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FEFAC updated position on the EU Commission proposal for an omnibus on food and feed safety legislation COM(2025) 1030 final / 2025/0410 (COD)

FEFAC, representing the EU manufacturers of compound feed and premixtures for food-producing animals, welcomes the initiative of the EU Commission to simplify and reduce the administrative burden related to the food and feed safety legislation, in line with the EC “better regulation” principles. In a nutshell, FEFAC supports the simplifications proposed to the Feed Additives and the GM Food & Feed Regulations, is concerned by certain provisions regarding the Regulation on Pesticide Residues and has no specific comments on other proposed changes to the food and feed safety legislation.

1. Feed Additives Regulation (EC) 1831/2003

FEFAC supports strongly the proposal to amend article 14 to exempt the majority of feed additives from the 10-years-limitation of authorisations. The procedure for renewal of authorisation of feed additives every ten-years is indeed emblematic of a bureaucratic and costly procedure for operators and authorities with no added value for food & feed safety. As rightly pointed out by the EU Commission in the explanatory memorandum, there are other means to ensure that authorised feed additives can continue to be safely used, as provided for in article 13 of the same regulation. The withdrawal of the renewal procedure would also save significant EFSA resources.

FEFAC supports also the introduction in article 16 of a legal basis for digital labelling. We however regret that the scope proposed is limited to a few labelling particulars that may not justify that a person responsible for labelling invests in such a system. This being said, the possibility granted to the EU Commission in new par. 9 to extend the scope to additional labelling particulars via delegated acts should allow a stepwise uptake of digital labelling by operators, with all potential benefits in terms of reduced costs to maintain and update the labels, allowing less paper use and easier access to the labelling information for all real users, i.e. not only the persons handling the goods but also those in charge of feed formulation or quality control. In this respect, FEFAC believes that the requirement in **par 7(b)** that the information provided by digital means shall be accessible to all potential users is not appropriate. The digital label, like the physical label, should be destined to all users of the feed additives or premixtures and there is **no specific reason to add the term “potential”** that may be subject to (mis)interpretation.

FEFAC is concerned by the proposed modification of paragraph (b) of Article 16 and asks to stick to the current wording in Regulation (EC) 1831/2003. The amendment proposed by the EU Commission requires the indication on the label of the name or business name and address of the producer on the top of the name or business name and address of the person responsible for the labelling when they are different. This is not an administrative simplification but a complexification, not justified by safety or traceability considerations. On the contrary: the indication on the same label of the identity of 2 different operators may generate confusion as to their respective roles and responsibilities. In addition, it would impose

to operators to disclose commercially sensitive information which is recognised as eligible to confidential treatment according to article 39 of Regulation (EC) 178/2002.

FEFAC regrets that a number of additional suitable modifications identified during the 7-years of consultation on the REFIT of the feed additives legislation have not been considered in the present omnibus. **FEFAC calls on the EU Council and the EU Parliament to address these very-much needed modifications¹ as part of this omnibus or to ask the EU Commission to commit to present legislative proposals for further modifications of the Feed Additives Regulation, either as a stand-alone proposal or as part of a future omnibus on Food and Feed Safety.** This concerns in particular:

- The clarification of the possibility to export to Third Countries safe substances that would qualify as feed additives but are not authorised in the EU or are used in conditions not specified in the authorisation act: the introduction under article 3 par. 1) of Regulation 1831/2003 of a derogation enabling the production, processing, transport and export of these additives and feed containing them, supplemented by a delegate act, would be a smart way to provide the necessary legal certainty to operators;
- Market protection for feed additives not benefiting from a holder-specific authorisation;
- A better alignment with labelling provisions of Regulation (EC) No 767/2009 on the marketing of feed by establishing a legal basis for claims and for the development and endorsement of a sector Code of Good Labelling Practice by relevant Feed Business organisations;
- Incentives to operators to apply for authorization of feed additives to be fed to minor species;
- Tolerances for the quantitative declaration of feed additives on premixtures labels.

2. Regulation (EC) 1829/2003 on Genetically Modified Food and Feed:

FEFAC fully supports the proposal to clarify that fermentation products produced from GM micro-organisms are not covered by the GM feed & food legislation. Since the entry into application of Regulation (EC) No 1829/2003 and the authorisation of feed additives produced by fermentation using GMMs, both producers and users of these additives were lacking legal certainty as regards their legal compliance in case of presence of unavoidable traces of DNA, with sometimes significant costs for withdrawal of products considered on a “case by case” as non-compliant by competent control authorities, although safe.

3. Regulation (EC) 396/2005 on Pesticide Residues:

FEFAC is concerned by the proposal to withdraw the concept of “Import Tolerances” (renamed as MRL based GAP implemented in a Third Country) **for residues, in imported food and feed, of hazardous pesticides prohibited in the EU.** Aligning the criteria for setting MRLs for imported products with the hazard-based criteria of Regulation (EC) No 1107/2009, especially those related to environmental protection, would have **far-reaching consequences on the ability of the EU to source essential commodities**, such as high-quality protein crops, for which the EU is still highly dependent on the global market.

We understand from the proposed modification of article 14(2) that MRLs based on CXL or a GAP implemented in a Third Country would be revoked “if appropriate in the light of a case-by-case impact assessment”. Such Impact Assessment should indeed be a prerequisite and we would call on authorities to make sure that the opinion, interests and contribution of all members of the EU value chain are taken into account in such future impact assessments to avoid further undermining the ability of EU food chain systems to show resilience in the face of rising geopolitical uncertainty and market shocks.

¹ The Staff Working Document SWD(2025) 1030 final accompanying proposal COM(2025) 1030 final refers to a consensus among authorities, industry, academia and the Commission on the need to modernize the Regulation.