

# Guideline for Handling

## Mislabelled Feed in the VLOG Production

This guideline describes how to handle feed in the VLOG system that was not labelled as genetically modified although it was subject to compulsory labelling pursuant to EU Regulations 1829/2003 and 1830/2003. This document also gives recommendations for assessing the situation at agricultural operations, with the business's certification body making the final decision.

### Guidelines for Feed Dealers and Feed Producers

(To support the business's crisis management):

- It must be determined which batches are affected that are still in the business.
- Any feed in the affected batch that is still in the business may not be sold as goods not subject to compulsory labelling or as "VLOG geprüft" – the same applies to feed produced from the batches. Accordingly, no further use in VLOG production is permitted. The feed may only be placed on the market with an appropriate label in accordance with Regulation (EC) No. 1830/2003 (Art. 4, B). The batches subject to compulsory labelling may not be commingled with batches not subject to compulsory labelling in order to reduce the GMO content.
- The VLOG certification body must be notified immediately<sup>1</sup> of the incident.
- It must be determined what quantities of the affected feed were delivered to which clients.
- All clients affected by the feed subject to compulsory labelling must immediately be notified by phone and in writing:
  - a. That the goods subject to compulsory labelling were not labelled as such,
  - b. Which deliveries are affected (clear identifying information, e.g. delivery slip number, order number, delivery date, etc.),
  - c. What quantity was affected,
  - d. That feed from the affected batch still present in the business must no longer be sold as goods not subject to compulsory labelling or as "VLOG geprüft" or used in VLOG production (see above),
  - e. That there may exist a duty to inform clients, the VLOG certification body and VLOG (report via VLOG Incident Sheet)
- VLOG must be informed of the incident by the affected business using the VLOG Incident Sheet.

The dealing with positive test results is governed by VLOG Standard, chapters C 3.1.4 (Feed Manufacturing) and B 4.2.4 (Logistics).

---

<sup>1</sup> See section 121 (1) sentence 1 BGB "without culpable delay".

Therefore, if an immediate stop of using the feed is not justifiable for reasons of animal health, feeding can – in agreement with the certification body – be continued to the extent necessary until new feed is available.

## Guidelines for Farmers and Group Organisers and Their Certification Bodies

*Background: The EC Genetic Engineering Implementation Act (EGGenTDurchfG), which regulates the criteria for "Ohne Gentechnik" labelling and on which the VLOG Standard is based, only allows the use of feed that is not labelled as genetically modified pursuant to Regulations (EC) No. 1829/2003 and 1830/2003. The farmer may rely on the supplier's feed declaration for this. However, this reliable labelling requirement has its limits in cases when a product is labelled in a misleading manner.*

*It must therefore **be decided in any given case** whether feed was reliably labelled or whether consumers have been misled. The VLOG Standard and a corresponding legal opinion<sup>2</sup> provide important clues for doing this.*

If a farmer learns that he has received feed subject to compulsory labelling, the following steps are to be taken:

- Immediately notify the VLOG certification body and the group organiser (if any), including GMO content, animals affected and quantities of feed already used.
- VLOG must be informed using the VLOG Incident Sheet.
- Immediate replacement of the affected feed batches.<sup>3</sup>
- Discuss how to proceed further (e.g. regarding the minimum feeding conversion period) with the certification body and the group organiser and VLOG, if necessary.

**The farmer's/group organiser's certification body decides if the minimum feeding conversion period has to be restarted (partially).**

The following are key points for the assessment:

- Farmer's conduct: Has the incoming goods inspection been done correctly? How quickly did he/she react and request the replacement of the feed? How quickly did he/she notify the certification body and the group organiser, if required?
- How high is the GMO content measured in the affected feed?
- What percentage of the individual animal's daily feed ration did the affected feed make up?
- How high is the GMO content in the animal's daily feed ration (dry matter)?
- How long is the animal's minimum feeding conversion period (cf. VLOG Standard chapter E 4.7)?

On the basis of the EGGenTDurchfG and the legal opinion<sup>2</sup> VLOG will provide calculation assistance to recognized certification bodies (cf. Figure 1). This table allows to determine the GMO content in the feed in relation to the entire statutory minimum feeding conversion period. This calculation can support the certification bodies in deciding on any new start of the minimum feeding conversion period.

If, in an individual case, the certification body decides that no new minimum feeding conversion period need be restarted, then the corresponding goods/animals can continue to be used in VLOG production – even goods that may have been blocked can then again be released for sale as VLOG-certified products.

If the business decides not to replace the feed, the relevant animals are no longer included in VLOG production – they can only be included at a later date after a minimum feeding conversion period.

---

<sup>2</sup>[https://www.ohnegentechnik.org/fileadmin/user\\_upload/10\\_download\\_center/Gesetzliche\\_Regelungen\\_und\\_Interpretationen/151123\\_GGSC\\_Fuetterungsfrist\\_bei\\_fehlerhafter\\_Futtermittelkennzeichnung.pdf](https://www.ohnegentechnik.org/fileadmin/user_upload/10_download_center/Gesetzliche_Regelungen_und_Interpretationen/151123_GGSC_Fuetterungsfrist_bei_fehlerhafter_Futtermittelkennzeichnung.pdf)

<sup>3</sup> According to Sec. 121 Par. 1 Clause 1 BGB "without undue delay". Thus, if an immediate suspension of the feeding of the feed is not justifiable for reasons of animal health, the feed may – in consultation with the certification body – be used as necessary until the new feed is available.

If the remaining mislabeled feed is used in the business for an animal category not within VLOG certification, then no temporary risk category upgrade is necessary, which would be due to the presence of swappable feed according to E 2, as long as only the corresponding batch is used up.

<b>Calculation of GMO in Feed</b>						
Calculation of GM carryovers due to incorrect feed not labeled as genetically modified. Related to the minimum feeding conversion period. <b>Please note: This unofficial calculation aid has not been reviewed by lawyers and only provides internal guidance for evaluation. The final decision in each case will be made by the certifying body. Please refer to VLOG's official guidance on handling mislabeled GMO feeds when using this help.</b>						
	Example	Eggs	Milk	Poultry meat	Pork	Example Milk Performance Feed
GMO content in the contaminated feed (e.g. soybean meal) (in % dry matter)	80%		50%			e.g. result of laboratory analysis: 50% GMO rapeseed in canola
Proportion of GM component in the affected feed according to the recipe (in % dry matter)	20%		80%			e.g. proportion of rapeseed in compound feed according to recipe: 80 %
Proportion of affected feed in daily ration (in % dry matter) (For complete feed: 100 %)			20%			e.g. proportion of milk performance feed in the total daily ration of dairy cows: 20 % (dry matter)
Number of days in which the affected feed was fed	3		22%			e.g. cows were fed with the GMO milk performance feed for 22 days
Minimum feeding conversion period according to VLOG Standard	42	42	92	70	123	according to the EGGenTDurchfG: 92 days (3 month)
<b>Average GMO-content based on the minimum feeding conversion period</b>	<b>1,14%</b>	<b>0,00%</b>	<b>0,0957%</b>	<b>0,00%</b>	<b>0,00%</b>	Recommendation VLOG: in case of results above 0.9 % a new minimum feeding period should be started.

Figure 1: Calculation assistance to deciding on any new start of the minimum feeding conversion period

**The VLOG Office will be happy to answer any questions regarding evaluation or calculation.**

Mr. David Röhl, Quality Assurance (agricultural, feed and logistics sector)  
[d.roehl@ohnegentechnik.org](mailto:d.roehl@ohnegentechnik.org) Tel.: +49 30 2359 945 28

Ms. Sophia Runge, Quality Assurance (agricultural, feed and logistics sector)  
[s.runge@ohnegentechnik.org](mailto:s.runge@ohnegentechnik.org) Tel.: +49 30 2359 945 27

Ms. Kerstin Geißler, Quality Assurance management  
[k.geissler@ohnegentechnik.org](mailto:k.geissler@ohnegentechnik.org) Tel.: +49 30 2359 945 20