



Council of the
European Union

Brussels, 19 December 2022
(OR. en)

**Interinstitutional File:
2022/0390(COD)**

16182/22
ADD 2

LIMITE

**AGRI 723
AGRILEG 202
CODEC 2058**

WORKING DOCUMENT

From: General Secretariat of the Council

To: Delegations

No. Cion doc.: 15533/22

Subject: Proposal for a Regulation of the European Parliament and of the Council
on the labelling of organic pet food
- Comments from the German delegation

Delegations will find attached comments from the German delegation on the above mentioned proposal.

Comments from the German delegation

Germany expressly welcomes the proposal of the EU-COM for a specific scheme for the labelling of organic pet food. In particular, we consider it appropriate that pet food labelling should be regulated in the same way as the labelling of organic food. This makes it easier for the customer to navigate.

The Federal Government supports a quick adoption of the proposal. A few technical comments are set out below:

Date of application as of 1 January 2022

In Germany, under the previous EU eco-legal framework in force until 1 January 2022, there was a national standard for the labelling of organic pet food, largely in line with the rules proposed now. We therefore ask, like a number of other Member States, to set the date of application of the new Regulation to 1 January 2022 in order not to create a regulatory gap for products manufactured in 2022. Provisions should also be made for a transitional period for the adaptation of labels for manufacturers and for the sale of products already produced which comply with national standards for an indefinite period.

Labelling elements

In recital 4 and Article 4 of the draft, the use of the EU organic logo for organic pet food is mandatory when at least 95 % of the agricultural ingredients of the product by weight were organic. Germany understands the rules in Article 32 of Regulation (EU) 2018/848 in such a way that the other marking elements, the code number of the last control body and the indication of origin become mandatory elements for the labelling of prepackaged pet food. This should be clarified in the recital and in Article 4 of the draft, for example, with a wording such as ‘additional to Articles 32 and 33 of Regulation (EU) 2018/848’ in order to make the scheme more comprehensible for manufacturers. The reference to Article 33 is also useful, since it contains, for example, the use of national or private logos and other rules.

The proposed labelling requirements for organic pet food shall be consistent with the horizontal rules of feed law at Union level. Pursuant to Regulation (EC) No 767/2009, in accordance with Article 17(1)(e) in conjunction with Article 17(2)(c) under the heading ‘Composition’, the list of feed materials or categories for compound feed for non-food producing animals is mandatory. In this respect, it is assumed that these requirements are also applicable to organic pet food and that the term ‘list of ingredients’ in the proposed proposal on the labelling of organic pet food (in particular Article 3) is to be replaced by the term ‘composition’.

95 % of the feed used/‘Ingredients’ of agricultural origin

Germany expressly welcomes the fact that, similar to the labelling of organic food, a highlighted organic labelling in the labelling for pet food is possible if, as with food, 95 % of the agricultural ingredients of the product by weight were organic. For pet food containing less than 95 % organic feed/‘Ingredients’, a corresponding labelling shall be made.

The term “ingredients” is unaware of feed law. In contrast to feed, it is also possible for food to use substances both as an ingredient or as an additive. This is not possible for feed — either additive or feed material — clarification should be made, e.g. “95 % of the feed used”. This would also include additives; should these be out of place, it would have to be feed materials or feed categories.

Conversion components

Recital 2 deals with the composition of feed and that these may contain organic components, conversion components and non-organic components. Germany asks for a clearer wording, which makes it clear that the use of conversion components is also permitted in (compound) pet food.