

# **Feed agreement governing the use of purchased feed in milk production**

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## **1. Definition of the terms used in this agreement**

Incident: An incident is when the QM-Milch action threshold or maximum level for Aflatoxin B1 is exceeded or if an exceedance of the legal action threshold or maximum level is detected during the feed monitoring or other types of checks, such as an own-checks, carried out on feed which is intended for use under the QM-Milch Scheme according to this agreement or which is already used by the QM-Milch Scheme.

Feed business: Feed manufacturers and distributors (including private labellers and drop shippers)

Legal action threshold: Limit value for an undesired substance that if exceeded means that investigations must be carried out to determine the reason for the presence of this substance and define measures to reduce or eliminate the undesired substance.

Legal maximum level: Limit value for an undesired substance that if exceeded means that the feed cannot be given to animals in accordance with Directive 2002/32/EC Appendix 1.

QM-Milch action threshold: Limit value for an undesired substance that if exceeded means that there is a reporting requirement (see Chapter 5) and that investigations must be carried out to determine the reason for the presence of this substance and define measures to reduce or eliminate the undesired substance.

QM-Milch maximum level: Limit value for an undesired substance that if exceeded means that there is a reporting requirement (see Chapter 5) and investigations must be carried out to determine the reason for the presence of this substance and to define measures to reduce or eliminate the undesired substance. It also means that any feed with a level of this undesired substance that exceeds the maximum level cannot be delivered to dairy farms or fed to dairy cattle in accordance with this Feed Agreement.

Scheme provider: QS Qualität<sup>1</sup> und Sicherheit GmbH and GMP+ International<sup>2</sup>.

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<sup>1</sup> <https://www.q-s.de/feed-animal-meat/feed-material-producer.html> (current version of the documents)

<sup>2</sup> <https://www.gmpplus.org/de/gmp-feed-certification-scheme-2010/gmp-fsa-certification/b-documents/> (current version of the documents)

## **2. Scope**

For the dairy industry it is of vital importance that they only use feed that meets all legally applicable requirements, has been approved by a quality management scheme and is safe for use in milk production. All feed used must also be subjected to a comprehensive quality assurance process that includes the inspection of incoming raw materials. This Feed Agreement applies to the QM-Milch Scheme (Milk Quality Management Scheme). You can find more information about the QM-Milch Scheme and the corresponding standard documents on our website at [www.qm-milch.de](http://www.qm-milch.de).

Dairies, milk producers and feed businesses are all responsible for ensuring that any of their dairy products that are traded under the QM-Milch Scheme are safe. There is a close correlation between the safety and quality of feed for animals and the safety and quality of the food that we consume. As such, the feed chain should be viewed as a preliminary stage to food production. The scope of this Feed Agreement extends to mixed and straight feedstuffs that are delivered to dairy farms for direct feeding and that are produced in line with the requirements of the QM-Milch Scheme. The requirements that apply to agricultural primary products that are produced and used directly on dairy farms or purchased by other farmers are set out in the QM-Standard.

As part of the shared responsibility for the safety of milk and dairy products, it is vital that dairies, milk producers and feed businesses inform and support one another. A rapid information sharing system is needed for this.

The relevant feed and food regulations, in their current version, are considered as a part of this agreement.

## **3. Preventative measures (quality management scheme)**

### **3.1 Feed businesses**

#### **Quality management scheme**

All feed businesses that are subject to this Feed Agreement must comply with the feed regulations and the requirements of this agreement. As part of the quality management, feed businesses must meet the requirements of a certified quality assurance scheme, currently QS Qualität und Sicherheit GmbH, GMP+ International or another scheme approved by QS or GMP+. In line with this, feed businesses must be considered as eligible for delivery by QS or GMP+ International.

#### **Requirements**

The feed must meet the applicable feed regulations (both national and European, particularly the regulations regarding undesired and prohibited substances and feed bans), the specific requirements for dairy cow feeding (for specific details see "Monitoring programme") and comply with the principles of good agricultural practice. When it comes to good agricultural practice, the current version of Regulation (EC) No. 183/2005 should be referred to.

When handling, storing and transporting feed that is delivered under the QM-Milch Scheme, care must be taken to ensure that the safety and quality of the products is not impaired in accordance with Regulation (EC) No. 183/2005. Feed that is suitable and intended for the QM-Milch Scheme according to this agreement must be stored and transported separately to feed that is not suitable for the QM-Milch Scheme.

Only feed that has been approved by scheme providers can be used.

When a farmer is placing an order, the feed business must clarify whether the recipient is a participant of the QM-Milch Scheme. When ordering straight or mixed feeds for use on farms in writing, the following aspects must be mentioned: *Animal species/category, Type of feed/feed name and Compliance with QM-Milch criteria required*. Alternatively to farmers' written feed orders, there is a written agreement with suppliers that provide the feed for QM-Milch production that only feed suitable for the QM-Milch Scheme be supplied. As part of the written order or written agreement, the feed businesses obtain the farmer's consent to pass on their VVVO number as part of the incident and crisis management.

### **Sourcing of soya**

From 1.1.2024, all soya products and feed that contains soya delivered under the QM-Milch Scheme must meet the requirements of QS-Soja<sup>Plus</sup>, GMP+ MI5.1/MI101, GMP+ MI5.3/MI103 and MI5.6 or a standard for the sourcing of sustainable and deforestation-free certified soya recognised by QS or GMP+ International.

### **Monitoring programme**

As part of the monitoring programme, regular checks must be carried out on the feed. The sampling of the feed and the monitoring must be done in line with the requirements of the scheme providers. For milk production, the following investigation parameters are particularly relevant.

The values listed here for feed intended to be fed to dairy cows under the QM-Milch Scheme must not be exceeded:

Aflatoxin B<sub>1</sub>: The QM-Milch action threshold is 0.001 mg/kg (corresponds to 1 ppb), the QM-Milch maximum level is 0.0025 mg/kg (corresponds 2.5 ppb) in straight and mixed feeds\*.

Dioxin: The legal action threshold in accordance with Directive 2022/32/EC Appendix II, in its currently applicable version, applies. This threshold is currently 0.5 ng WHO-PCDD/F-TEQkg (ppt)\* in straight and mixed feeds.

Dioxin-like PCB: The legal action threshold in accordance with Directive 2022/32/EC Appendix II, in its currently applicable version, applies. This threshold is currently 0.5 ng WHO-PCDD/F-TEQkg (ppt)\* in straight and mixed feeds.

Non dioxin-like PCB: The legal maximum level in accordance with Directive 2022/32/EC Appendix I, in its currently applicable version, applies. This maximum level is currently 10 µg WHO-PCDD/F-TEQkg (ppb)\* in straight and mixed feeds (total PCB 28, 52, 101, 138, 153, 180).

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\* for a feed with a moisture content of 12%

The signatories of this agreement took into account the current scientific knowledge, legal regulations and practical experience when determining the previously listed values to ensure the food safety of milk and dairy products.

### **Reporting requirement**

If any of the above-mentioned values are exceeded it is crucial that this information is passed on quickly in order to prevent contamination. The procedure for issuing a warning message is set out under Point 5 of this agreement.

For the previously mentioned parameters, the system providers create a quarterly aggregated, anonymised evaluation of the feed monitoring results and makes it accessible to QM-Milch e.V.

If an exceedance is found, the feed businesses must reinforce their investigations and work to determine the cause. You can read more about this under Point 5.

### **3.2 Milk producers**

Milk producers are included in the QM-Milch Scheme either through individual milk supply contracts or within the framework of milk supply orders with dairies. Farmers give their consent to feed companies to transmit their VVVO number to QM-Milch and then for QM-Milch to transmit this number to the relevant dairies as part of the control and warning system.

Farms that produce milk must obtain their feed from feed businesses that have registered for eligibility for delivery in the QM-Milch Scheme and are included in the central lists (databases). You can find more information about this under Point 4.

The traceability of any purchased components must be guaranteed. Delivery notes, invoices and other proof in line with the requirements of the QM-Milch Scheme must be kept for five years. Feed from listed manufacturers or retailers must be clearly identified as QS or GMP goods (goods from a scheme recognised by QS or GMP). Loose goods must have this identification on the accompanying documents and bagged goods/package goods must have this identification on the bag tag or the accompanying documents (e.g. delivery note).

The use of feed produced on dairy farms and feed purchased from other farmers must be documented in accordance with the rules set out in the QM-Milch Handbook for Milk Production (QM-Milch-Handbuch für Milcherzeuger) (e.g. delivery notes, invoices, other proof).

#### **4. Registration and listing (databases) for feed businesses that are eligible for delivery for QM-Milch**

Feed business that have been approved as eligible for delivery by QS can register to be listed as eligible for delivery for QM-Milch in the QS platform. For this, the requirements of this Feed Agreement must be consented to<sup>3</sup>. By giving their consent, the businesses agree to comply with the requirements of this Feed Agreement. GMP+-approved businesses require an additional certification after the Country Note for QM-Milch so that they can be eligible for delivery for QM-Milch.

The feed businesses approved by scheme providers that produce or sell feed in accordance with the stated requirements and that are eligible for delivery for QM-Milch are listed in the QS and GMP+ International databases<sup>4</sup>.

Feed businesses must authorise the scheme provider to transmit information about incidents and analysis results to QM-Milch e.V. and then for QM-Milch e.V. to pass this information on to the relevant dairies. This is a pre-requisite for the feed businesses to be included in the list.

You can find more information about registration and listing as a feed businesses that has been approved as eligible for delivery for QM-Milch at [www.qm-milch.de](http://www.qm-milch.de).

#### **5. Implementation of the control and warning system**

As part of the implementation of the control and warning system, the individual parties must take care of the following tasks:

##### **5.1 Feed businesses**

Feed businesses must report any exceedances of the previously mentioned values in feeds that are subject to this agreement that were detected during feed monitoring or any other types of checks, such as own-checks, immediately and at the latest 24 hours after they became aware of the exceedance as part of the incident and crisis management. In addition, the feed business must transmit a customer list (incl. VVVO numbers and in the form of a CSV file if possible) of all affected QM-Milch farms to QM-Milch e.V.

For Aflatoxin the following applies:

If the QM-Milch maximum level is exceeded, this must be reported electronically to QM-Milch e.V., the relevant standard-setting body and the milk producers concerned.

If the QM-Milch action threshold is exceeded, the feed business must first inform QM-Milch e.V. electronically. If QM-Milch e.V. and the affected dairies agree to do so, at the initiative of QM-Milch e.V. the feed business can pass on the information about the action threshold being exceeded to

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<sup>3</sup> Registration: <https://www.q-s.de/softwareplattform/en/>

<sup>4</sup> <https://www.q-s.de/softwareplattform/en/> (see list "Scheme Participant Search QM-Milch"); <https://portal.gmpplus.org/cdb/certified-companies/> (check "GMP+ FSA" and under scope select "QM-Milch GMP+-BCN DE1")

the milk producers that have been supplied with the feed. In addition, the feed business must determine the possible causes that have resulted in this exceedance, take the necessary measures to reduce the levels of Aflatoxin and document everything accordingly.

If the feed has exceeded the QM-Milch maximum level for Aflatoxin B1, the affected feed will no longer be available for delivery to QM-Milch farms or suitable for feeding as straight or mixed feed under the QM-Milch Scheme.

The feed business must take back any feed that they have already delivered to farmers.

For dioxin and PCBs, the following applies:

If the legal maximum levels and action thresholds are exceeded, the relevant legal regulations apply.

If there are any abnormalities in the raw milk monitoring (e.g. a positive analysis result), on-site checks (e.g. raw milk and/or feed sampling) must be carried out or organised by QM-Milch e.V. or one of the QM-Milch e.V. regional offices. In the event that an abnormality is detected, the concerned milk producer has an obligation to provide information when asked to do so by QM-Milch e.V.

With proven abnormalities, QM-Milch e.V. can work together with QS or GMP+ International, depending on which standard the business has been certified according to, to carry out checks at the feed businesses' site (document checks for incoming and outgoing goods and checks of results from the analyses carried out on the delivered batches).

In cases like this, the feed businesses concerned have an obligation to report the results of the on-site checks to the scheme provider and QM-Milch.

## **5.2 Scheme provider**

In their monitoring programmes, the scheme providers include instructions that explain how to proceed if the QM-Milch Scheme parameters mentioned under Point 3.1 are exceeded and that point out that a feed may no longer be suitable for use in the QM-Milk Scheme. They inform QM-Milch e.V. of any exceedance that they become aware of as quickly as possible. The scheme provider and QM-Milch e.V. must inform each other about the various measures taken by the concerned businesses as part of the incident and crisis management and about the results of these measures.

## **5.3 QM-Milch e.V.**

As soon as an incident or crisis is reported, QM-Milch e.V. must get in contact with the feed businesses concerned to establish the scope and severity of the incident and determine what measures have already been taken and what measures still need to be taken. QM-Milch e.V. will

pass on the report from the scheme provider or feed businesses to the affected dairies (businesses with processing sites within a radius of around 200 kilometres from the municipality of the supplied farms) electronically as quickly as possible. QM-Milch e.V. will report any exceedances and abnormalities detected during milk checks that concern the parameters mentioned under Point 3.1 to the scheme provider and, if necessary, the affected feed businesses.

#### **5.4 Milk producers**

In their role as a food business operator, milk producers must immediately report any exceedances of legal action thresholds and maximum levels to their customers and their dairy.

During the next regular revision of the QM-Standard, the plan is to ensure that when a milk producer participates in the QM-Standard they agree to pass on the necessary data when requested within the context of the incident and crisis management described in this agreement.

#### **6. Consequences of non-compliance with the requirements**

If a feed business does not comply with the requirements of this agreement, QM-Milch e.V. can remove their eligibility for delivering feed under the QM-Milch Scheme. QM-Milch e.V. hereby informs all signatories of the Feed Agreement of this.

Should milk producers fail to comply with this agreement in accordance with the requirements of their individual milk supply contracts or milk supply orders, necessary measures as set out in the QM-Milch Scheme, the individual contract or the dairy milk delivery regulations will be implemented.

#### **7. Validity of the Feed Agreement**

The agreement shall come into force on the 1st of January 2024 for a transitional period of 6 months during which time it shall only apply to deforestation-free soya. Once the transitional period is over, the agreement shall come into force completely. The new version of the Feed Agreement replaces the Feed Agreement from 2019 and can be terminated with 12 months' notice to the end of each calendar year. The termination must be sent to QM-Milch e.V. in writing. If this happens, QM-Milch e.V. shall immediately work together with all signatories of the Feed Agreement to come up with a possible follow-up agreement. The right to an extraordinary termination for good cause remains unaffected.

#### **8. Severability clause**

Should the individual provisions of this agreement become void, either partially or in full, the effectiveness of all other provisions will not be affected by this. The agreement partners can cover or replace any gaps or the voided provisions with a provision that corresponds to the economic purpose of this agreement. The closing of any gaps must be done based on the meaning and purpose of the agreement.



**Signatories:**

Deutscher Bauernverband e.V.

(signed Mr B. Krüsken)

Deutscher Raiffeisenverband e.V.

(signed Dr. H. Ehlers)

Deutscher Verband Tiernahrung e.V.

(signed Dr. H.-J. Baaken)

GMP+ International

(signed Mr Roland van der Post)

Milchindustrie-Verband e.V.

(signed Eckhard Heuser)

QM-Milch e.V.

(signed Mr Börger)

QS Qualität und Sicherheit GmbH

(signed Dr. Alexander Hinrichs)

Other organisations can enter into this agreement at a later date.