14. Chlordane (sum of cis- and trans-isomers and of oxychlordane, expressed as chlordane)	All feedingstuffs with the exception of: — fats	0,02 0,05
15. DDT (sum of DDT-, TDE- and DDE-isomers, expressed as DDT)	All feedingstuffs with the exception of: — fats	0,05 0,5
16. Endosulfan (sum of alpha- and beta-isomers and of endosulfansulphate expressed as endosulfan)	All feedingstuffs with the exception of: — maize — oilseeds — complete feedingstuffs for fish	0,1 0,2 0,5 0,005
17. Endrin (sum of endrin and of delta-ketoi-endrin, expressed as endrin)	All feedingstuffs with the exception of: — fats	0,01 0,05
18. Heptachlor (sum of heptachlor and of heptachlor-epoxide, expressed as heptachlor)	All feedingstuffs with the exception of: — fats	0,01 0,2
19. Hexachlorobenzene (HCB)	All feedingstuffs with the exception of: — fats	0,01 0,2
20. Hexachlorocyclo-hexane (HCH)		
20.1. alpha-isomers	All feedingstuffs with the exception of: — fats	0,02 0,2
20.2. beta-isomers	Compound feedingstuffs with the exception of: — feedingstuffs for dairy cattle Feed materials with the exception of: — fats	0,01 0,005 0,01 0,1
20.3. gamma-isomers	All feedingstuffs with the exception of: — fats	0,2 2,0

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
<p>C. Botanical impurities:</p> <ol style="list-style-type: none"> 1. Apricots — <i>Prunus armeniaca</i> L. 2. Bitter almond — <i>Prunus dulcis</i> (Mill.) D. A. Webb var. <i>amara</i> (DC.) Focke (= <i>Prunus amygdalus Batsch</i> var. <i>amara</i> (DC.) Focke) 3. Unhusked beech mast — <i>Fagus silvatica</i> L. 4. Camelina — <i>Camelina sativa</i> (L.) Crantz 5. Mowrah, Bassia, Madhuca — <i>Madhuca longifolia</i> (L.) Macbr. (= <i>Bassia longifolia</i> L. = <i>Illipe malabrorum</i> Engl.) <i>Madhuca indica</i> Gmelin (= <i>Bassia latifolia</i> Roxb. = <i>Illipe latifolia</i> (Roscb.) F. Mueller) 6. Purghera — <i>Jatropha curcas</i> L. 7. Croton — <i>Croton tiglium</i> L. 8. Indian mustard — <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>integrifolia</i> (West.) Thell. 9. Sareptian mustard — <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>juncea</i> 10. Chinese mustard — <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>juncea</i> var. <i>lutea</i> Batalin 11. Black mustard — <i>Brassica nigra</i> (L.) Koch 12. Ethiopian mustard — <i>Brassica carinata</i> A. Braun 	All feedingstuffs	Seeds and fruit of the plant species listed opposite as well as their processed derivatives may only be present in feedingstuffs in trace amounts not quantitatively determinable

(¹) Member States may also prescribe a maximum fluorine content of 1,25 % of the phosphate content.

(²) Fluorine content per 1 % phosphorus.

(³) Member States may also prescribe a maximum cadmium content of 0,5 mg per 1 % phosphorus.

(⁴) Member States may also prescribe a maximum cadmium content of 0,75 mg per 1 % phosphorus.

ANNEX II

PART A

(Article 3 (2), Article 5, Article 7)

Substances, products	Feed materials	Maximum content in mg/kg (ppm) relative to feed materials with a moisture content of 12 %
(1)	(2)	(3)
1. Aflatoxin B ₁	Groundnut, copra, palm-kernel, cotton seed, babassu, maize and products derived from the processing thereof	0,2
2. Cadmium	Phosphates	10 ⁽¹⁾
3. Arsenic	Phosphates	20

⁽¹⁾ Member States may also prescribe a maximum cadmium content of 0,5 mg per 1 % phosphorus.

PART B

(Article 5 (3))

Substances, products	Feed materials
(1)	(2)
A. Substances (ions or elements)	
1. Arsenic	All feed materials with the exception of: - phosphates
2. Lead	All feed materials
3. Fluorine	All feed materials
4. Mercury	All feed materials
5. Nitrites	Fish meal
6. Cadmium	All feed materials of vegetable origin All feed materials of animal origin with the exception of: - feed materials for pets
B. Products	
1. Aflatoxin B ₁	All feed materials with the exception of: - Groundnut, copra, palm-kernel, cotton seed, babassu, maize and products derived from the processing thereof
2. Hydrocyanic acid	All feed materials
3. Free Gossypol	All feed materials
4. Volatile mustard oil	All feed materials
5. Rye Ergot (<i>Claviceps purpurea</i>)	Unground cereals

Substances, products (1)	Feed materials (2)
6. Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances separately or in combination including a) <i>Lolium temulentum</i> L., b) <i>Lolium remotum</i> Schrank, c) <i>Datura stramonium</i> L.,	All feed materials
7. Castor oil plant - <i>Rizinus communis</i> L.	All feed materials
8. <i>Crotalaria</i> spp.	All feed materials
9. Aldrin 10. Dieldrin	} singly or combined expressed as dieldrin } All feed materials
11. Camphechlor (Toxaphene)	All feed materials
12. Chlordane (sum of cis- and trans-isomers and oxychlordane, expressed as chlordane)	All feed materials
13. DDT (sum of DDT-, TDE- and DDE-isomers, expressed as DDT)	All feed materials
14. Endosulfan (sum of alpha- and beta-isomers and endosulfan sulphate expressed as endosulfan)	All feed materials
15. Endrin (sum of endrin and of delta-ketoendrin, expressed as endrin)	All feed materials
16. Heptachlor (sum of heptachlor and of heptachlor-epoxide, expressed as heptachlor)	All feed materials
17. Hexachlorobenzene (HCB)	All feed materials
18. Hexachlorocyclohexane (HCH)	
18.1. alpha-isomer	All feed materials
18.2. beta-isomer	All feed materials
18.3. gamma-isomer	All feed materials
C. Botanical impurities	
1. Apricots - <i>Prunus armeniaca</i> L.	All feed materials
2. Bitter almond - <i>Prunus dulcis</i> (Mill.) D. A. Webb var. <i>amara</i> (DC.) Focke (= <i>Prunus amygdalus</i> Batsch var. <i>amara</i> (DC.) Focke)	All feed materials
3. Unhusked beech mast - <i>Fagus silvatica</i> (L.)	All feed materials
4. Camelina - <i>Camelina sativa</i> (L.) Crantz	All feed materials
5. <i>Mowrah</i> , <i>Bassia</i> , <i>Madhuca</i> - <i>Madhuca longifolia</i> (L.) Macbr. (= <i>Bassia longifolia</i> L. = <i>Illipe malabrorum</i> Engl.) <i>Madhuca indica</i> Gmelin (= <i>Bassia latifolia</i> (Rosc.) = <i>Illipe latifolia</i> (Rosc.) F. Mueller)	All feed materials

Substances, products	Feed materials
(1)	(2)
6. Purghera - <i>Jatropha curcas</i> L.	All feed materials
7. Croton - <i>Croton tiglium</i> L.	All feed materials
8. Indian mustard - <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>integrifolia</i> (West.) Thell.	All feed materials
9. Sareptian mustard - <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>juncea</i>	All feed materials
10. Chinese mustard - <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>juncea</i> var. <i>lutea</i> Batalin	All feed materials
11. Black mustard - <i>Brassica nigra</i> (L.) Koch	All feed materials
12. Ethiopian mustard - <i>Brassica carinata</i> A. Braun	All feed materials

ANNEX III

Part A

**Repealed Directives
(referred to by Article 16)**

Council Directive 74/63/EEC and its successive amendments

Commission Directive 76/14/EEC

Commission Directive 76/934/EEC

Council Directive 80/502/EEC

Commission Directive 83/381/EEC

Commission Directive 86/299/EEC

Council Directive 86/534/EEC

Commission Directive 87/238/EEC

Commission Directive 91/126/EEC

Council Directive 91/132/EEC

Council Directive 92/63/EEC

Council Directive 92/88/EEC

Council Directive 93/74/EEC

Commission Directive 94/16/EC

Council Directive 95/69/EC

Commission Directive 96/6/EC

Council Directive 96/25/EC

Commission Directive 97/8/EC

only Article 1

only concerning references made to the provisions of Directive 74/63/EEC in Article 11 (1)

only Article 18

only Article 14 (2)

Part B

**Deadlines for transposition into national law
(referred to by Article 16)**

<i>Directive</i>	<i>Deadline for transposition</i>
Directive 74/63/EEC (OJ No L 38, 11. 2. 1974, p. 31)	1 January 1976
directive 76/14/EEC (OJ No L 4, 9. 1. 1976, p. 24)	1 April 1976
directive 76/934/EEC (OJ No L 364, 31. 12. 1976, p. 20)	1 March 1977
directive 80/502/EEC (OJ No L 124, 20. 5. 1980, p. 17)	1 July 1981
directive 83/381/EEC (OJ No L 222, 13. 8. 1983, p. 31)	31 December 1983
directive 86/299/EEC (OJ No L 189, 11. 7. 1986, p. 40)	3 December 1987
directive 86/354/EEC (OJ No L 212, 2. 8. 1986, p. 27)	3 December 1988
directive 87/238/EEC (OJ No L 110, 25. 4. 1987, p. 25)	3 December 1988
directive 91/126/EEC (OJ No L 60, 7. 3. 1991, p. 16)	30 November 1991
directive 91/132/EEC (OJ No L 66, 13. 3. 1991, p. 16)	1 August 1991
directive 92/63/EEC (OJ No L 221, 6. 8. 1992, p. 49)	31 March 1993
directive 92/88/EEC (OJ No L 321, 6. 11. 1992, p. 24)	31 December 1993
directive 93/74/EEC (OJ No L 237, 22. 9. 1993, p. 23)	30 June 1995
directive 94/16/EC (OJ No L 104, 23. 4. 1994, p. 32)	1 March 1995
directive 95/69/EC (OJ No L 332, 30. 12. 1995, p. 15)	1 April 1998
directive 96/6/EC (OJ No L 49, 28. 2. 1996, p. 29)	31 July 1996
directive 96/25/EC (OJ No L 125, 23. 5. 1996, p. 35)	30 June 1998
directive 97/8/EC (OJ No L 48, 19. 2. 1997, p. 22)	30 June 1998

ANNEX IV

CORRELATION TABLE

Directive 74/63/EEC	This Directive
Article 1	Article 1
Article 2 (a)	Article 2 (a)
Article 2 (b)	Article 2 (b)
Article 2 (d)	Article 2 (c)
Article 2 (e)	Article 2 (d)
Article 2 (h)	Article 2 (e)
Article 2 (i)	—
Article 2 (c)	Article 2 (f)
Article 2 (f)	Article 2 (g)
Article 2 (g)	Article 2 (h)
Article 2a	Article 3
Article 3	Article 4
Article 3a	Article 5
Article 3b	Article 6
Article 3c	Article 7
Article 4	Article 8
Article 5	Article 9
Article 6	Article 10
Article 6a	—
Article 7	Article 11
Article 8 (1)	Article 12 (1)
Article 8 (2)	Article 12 (2)
Article 8 (2a)	Article 12 (3)
Article 8 (3)	Article 12 (4)
Article 9	Article 13
Article 10	Article 14
Article 11	Article 15
—	Article 16
—	Article 17
—	Article 18
ANNEX I	ANNEX I
ANNEX II	ANNEX II
—	ANNEX III
—	ANNEX IV'

ANNEX II

**Amended proposal for a
Council Directive
of
on the undesirable substances in animal nutrition**

86/354/EEC – Art. 1 (1).

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ⁽¹⁾;

Having regard to the Opinion of the Economic and Social Committee ⁽²⁾;

- | | | | |
|---|----|-----------|--|
| (1) Whereas Council Directive 74/63/EEC of 17 December 1973 on the undesirable substances in animal nutrition ⁽³⁾ has been frequently and substantially amended; whereas for reasons of clarity and rationality the said Directive should be consolidated; | | | |
| (2) Whereas livestock production occupies a very important place in the agriculture of the Community; whereas satisfactory results depend to a large extent on the use of appropriate good-quality feedingstuffs; | 1. | 74/63/EEC | |
| (3) Whereas the existence of rules concerning feedingstuffs is essential to an increase in agricultural productivity; | 2. | | |
| (4) Whereas feedingstuffs often contain undesirable substances or products which can endanger animal health or, because of their presence in livestock products, human health; | 3. | | |
| (5) Whereas it is impossible to exclude totally the presence of the substances and products in question; whereas it is important that their content in feedingstuffs should be reduced in order to prevent undesirable and harmful effects; whereas it is at present impossible to fix this content below the levels detectable by methods of analysis to be defined for the Community; | 4. | | |

⁽¹⁾ OJ No C

⁽²⁾ OJ No C

⁽³⁾ OJ No L 38, 11. 2. 1974, p. 31; Directive as last amended by Commission Directive 97/8/EC (OJ No L 48, 19. 2. 1997, p. 22).

(6) Whereas undesirable substances and products may be present in feedingstuffs only in accordance with the conditions laid down in this Directive and may not be used in any other way for the purposes of animal feeding; whereas this Directive should therefore apply without prejudice to other Community provisions on feedingstuffs, and particularly the rules applicable to compound feedingstuffs;	5. +	93/74/EEC
(7) Whereas Member States should, however, retain the power to allow, under certain conditions, feedingstuffs having levels of undesirable substances and products higher than those provided for in Annexes I and II;	6.	74/63/EEC
(8) Whereas this Directive must apply to <u>feed materials</u> and feedingstuffs from the date of their introduction into the Community; whereas it should therefore be stipulated that the maximum levels of undesirable substances or products set apply in general from the date on which the <u>feed materials</u> and feedingstuffs are put into circulation, including all stages of marketing, and in particular from the date of their importation;	4.	92/88/EEC - 96/25/EC - Art. 14 (2) (e)
(9) Whereas it is advisable to establish the principle that raw materials used in animal nutrition must be sound, genuine and of merchantable quality; whereas, therefore, it is necessary to prohibit the use or putting into circulation of <u>feed materials</u> which, because they contain too high a level of undesirable substances or products, result in the maximum levels for compound feedingstuffs laid down in Annex I being exceeded;	5.	96/25/EC - Art. 14 (2) (e)
(10) Whereas it is proper to limit the presence of certain undesirable substances or products in complementary feedingstuffs by fixing appropriate maximum levels;	3.	86/299/EEC (adapted)
(11) Whereas Member States should retain the power, if animal or human health is endangered, to reduce temporarily the fixed maximum permissible levels or to fix maximum levels for other substances or products or to prohibit the presence of such substances or products in feedingstuffs; whereas in order that a Member State should not abuse that power, possible amendments to Annexes I and II based on supporting documents should be decided on by emergency Community procedure;	8. + 9.	74/63/EEC
(12) Whereas feedingstuffs satisfying the requirements of this Directive should not be subject, with regard to their level of undesirable substances and products, to restrictions on their entry into circulation other than those provided for in this Directive;	13.	

(13) Whereas, in order to ensure that the requirements laid down in respect of undesirable substances and products are satisfied during marketing of feedingstuffs, Member States must make appropriate control arrangements;	12.	
(14) Whereas, as part of the information system introduced by this Directive within the official control departments, Member States should also be informed by operators of cases where the provisions of this Directive are not complied with; whereas, in such cases, Member States are required to take all measures to enable the use in animal nutrition of undesirable substances and products to be excluded; whereas Member States are, where appropriate, obliged to ensure that consignments of <u>feed materials</u> or feedingstuffs are destroyed, if this has been decided by its owner;	7.	92/88/EEC 96/25/EC – Art. 14 (2) (e)
(15) Whereas an appropriate Community procedure is essential to adjust the technical provisions laid down in Annexes I and II, to developments in scientific and technical knowledge;	10.	74/63/EEC
(16) Whereas, in order to facilitate implementation of the proposed measures, a procedure should be laid down to establish close cooperation between Member States and the Commission within the Standing Committee for Feedingstuffs set up by Council Decision 70/372/EEC ⁽¹⁾ ;	14.	
(17) Whereas this Directive should not affect the obligations of the Member States concerning the deadlines for transposition of the Directives set out in Annex III, part B,		

HAS ADOPTED THIS DIRECTIVE:

⁽¹⁾ OJ No L 170, 3. 8. 1970, p. 1.

Article 1

- | | |
|---|-----------------------------|
| 1. This Directive deals with undesirable substances and products in animal nutrition. | 86/354/EEC – Art. 1 (2) (a) |
| 2. This Directive shall apply without prejudice to the provisions on: | 74/63/EEC |
| (a) additives in feedingstuffs; | |
| (b) the marketing of feedingstuffs; | |
| (c) the fixing of maximum permitted levels for pesticide residues on and in products intended for animal feeding, where these residues are not listed in Part B of Annex I; | 91/132/EEC – Art. 1 (1) |
| (d) micro-organisms in feedingstuffs; | 80/502/EEC – Art. 1 (1) |
| (e) certain products used in animal nutrition; | 86/354/EEC – Art. 1 (2) (b) |
| (f) feedingstuffs for particular nutritional purposes. | 93/74/EEC – Art. 11 (1) |

Article 2

- | | |
|--|-----------------------------|
| For the purposes of this Directive, the following definitions shall apply: | 74/63/EEC |
| (a) feedingstuffs: 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; | 86/354/EEC – Art. 1 (3) (a) |
| (b) “feed materials”: 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 feedingstuffs or as carriers of premixtures; | 96/25/EC – Art. 14 (2) (b) |
| (c) complete feedingstuffs: mixtures of feedingstuffs which, by reason of their composition, are sufficient for a daily ration; | 74/63/EEC |
| (d) complementary feedingstuffs: mixtures of feedingstuffs which have a high content of certain substances and which, by reason of their composition, are sufficient for a daily ration only if they are used in combination with other feedingstuffs; | |
| (e) “compound feedingstuffs”: mixtures of feed materials, whether or not containing additives, which are intended for oral animal feeding as complete or complementary feedingstuffs; | 96/25/EC – Art. 14 (2) (c) |

- | | |
|---|-------------------------|
| (f) daily ration: the average total quantity of feeding-stuffs, calculated on a moisture content of 12 %, required daily by an animal of a given species, age category and yield, to satisfy all its needs; | 74/63/EEC |
| (g) animals: animals belonging to species normally nourished and kept or consumed by man as well as animals living freely in the wild in cases where they are nourished with feedingstuffs; | 92/88/EEC - Art. 1 (1) |
| (h) pet animals: animals belonging to species normally nourished and kept but not consumed by man, except animals bred for fur production; | 80/502/EEC - Art. 1 (3) |

Article 3

1. Member States shall prescribe that feed materials may only be put into circulation in the Community if they are sound, genuine and of merchantable quality.
2. In particular, and subject to the provisions in Part A of Annex II, feed materials cannot be considered as sound, genuine and of merchantable quality if the level of undesirable substances or products is so high as to make it impossible to respect the maximum levels fixed for compound feedingstuffs in Annex I.

92/88/EEC - Art. 1 (2) - 96/25/EC
- Art. 14 (2) (c)

96/25/EC - Art. 14 (2) (e)

Article 4

1. Member States shall prescribe that the substances and products listed in Annex I shall be tolerated in feeding-stuffs only under the conditions therein set out.
2. Member States may authorize the maximum permitted levels provided for in Annex I in respect of feedingstuffs to be exceeded in the case of fodder which is produced and used in the same state on the same agricultural holding, where this is necessary for particular local reasons. The Member States concerned shall ensure that neither animal nor human health can suffer harm thereby.

86/354/EEC - Art. 1 (4)

Article 5

1. Member States shall prescribe that the feed materials listed in Annex II (A) may be put into circulation only if their content of the undesirable substance or product mentioned in column 1 of the said Annex does not exceed the maximum level laid down in column 3 of that Annex.

86/354/EEC - Art. 1 (5) - 96/25/EC
- Art. 14 (2) (e) - 92/88/EEC - Art. 1 (3)

Article 2a

Article 3

Article 3a

2. Where the content of the undesirable substance or product listed in column 1 of Annex II (A) exceeds the level laid down in column 3 of Annex I in respect of feed materials, the feed materials listed in column 2 of Annex II (A) may, without prejudice to paragraph 1, be put into circulation only if:

(a) it is intended for use by establishments which meet the conditions of Council Directive 95/69/EC ⁽¹⁾,
and

(b) it is accompanied by a document stating:

- that the feed materials are intended for manufacturers of compound feedingstuffs who fulfil the conditions laid down in paragraph (a),
- that the feed materials may not be fed unprocessed to livestock,
- the amount of the undesirable substance or product contained in the raw material.

3. Member States shall prescribe that paragraph 2 (a) and (b) shall also apply to the feed materials and undesirable substances or products listed in Annex II (B) the maximum level of which is not restricted in Annex II (A), if the level of the undesirable substance or product present in the feed materials exceeds that laid down in column 3 of Annex I for the corresponding feed materials.

Article 6

Member States may restrict the application of Article 5 (2) (a) to those manufacturers of compound feedingstuffs who use the materials in question for the production and the putting into circulation of compound feedingstuffs.

Article 7

Member States shall prescribe that a consignment of a feed material detailed in Part A of Annex II with a content of an undesirable substance or product higher than the maximum level fixed in column 3 of the abovementioned Annex must not be mixed with other consignments of feed materials or with consignments of feedingstuffs.

86/354/EEC – Art. 1 (5)

96/25/EC – Art. 14 (2) (a)

96/25/EC – Art. 14 (2) (e)

92/88/EEC – Art. 1 (3)

95/69/EC – Art. 18

(adapted)

86/354/EEC – Art. 1 (5)

96/25/EC – Art. 14 (2) (e)

96/25/EC – Art. 14 (2) (e)

96/25/EC – Art. 14 (2) (e)

96/25/EC – Art. 14 (2) (e)

96/25/EC – Art. 14 (2) (a)

Article 3b

Article 3c

92/88/EEC – Art. 1 (4) – 96/25/EC
– Art. 14 (2) (e)

96/25/EC – Art. 14 (2) (e)

⁽¹⁾ OJ No L 332, 30. 12. 1995, p. 15.

Article 8

Member States shall prescribe that in so far as there are no special provisions for complementary feedingstuffs, these may not — allowing for the dilutions prescribed for their use — contain levels of the substances and products listed in Annex I in excess of those fixed for complete feedingstuffs.

74/63/EEC

86/354/EEC — Art. 1 (6)

Article 4

Article 9

1. Where a Member State, as a result of new information or of a reassessment of existing information made since the provisions in question were adopted, has detailed grounds for establishing that a maximum content fixed in Annex I or II or a substance or product not listed therein constitutes a danger to animal or human health or the environment, that Member State may provisionally reduce that content, fix a maximum content or prohibit the presence of that substance or product in feedingstuffs or feed materials. It shall immediately inform the other Member States and the Commission thereof, giving reasons for its decision.

86/354/EEC — Art. 1 (7) (a)

96/25/EC — Art. 14 (2) (e)

Article 5

2. In accordance with the procedure laid down in Article 14, an immediate decision shall be made as to whether the Annexes should be modified. So long as no decision has been made by either the Council or the Commission the Member State may maintain the measures it has implemented.

74/63/EEC

86/354/EEC — Art. 1 (7) (b)

Article 10

In accordance with the procedure laid down in Article 13 and in the light of developments in scientific and technical knowledge:

- (a) the amendments to be made to the Annexes shall be adopted;
- (b) a consolidated version of the Annexes shall be drawn up periodically incorporating the successive amendments made pursuant to (a);
- (c) criteria for the acceptability of feed materials which have undergone certain decontamination processes may be defined.

86/354/EEC — Art. 1 (8)

96/25/EC — Art. 14 (2) (e)

Article 6

Article 11

Member States shall ensure that feedingstuffs and feed materials which conform to this Directive are not subject to any other restrictions on their circulation as regards the presence of undesirable substances and products.

74/63/EEC — 96/25/EC — Art. 14 (2) (e)

92/88/EEC — Art. 1 (5)

Article 7

Article 12

Article 8

1. Member States shall take all necessary measures to ensure that feedingstuffs and feed materials are officially controlled, at least by random sampling, to verify whether the conditions laid down in this Directive are satisfied.

86/354/EEC - Art. 1 (11) (a)
96/25/EC - Art. 14 (2) (e)

2. Member States shall inform the other Member States and the Commission of the name of the departments appointed to carry out this control.

74/63/EEC

3. Member States shall prescribe that where an operator (importer, producer, etc.) or a person who, by virtue of his professional activities, possesses, or has possessed, or has had direct contact with a consignment of feed materials or of feedingstuffs and has knowledge to the effect that:

92/88/EEC - Art. 1 (6) (a)

96/25/EC - Art. 14 (2) (e)

— the consignment of feed materials is unsuitable for any use in animal feedingstuffs because of contamination by an undesirable substance or product listed in Annexes I and II, and therefore does not meet the provisions of Article 3 (1) and consequently constitutes a serious risk for animal and public health;

96/25/EC - Art. 14 (2) (e)

— the consignment of feedingstuffs does not meet the provisions of Annex I, and therefore constitutes a serious risk for animal and public health;

such a person or operator shall immediately inform the official authorities even if the destruction of the consignment is envisaged.

After verifying the information received, Member States shall ensure that, in the case of a contaminated consignment, the measures necessary are taken to ensure that the consignment is not used in animal nutrition.

Member States shall ensure that the final destination of the contaminated consignment, including possible destruction, cannot have harmful effects on public or animal health or on the environment.

4. If a consignment of feed materials or a consignment of feedingstuffs is likely to be sent to a Member State after it has been judged not to comply with the provisions of this Directive on account of an excessive content of undesirable substances or products in another Member State, the latter Member State shall immediately give the other Member States and the Commission any useful information concerning that consignment.

92/88/EEC - Art. 1 (6) (b)
- 96/25/EC - Art. 14 (2) (e)

Article 13

1. Where the procedure laid down in this Article is to be followed, matters shall be referred without delay by the Chairman, either on his own initiative or at the request of a Member State, to the Standing Committee for Feeding-stuffs, hereinafter called the 'Committee'.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period to be laid down in each act to be adopted by the Council under this paragraph but which may in no case exceed three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council has decided against the said measures by a simple majority.

Article 14

1. Where the procedure laid down in this Article is to be followed, matters shall be referred to the Committee without delay by the Chairman, either on his own initiative or at the request of a Member State.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion within two days. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

Article 9

74/63/EEC

95/1/EC, Euratom, ECSC

87/373/EEC

74/63/EEC

Article 10

95/1/EC, Euratom, ECSC

74/63/EEC

If, on the expiry of a period to be laid down in each act to be adopted by the Council under this paragraph but which may in no case exceed 15 days from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council has decided against the said measures by a simple majority.

87/373/EEC

Article 15

1. The Member States shall apply at least the provisions of this Directive to feedingstuffs intended for export to third countries.
2. Paragraph 1 does not affect the right of Member States to allow the re-exportation to the exporting third country of consignments of feedingstuffs which do not fulfil the requirements of this Directive.

92/88/EEC - Art. 1 (7)

Article 11

Article 16

1. The Directives listed in Annex III Part A, are hereby repealed, without prejudice to the obligations of the Member States concerning the deadlines for transposition of those Directives, as set out in Annex III Part B.
2. References to the repealed Directives shall be construed as references to this Directive and should be read in accordance with the correlation table in Annex IV.

Article 17

This Directive shall enter into force the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 18

This Directive is addressed to the Member States.

Done at Brussels,

For the Council
The President

ANNEX I

97/8/EC - Art. 1

(Article 3 (2), Article 4, Article 5 (2) and (3), Article 8, Article 12 (3))

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
A. Substances (ions or elements)		
1. Arsenic	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
	— phosphates and feedingstuffs obtained from the processing of fish or other marine animals	10
	Complete feedingstuffs with the exception of:	2
	— complete feedingstuffs for fish	4
	Complementary feedingstuffs with the exception of:	4
	— Mineral feedingstuffs	12
2. Lead	Feed materials with the exception of:	10
	— green fodder	40
	— phosphates	30
	— yeasts	5
	Complete feedingstuffs	5
	Complementary feedingstuffs with the exception of:	10
	— Mineral feedingstuffs	30
3. Fluorine	Feed materials with the exception of:	150
	— feedingstuffs of animal origin	500
	— phosphates	2 000
	Complete feedingstuffs with the exception of:	150
	— complete feedingstuffs for cattle, sheep and goats	
	— in milk	30
	— other	50
	— complete feedingstuffs for pigs	100
	— complete feedingstuffs for poultry	350
	— complete feedingstuffs for chicks	250
	Mineral mixtures for cattle, sheep and goats	2 000 ⁽¹⁾
	Other complementary feedingstuffs	125 ⁽²⁾
4. Mercury	Feed materials with the exception of:	0,1
	— feedingstuffs produced by the processing of fish or other marine animals	0,5
	Complete feedingstuffs with the exception of:	0,1
	— complete feedingstuffs for dogs and cats	0,4
	Complementary feedingstuffs except:	0,2
	— complementary feedingstuffs for dogs and cats	

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
5. Nitrites	Fish meal Complete feedingstuffs excluding: — feedingstuffs intended for pets except birds and aquarium fish	60 (expressed as sodium nitrite) 15 (expressed as sodium nitrite)
6. Cadmium	Feed materials of vegetable origin Feed materials of animal origin except: — feedingstuffs for pets Phosphates Complete feedingstuffs for cattle, sheep and goats except: — complete feedingstuffs for calves, lambs and kids Other complete feedingstuffs except: — feedingstuffs for pets Mineral feedingstuffs Other complementary feedingstuffs for cattle, sheep and goats	1 2 10 ⁽³⁾ 1 0,5 5 ⁽⁴⁾ 0,5
B. Products		
1. Aflatoxin B ₁	Feed materials with the exception of: — Groundnut, copra, palm-kernel, cotton seed, babassu, maize and products derived from the processing thereof Complete feedingstuffs for cattle, sheep and goats with the exception of: — dairy cattle — calves and lambs Complete feedingstuffs for pigs and poultry (except young animals) Other complete feedingstuffs Complementary feedingstuffs for cattle, sheep and goats (except complementary feedingstuffs for dairy animals, calves and lambs) Complementary feedingstuffs for pigs and poultry (except young animals) Other complementary feedingstuffs	0,05 0,02 0,05 0,005 0,01 0,02 0,01 0,05 0,03 0,005
2. Hydrocyanic acid	Feed materials with the exception of: — linseed — linseed cakes — manioc products and almond cakes Complete feedingstuffs with the exception of: — complete feedingstuffs for chicks	50 250 350 100 50 10

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
3. Free Gossypol	Feed materials with the exception of:	20
	— cotton-seed cakes	1 200
	Complete feedingstuffs with the exception of:	20
	— complete feedingstuffs for cattle, sheep and goats	500
	— complete feedingstuffs for poultry (except laying hens) and calves	100
4. Theobromine	— complete feedingstuffs for rabbits and pigs (except piglets)	60
	Complete feedingstuffs with the exception of:	300
5. Volatile mustard oil	— complete feedingstuffs for adult cattle	700
	Feed materials with the exception of:	100
	— rape-seed cakes	4 000 (expressed as allyl isothiocyanate)
	Complete feedingstuffs with the exception of:	150 (expressed as allyl isothiocyanate)
	— complete feedingstuffs for cattle, sheep and goats (except young animals)	1 000 (expressed as allyl isothiocyanate)
6. Vinyl thiooxazolidone (Vinyloxazolidine thione)	— complete feedingstuffs for pigs (except piglets) and poultry	500 (expressed as allyl isothiocyanate)
	Complete feedingstuffs for poultry with the exception of:	1 000
7. Rye Ergot (<i>Claviceps purpurea</i>)	— complete feedingstuffs for laying hens	500
	All feedingstuffs containing unground cereals	1 000
8. Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances separately or in combination including	All feedingstuffs	3 000
	(a) <i>Lolium temulentum</i> L.,	1 000
	(b) <i>Lolium remotum</i> Schrank,	1 000
	(c) <i>Datura stramonium</i> L.	1 000
9. Castor oil plant — <i>Ricinus communis</i> L.	All feedingstuffs	10 (expressed in terms of castor-oil plant husks)
10. <i>Crotalaria</i> spp.	All feedingstuffs	100

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
11. Aldrin	} All feedingstuffs with the exception of: — fats	} 0,01 0,2
12. Dieldrin		
13. Camphechlor (Toxaphene)	All feedingstuffs	0,1
14. Chlordane (sum of cis- and trans-isomers and of oxychlordane, expressed as chlordane)	All feedingstuffs with the exception of: — fats	0,02 0,05
15. DDT (sum of DDT-, TDE- and DDE-isomers, expressed as DDT)	All feedingstuffs with the exception of: — fats	0,05 0,5
16. Endosulfan (sum of alpha- and beta-isomers and of endosulfansulphate expressed as endosulfan)	All feedingstuffs with the exception of: — maize — oilseeds — complete feedingstuffs for fish	0,1 0,2 0,5 0,005
17. Endrin (sum of endrin and of delta-ketoi-endrin, expressed as endrin)	All feedingstuffs with the exception of: — fats	0,01 0,05
18. Heptachlor (sum of heptachlor and of heptachlor-epoxide, expressed as heptachlor)	All feedingstuffs with the exception of: — fats	0,01 0,2
19. Hexachlorobenzene (HCB)	All feedingstuffs with the exception of: — fats	0,01 0,2
20. Hexachlorocyclo-hexane (HCH)		
20.1. alpha-isomers	All feedingstuffs with the exception of: — fats	0,02 0,2
20.2. beta-isomers	Compound feedingstuffs with the exception of: — feedingstuffs for dairy cattle Feed materials with the exception of: — fats	0,01 0,005 0,01 0,1
20.3 gamma-isomers	All feedingstuffs with the exception of: — fats	0,2 2,0

Substances, products	Feedingstuffs	Maximum content in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
(1)	(2)	(3)
<p>C. Botanical impurities:</p> <ol style="list-style-type: none"> 1. Apricots — <i>Prunus armeniaca</i> L. 2. Bitter almond — <i>Prunus dulcis</i> (Mill.) D. A. Webb var. <i>amara</i> (DC.) Focke (= <i>Prunus amygdalus</i> Batsch var. <i>amara</i> (DC.) Focke) 3. Unhusked beech mast — <i>Fagus sylvatica</i> L. 4. Camelina — <i>Camelina sativa</i> (L.) Crantz 5. Mowrah, Bassia, Madhuca — <i>Madhuca longifolia</i> (L.) Macbr. (= <i>Bassia longifolia</i> L. = <i>Illipe malabrorum</i> Engl.) <i>Madhuca indica</i> Gmelin (= <i>Bassia latifolia</i> Roxb. = <i>Illipe latifolia</i> (Roscb.) F. Mueller) 6. Purgheira — <i>Jatropha curcas</i> L. 7. Croton — <i>Croton tiglium</i> L. 8. Indian mustard — <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>integrifolia</i> (West.) Thell. 9. Sareptian mustard — <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>juncea</i> 10. Chinese mustard — <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>juncea</i> var. <i>lutea</i> Batalin 11. Black mustard — <i>Brassica nigra</i> (L.) Koch 12. Ethiopian mustard — <i>Brassica carinata</i> A. Braun 	<p>All feedingstuffs</p>	<p>Seeds and fruit of the plant species listed opposite as well as their processed derivatives may only be present in feedingstuffs in trace amounts not quantitatively determinable</p>

(1) Member States may also prescribe a maximum fluorine content of 1,25 % of the phosphate content.

(2) Fluorine content per 1 % phosphorus.

(3) Member States may also prescribe a maximum cadmium content of 0,5 mg per 1 % phosphorus.

(4) Member States may also prescribe a maximum cadmium content of 0,75 mg per 1 % phosphorus.

PART A
(Article 3 (2), Article 5, Article 7)

Substances, products	Feed materials	Maximum content in mg/kg (ppm) relative to feed materials with a moisture content of 12 %
(1)	(2)	(3)
1. Aflatoxin B ₁	Groundnut, copra, palm-kernel, cotton seed, babassu, maize and products derived from the processing thereof	0,2
2. Cadmium	Phosphates	10 ⁽¹⁾
3. Arsenic	Phosphates	20

⁽¹⁾ Member States may also prescribe a maximum cadmium content of 0,5 mg per 1 % phosphorus.

PART B
(Article 5 (3))

Substances, products	Feed materials
(1)	(2)
A. Substances (ions or elements)	
1. Arsenic	All feed materials with the exception of: – phosphates
2. Lead	All feed materials
3. Fluorine	All feed materials
4. Mercury	All feed materials
5. Nitrites	Fish meal
6. Cadmium	All feed materials of vegetable origin All feed materials of animal origin with the exception of: – feed materials for pets
B. Products	
1. Aflatoxin B ₁	All feed materials with the exception of: – Groundnut, copra, palm-kernel, cotton seed, babassu, maize and products derived from the processing thereof
2. Hydrocyanic acid	All feed materials
3. Free Gossypol	All feed materials
4. Volatile mustard oil	All feed materials
5. Rye Ergot (<i>Claviceps purpurea</i>)	Unground cereals

Substances, products	Feed materials
(1)	(2)
6. Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances separately or in combination including a) <i>Lolium temulentum</i> L., b) <i>Lolium remotum</i> Schrank, c) <i>Datura stramonium</i> L.,	All feed materials
7. Castor oil plant - <i>Rizinus communis</i> L.	All feed materials
8. <i>Crotalaria</i> spp.	All feed materials
9. Aldrin 10. Dieldrin <div style="display: inline-block; vertical-align: middle; margin-left: 20px;"> } singly or combined } expressed as dieldrin </div>	} } All feed materials
11. Camphechlor (Toxaphene)	All feed materials
12. Chlordane (sum of cis- and trans-isomers and oxychlordane, expressed as chlordane)	All feed materials
13. DDT (sum of DDT, TDE- and DDE-isomers, expressed as DDT)	All feed materials
14. Endosulfan (sum of alpha- and beta-isomers and endosulfan sulphate expressed as endosulfan)	All feed materials
15. Endrin (sum of endrin and of delta-ketoendrin, expressed as endrin)	All feed materials
16. Heptachlor (sum of heptachlor and of heptachlor-epoxide, expressed as heptachlor)	All feed materials
17. Hexachlorobenzene (HCB)	All feed materials
18. Hexachlorocyclohexane (HCH)	
18.1. alpha-isomer	All feed materials
18.2. beta-isomer	All feed materials
18.3. gamma-isomer	All feed materials
C. Botanical impurities	
1. Apricots - <i>Prunus armeniaca</i> L.	All feed materials
2. Bitter almond - <i>Prunus dulcis</i> (Mill.) D. A. Webb var. <i>amara</i> (DC.) Focke (= <i>Prunus amygdalus</i> Batsch var. <i>amara</i> (DC.) Focke)	All feed materials
3. Unhusked beech mast - <i>Fagus silvatica</i> (L.)	All feed materials
4. Camelina - <i>Camelina sativa</i> (L.) Crantz	All feed materials
5. Mowrah, <i>Bassia</i> , <i>Madhuca</i> - <i>Madhuca longifolia</i> (L.) Macbr. (= <i>Bassia longifolia</i> L. = <i>Illipe malabrorum</i> Engl.) <i>Madhuca indica</i> Gmelin (= <i>Bassia latifolia</i> (Roscb.) = <i>Illipe latifolia</i> (Roscb.) F. Mueller)	All feed materials

Substances, products	Feed materials
(1)	(2)
6. Purghera - <i>Jatropha curcas</i> L.	All feed materials
7. Croton - <i>Croton tiglium</i> L.	All feed materials
8. Indian mustard - <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>integrifolia</i> (West.) Thell.	All feed materials
9. Sareptian mustard - <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>juncea</i>	All feed materials
10. Chinese mustard - <i>Brassica juncea</i> (L.) Czern. and Coss. ssp. <i>juncea</i> var. <i>lutea</i> Batalin	All feed materials
11. Black mustard - <i>Brassica nigra</i> (L.) Koch	All feed materials
12. Ethiopian mustard - <i>Brassica curinata</i> A. Braun	All feed materials

ANNEX III

Part A

Repealed Directives
(referred to by Article 16)

Council Directive 74/63/EEC and its successive amendments

Commission Directive 76/14/EEC

Commission Directive 76/934/EEC

Council Directive 80/502/EEC

Commission Directive 83/381/EEC

Commission Directive 86/299/EEC

Council Directive 86/534/EEC

only Article 1

Commission Directive 87/238/EEC

Commission Directive 91/126/EEC

Council Directive 91/132/EEC

Council Directive 92/63/EEC

Council Directive 92/88/EEC

Council Directive 93/74/EEC

Commission Directive 94/16/EC

only concerning references made to the provisions of Directive 74/63/EEC in Article 11 (1)

Council Directive 95/69/EC

only Article 18

Commission Directive 96/6/EC

Council Directive 96/25/EC

only Article 14 (2)

Commission Directive 97/8/EC

Part B

Deadlines for transposition into national law
(referred to by Article 16)

<i>Directive</i>	<i>Deadline for transposition</i>
Directive 74/63/EEC (OJ No L 38, 11. 2. 1974, p. 31)	1 January 1976
Directive 76/14/EEC (OJ No L 4, 9. 1. 1976, p. 24)	1 April 1976
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