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**Act on the labelling of foodstuffs with the husbandry method of the animals from which the food was obtained\*,\*\***

(Animal Husbandry Labelling Act - TierHaltKennzG)

*Latest available version of the complete edition as of 30.10.2023*

\* Notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17 September 2015, p. 1).

\*\* Notified in accordance with Regulation (EU) 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) 1924/2006 and (EC) 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) 608/2004 (OJ L 304, 22.11.2011, p. 18).

Footnotes:

(+++ Wording as of: 24.8.2023 +++)

(+++ Official reference by the legislator to EC law:

Notification according to

EURL 2015/1535 (CELEX No: 32015L1535) +++

TEU 1169/2011 (CELEX No: 32011R1169) +++

This Act amends the standards listed below

<b>Regulation</b>	<b>Amendment</b>	<b>amended standard</b>	<b>Validity</b>		
			<b>from</b>	<b>to</b>	<b>as amend ed</b>
§ 43	Putting into Effect	TierHaltKennZG	24.8.2023		

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### **Input formula**

The Bundestag has adopted the following act:

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## **Section 1 General provisions**

### **§ 1 Area of application**

- (1) This Act regulates the labelling of foodstuffs of animal origin with the husbandry method of the animals from which the foodstuffs were obtained in order to provide the end consumer with comprehensive and long-term information.
- (2) The scope of application covers foodstuffs according to Appendix 1 obtained from animals of a species listed in Appendix 2 and are intended for supply to the end consumer in Germany.
- (3) The labelling requirements contained in other legislation remain unaffected.

### **§ 2 Definitions**

In accordance with this Act, the following terms shall be defined as follows:

1. Husbandry facilities: Buildings and rooms (stables) or containers and other facilities for the permanent housing of animals;
2. animal husbandry enterprise: a local and economic unit consisting of one or more husbandry facilities for the keeping of animals;

3. Owner of the animal husbandry enterprise: the natural or legal person for whose account and in whose name the animal husbandry enterprise is managed and who is legally and economically responsible for the animal husbandry enterprise;
4. Relevant husbandry period: a temporary period of animal husbandry during which the husbandry has taken place which is crucial for the identification of the husbandry methods;
5. Foodstuffs: Foodstuffs as defined in Article 2 of Regulation (EC) No 178/2002;
6. Food business operator: Food business operators as defined in Article 3(3) of Regulation (EC) No 178/2002;
7. Placing on the market: Placing on the market as defined in Article 3(8) of Regulation (EC) No 178/2002;
8. End consumer: End consumers as defined in Article 3(18) of Regulation (EC) No 178/2002;
9. Pre-packaged food: pre-packaged food as defined in point (e) of Article 2(2) of Regulation (EU) No 1169/2011;
10. Labelling: Labelling as defined in point (j) of Article 2(2) of Regulation (EU) No 1169/2011;
11. Main field of vision: Main field of vision as defined in Article 2(2)(l) of Regulation (EU) No 1169/2011;
12. Label: Label as defined in Article 2(2)(i) of Regulation (EU) No 1169/2011;
13. Legibility: Legibility as defined in Article 2(2)(m) of Regulation (EU) No 1169/2011.

## **Section 2** **Obligatory labelling of domestic foodstuffs of animal origin**

### **Subsection 1 Labelling requirements**

#### **§ 3 Mandatory labelling of domestic food**

(1) A food business owner supplying food of animal origin in accordance with Appendix 1, from species listed in Appendix 2, to the final consumer, shall ensure that the foodstuff is, at the time that it is offered for sale to the final consumer, labelled with the husbandry method of the animals that it had been obtained from in accordance with § 7 (1), (3) sentence 1, (4) sentence 1, (5) sentence 1, § 9 (1) sentence 1 or (2) sentence 1, § 10 or § 11 (1) sentence 1, (2) sentence 1, (3) sentence 1 and (4) sentence 1.

(2) <sup>1</sup>The labelling of the type of husbandry in accordance with paragraph 1 shall be based on the type of husbandry that the animals had been kept in predominantly in accordance with Appendix 3. <sup>2</sup>If the husbandry form is changed within the space of time allocated for husbandry, the labelling of the husbandry form must be for the form of husbandry that the animals had been predominantly kept in during the time of husbandry.

(3) Paragraph 1 does not apply to foodstuff of animal origin

1. Of animals kept abroad
  - a) during the relevant husbandry period,
  - b) were slaughtered, or
  - c) were dismembered; or
2. abroad
  - a) were created; or

b) were treated.

Footnotes:

(+++ § 3) Paragraph 2: For validity, see § 21 par. 1 +++)

#### **§ 4 Method of husbandry**

(1) The husbandry methods used for labelling according to § 3 paragraph 1 are as follows:

1. Stable,
2. Stable+space,
3. Fresh air stable,
4. Open-air area/free-range and
5. Organic.

(2) The husbandry of animals according to Appendix 2 shall be assigned to the husbandry types stable, stable+place, fresh-air stable and open-air area/free-range if they

1. conform to the requirements of the corresponding husbandry method set out in Appendix 4; or
2. meet requirements comparable to the requirements of the corresponding husbandry method set out in Appendix 4.

(3) The husbandry of animals according to Annex 2 shall be classified as organic if the keeping of animals is certified in accordance with the first sentence of Article 35(1) of Regulation (EU) 2018/848.

Footnotes:

(+++ § 4: For validity, see § 21 par. 2 +++)

#### **§ 5 Designation of the types of husbandry**

(1) In the case of labelling according to § 3 paragraph 1, no other designation shall be used than that of the husbandry method assigned in accordance with § 4(2) and (3), in which the animals were kept in the

relevant husbandry period in accordance with § 3 paragraph 2 sentence 1.

(2) <sup>1</sup>By way of derogation from paragraph 1, the designation of the organic husbandry method may only be used if the food placed on the market is also labelled in accordance with Article 30(1) of Regulation (EU) 2018/848. <sup>2</sup>The designation of the husbandry method may not be used if

1. the food business operator waives labelling in accordance with the first sentence of Article 30(1) of Regulation (EU) 2018/848 or
2. the food may not be labelled in accordance with Article 30(2 and 3), subparagraph 1 or paragraph 4 of Regulation (EU) 2018/848.

<sup>3</sup>In the case of the sentence 2, the foodstuff shall be labelled with the husbandry form open-air area/free-range.

Footnotes:

(+++ § 5: For validity, see § 21 par. 2 +++)

## **§ 6 General requirements for the labelling**

<sup>1</sup>The labelling according to § 3 paragraph 1 is easily accessible, clearly visible and easy to read in German.

<sup>2</sup>It must not be obscured, blurred or separated by other information, figurative signs or other inserted material.

Footnotes:

(+++ § 6: For validity, see § 21 par. 2 +++)

## **§ 7 Labelling of pre-packaged foods**

(1) In the case of pre-packaged foodstuffs, the labelling pursuant to § 3 paragraph 1 shall be affixed in the main field of vision on the packaging or on a label attached to this packaging in accordance with paragraphs 2, 3 sentence 3 and paragraph 6 sentence 1.

(2) The labelling shall be directed according to the model and technical description of Appendix 5.

(3) <sup>1</sup>If a foodstuff is produced from several foodstuffs of animal origin from animals of an animal species listed in Appendix 2 or if a package contains several foodstuffs produced from foodstuffs of animal origin from animals of an animal species listed in Appendix 2, the foodstuff or the package must be labelled with

the farming method "stable", if

1. a proportion of at least 80 percent of the total foodstuff according to the batch composition or the foodstuffs contained in the package is assigned to the husbandry method "stable" and
2. a proportion of no more than 20 per cent of the total foodstuff according to the batch composition or the foodstuff contained in the packaging is not labelled or is assigned to the husbandry forms "stable+place", "fresh air stable" or "outdoor/free-range".

<sup>2</sup>In the case of sentence 1, the labelling shall be determined in accordance with paragraph 2. <sup>3</sup>Where a food has been produced from several foodstuffs from different animal species or where a packaging contains food from different animal species, the labelling shall be based on the model and the technical description set out in Appendix 6.

(4) <sup>1</sup>If a foodstuff is produced from several foodstuffs of animal origin from animals of an animal species listed in Appendix 2 or if a package contains several foodstuffs that have been produced from foodstuffs of animal origin from animals of an animal species listed in Appendix 2, the foodstuff or the package must be labelled with the husbandry method "stable+place" if

1. at least 80 percent of the total foodstuff is assigned to the husbandry method "stable+place" according to the batch composition or the foodstuffs contained in the package; and
2. a proportion of no more than 20 per cent of the total foodstuff according to the batch composition or the foodstuff contained in the packaging is allocated to the "fresh air barn" or "outdoor/free-range" husbandry systems.

<sup>2</sup>Paragraph 3 sentence 2 and 3 shall apply accordingly.

(5) <sup>1</sup>If a foodstuff is produced from several foodstuffs of animal origin from animals of an animal species listed in Annex 2 or if a package contains several foodstuffs produced from foodstuffs of animal origin from animals of an animal species listed in Annex 2, the foodstuff or the package must be labelled with the farming method "fresh air barn" if

1. a proportion of at least 80 % of the total food according to the lot composition or food contained in the packaging is assigned to the "open air stable" husbandry form; and
2. a total of not more than 20 % of the total foodstuff according to the lot composition or food contained in the packaging is assigned to the husbandry type "outdoor/free-range".

<sup>2</sup>Paragraph 3 sentence 2 and 3 shall apply accordingly.

(6) <sup>1</sup>The omission or addition of components or other changes to the label are prohibited. <sup>2</sup>Sentence 1 shall not apply if there is a case mentioned in § 11.

Footnotes:

(+++ § 7) Paragraphs 2 and 6: For validity see § 9(1) +++ (+++ § 8: For validity see § 9(1) +++) (+++ § 7(6): For validity see § 9(2) +++) (+++ § 7: For validity, see § 21 par. 2 +++)

## § 8 Labelling in colour

By way of derogation from § 7 paragraph 2 the mandatory labelling according to § 3 paragraph 1 may be used in accordance with specifications of the sample and the technical description of Appendix 7 with mint-

coloured background.

Footnotes:

(+++ § 8: For validity, see § 21 par. 2 +++)

## **§ 9 Labelling of non-packaged foods**

(1) <sup>1</sup>The labelling of non-prepacked foodstuffs in accordance with § 3 (1) shall be provided on a label on the foodstuff or in the immediate vicinity of the foodstuff. <sup>2</sup>It must be provided in such a way that it is clearly recognisable to the end consumer which foodstuff the labelling refers to. <sup>3</sup>§ 7 Paragraphs 2 and 6 sentence 1 and § 8 apply accordingly.

(2) <sup>1</sup>By way of derogation from paragraph 1 sentence 3, non-prepacked foodstuffs may also be labelled only with the name of the husbandry method pursuant to § 5 paragraph 1 in accordance with the technical description in Appendix 5(2) letters a and d. <sup>2</sup>By way of derogation from the technical description, the label may also be in white on a black background. <sup>3</sup>§ 7 Paragraph 6 shall apply accordingly.

(3) In case of paragraph 2, either of the following shall be made visible:

1. a general written description of the husbandry forms; or
2. it should be pointed out clearly and legibly that a general written description of the husbandry forms is made available to the end consumer upon request.

Footnotes:

(+++ § 9: For validity, see § 21 par. 2 +++)

## **§ 10 Labelling in distance sales**

If a foodstuff subject to labelling pursuant to § 3 paragraph 1 is offered for sale to the end consumer by means of distance communication techniques, the labelling must, by way of derogation

1. appear on the carrier material of the distance selling transaction, or
2. be provided by other appropriate means so that
  - a) it is easily and permanently accessible,

- b) complete and clearly arranged,
- c) no additional costs are imposed on the end consumer; and
- d) the end consumer has sufficient time to take note of all the information contained on the label in order to be able to make a purchase decision.

Footnotes:

(+++ § 10: For validity, see § 21 par. 2 +++)

## **§ 11 Special cases of the Labelling**

(1) <sup>1</sup>If a foodstuff subject to mandatory labelling pursuant to § 3 (1), which has been manufactured from several foodstuffs subject to mandatory labelling, which, in deviation from § 7 (3) sentence 1, (4) sentence 1 and (5) sentence 1 according to the composition of the batch,

- 1. contains a proportion of less than 80 per cent of foodstuffs that are assigned to the "barn" husbandry method,
- 2. a proportion of less than 80 per cent of foodstuffs that are allocated to the "stable+place" husbandry method,
- 3. a proportion of less than 80 per cent of foodstuffs assigned to the "fresh air barn" husbandry method, or
- 4. a proportion of less than 100 per cent of foodstuffs that are allocated to the "outdoor/free-range" husbandry method,

the proportions of the individual farming systems in relation to the total foodstuff shall be indicated on the labelling in accordance with Article 3(1) in accordance with the model and the technical description in Appendix 8 § I. <sup>2</sup>The respective proportion of the husbandry forms of the whole food must be commercially rounded in steps of 5 % each without decimal places. <sup>3</sup>§ 7 Paragraph 3 sentence 3, paragraph 6 sentence 1 and § 8 apply accordingly.

(2) <sup>1</sup>If a foodstuff manufactured from several foodstuffs contains a proportion of non-labelled foodstuffs and, in accordance with the composition of the batch, by way of derogation from § 7 (3) sentence 1, (4) sentence 1 and (5) sentence 1

- 1. contains a proportion of less than 80 per cent of foodstuffs that are assigned to the "barn" husbandry method,
- 2. a proportion of less than 80 per cent of foodstuffs that are allocated to the "stable+place" husbandry method,
- 3. a proportion of less than 80 per cent of foodstuffs assigned to the "fresh air barn" husbandry method, or
- 4. a proportion of less than 100 per cent of foodstuffs that are allocated to the "outdoor/free-range" husbandry method,

the proportions of the individual farming systems and the unlabelled proportion of the total foodstuff must be indicated on the labelling in accordance with Article 3(1) in accordance with the model and the technical

description in Appendix 8 § II. <sup>2</sup>Paragraph 1 sentence 2, § 7 paragraph 3 sentence 3, paragraph 6 sentence 1 and § 8 shall apply accordingly.

(3) <sup>1</sup>If a package contains several foodstuffs subject to mandatory labelling pursuant to § 3 (1) and these foodstuffs are, by way of derogation from § 7 (3) sentence 1, (4) sentence 1 and (5) sentence 1

1. with a proportion of less than 80 per cent assigned to the "barn" husbandry method,
2. with a proportion of less than 80 per cent assigned to the "stable+place" husbandry method,
3. with a proportion of less than 80 per cent assigned to the "fresh air barn" husbandry method, or
4. with a proportion of less than 100 per cent assigned to the husbandry form "outdoor/free-range",

the proportions of the individual husbandry systems contained in the packaging shall be indicated on the labelling in accordance with Article 3(1) in accordance with the specimen and the technical description in Appendix 8 § I. <sup>2</sup>Paragraph 1 sentence 2, § 7 paragraph 3 sentence 3, paragraph 6 sentence 1 and § 8 shall apply accordingly.

(4) <sup>1</sup>If a package contains a proportion of unlabelled foodstuffs and one or more foodstuffs subject to mandatory labelling in accordance with § 3 (1) and if, in deviation from § 7 (3) sentence 1, (4) sentence 1 and (5) sentence 1, these foodstuffs are assigned

1. to the "barn" husbandry type with a proportion of less than 80 percent,
2. to the "barn+place" husbandry type with a proportion of less than 80 percent,
3. to the "fresh air barn" husbandry type with a proportion of less than 80 percent, or
4. with a proportion of less than 100 per cent assigned to the husbandry form "outdoor/free-range",

the proportions of the individual husbandry forms contained in the packaging and the unlabelled proportion shall be indicated in the labelling pursuant to Article 3(1) in accordance with the model and the technical description in Appendix 8 § II. <sup>2</sup>Paragraph 1 sentence 2, § 7 paragraph 3 sentence 3, paragraph 6 sentence 1 and § 8 shall apply accordingly.

Footnotes:

(+++ § 11: For validity, see § 21 par. 2 +++)

## **Subsection 2 Notification requirements and registration of domestic husbandry facilities**

### **§ 12 Information on husbandry facilities of domestic enterprises**

(1) <sup>1</sup>An owner of an animal husbandry enterprise must notify the competent authority in writing or electronically in accordance with subsections (2) and (4) sentence 2 of the keeping of animals from which foodstuffs subject to labelling requirements pursuant to § 3 (1) are obtained in a husbandry facility as soon as he starts keeping animals in it. <sup>2</sup>An owner of an animal husbandry enterprise may voluntarily notify the competent authority in writing or electronically in accordance with paragraphs 2 and 4 sentence 2 of the keeping of animals of an animal species listed in Appendix 2 from which foodstuffs are obtained in accordance with Annex 1 that does not have to be notified in accordance with sentence 1.

(2) <sup>1</sup>The notification in accordance with paragraph 1 must include the following:

1. the name and address of the animal husbandry enterprise
2. the name and address of the owner of the animal husbandry enterprise
3. the registration number of the enterprise issued pursuant to § 26 paragraph 2 of the Livestock Transport Regulation in the version published on 26 May 2020 (Federal Law Gazette I p. 1170)
4. if there are several housing facilities on the livestock holding in which animals of the same species as in the notified housing facility are kept, the locations of the individual husbandry facilities on the animal husbandry enterprise, together with a site plan, and
5. the following information for each individual housing facility shall contain:
  - a) the size of the unrestricted floor area of the housing facility,
  - b) the number of animals to be kept in the housing facility; and
  - c) the husbandry method according to § 4 paragraph 1 in which the animals are to be kept in the housing facilities.

<sup>2</sup>In addition to the information in accordance with sentence 1, the owner of the animal husbandry enterprise must provide evidence that the housing facility fulfils the requirements for the notified housing form in accordance with Article 4 paragraph 2 or paragraph 3. <sup>3</sup>Appropriate evidence is, in particular, official certificates, certificates from control bodies which are demonstrably established in the field of agricultural husbandry and production of animals in accordance with DIN EN ISO/IEC 17065, January 2013 edition<sup>1</sup> are accredited and, in the case of organic farming, the certificate issued in accordance with Article 35(1) of Regulation (EU) 2018/848.

(3) <sup>1</sup>By way of derogation from paragraph 2 sentence 1, the transmission of information in accordance with paragraph 2 sentence 1 (4) and (5) is not required if this information has already been communicated to the competent authority or another authority on the basis of this Act or other legal provisions, in particular animal health regulations on the movement of livestock. <sup>2</sup>Upon request, the owner of the animal husbandry enterprise shall inform the competent authority referred to in paragraph 1 which data have been communicated to which authority. <sup>3</sup>In the case of sentence 1, the relevant authority shall provide the requested information to the competent authority in accordance with paragraph 1 upon request.

(4) <sup>1</sup>The competent authority may publish templates for notifications under paragraph 1, provide forms or specify a format to be used for the electronic transmission of data. <sup>2</sup>If the competent authority publishes samples, provides forms or specifies a format to be used, these must be used.

<sup>1</sup> This DIN EN ISO/IEC standard is to be obtained from Beuth Verlag GmbH Berlin and can be archived, stored and viewed at the German National Library.

### **§ 13 Notification of changes for domestic enterprises**

(1) As soon as a change has occurred, the owner of the animal husbandry enterprise must notify the competent authority in accordance with Article 12(1) in writing or electronically if

1. the change concerns information pursuant to § 12(2) sentence 1 or
2. the keeping of animals in a husbandry facility notified in accordance with § 12(1) has been permanently terminated.

(2) By way of derogation from paragraph 1 number 1, temporary changes to the form of husbandry in a holding facility need not be notified if all changes in relation to the animal in question do not exceed a total period of two weeks during the relevant period of husbandry.

### **§ 14 Establishment of an indefinitely valid identification number for housing facilities of**

## **domestic enterprises**

(1) <sup>1</sup>If a husbandry facility notified in accordance with Article 12(1) complies with the requirements for the specified husbandry form in accordance with Article 4(2) or (3), the competent authority shall assign a permanent identification number to this husbandry facility with the identification of the specified husbandry form. <sup>2</sup>It shall inform the owner of the animal husbandry enterprise of this identification number within two months of its notification in accordance with Article 12 paragraph 1. <sup>3</sup>The identification number shall clearly identify the husbandry facility.

(2) If a husbandry facility in accordance with § 12 paragraph 1 does not comply with the requirements of the specified husbandry form in accordance with § 4(2) or 3, the competent authority establishes an identification number for this husbandry facility with the identification of another type of husbandry facility if the husbandry facility complies with the requirements for this method of husbandry in accordance with § 4(2) or 3.

(3) <sup>1</sup>If the competent authority becomes aware of a change in the type of husbandry method that requires the assignment of another identification number, it shall immediately establish a new identification number in accordance with the provisions of paragraph 1 sentence 1. <sup>2</sup>Paragraph 1 sentence 2 and 3 and paragraph 2 shall apply accordingly.

(4) The competent authority may require further information and evidence from the farmer if this is required to specify the identification number in accordance with paragraph 1, paragraph 6 2 or paragraph 3.

(5) The identification number; is composed of a non-personal

1. identifier for the husbandry in accordance with Appendix 9,
2. a unique identification number for the competent authority,
3. a unique identification number for the enterprise and
4. a sequential identification number for the housing facility.

## **§ 15 Establishment of a temporary identification number for husbandry facilities of domestic enterprises that do not meet the requirements of § 22(3a), sentence 1, (2) and sentence 2 of the Animal Welfare Livestock Farming Ordinance**

(1) By way of derogation from § 14 (1), the competent authority shall, in accordance with § 14 (5), issue a notice by ... [insert: date of the first day of the 24th calendar month following the entry into force of the 8th Amending Regulation TierSchNutztV]<sup>2</sup> with the specified husbandry system, provided that

1. a husbandry facility notified in accordance with § 12(1) does not meet the requirements of § 4(2) in conjunction with Annex 4 with regard to compliance with the requirements of § 22(3a) sentence 1 no. 2 and sentence 2 of the Animal Welfare Livestock Husbandry Ordinance in the version published on 22 August 2006 (Federal Law Gazette I p. 2043), last amended by Article [...] of the Ordinance of [...] (Federal Law Gazette I p. ...)<sup>3</sup> [8. Amending Regulation] for the husbandry method of fresh air stables; and
2. the other requirements relating to the husbandry form referred to in § 4(2) are met.

(2) <sup>1</sup>The temporary identification number in accordance with paragraph 1 shall be determined in accordance with § 14 paragraph 5. <sup>2</sup>The competent authority must also add a further identifier to the identification number, which must consist of the month and year of expiry of the validity in numerical two-digit form. <sup>3</sup>The identification number shall clearly identify the husbandry facility. <sup>4</sup>The competent authority shall notify the owner of the animal husbandry enterprise of the identification number within two months of its notification in accordance with § 12(1).

(3) <sup>1</sup>At least two months before the expiry of the time limit, the owner of the animal husbandry facility keeping the animals shall notify the competent authority of the form in which the animals are expected to

be kept in the facility after expiry of the time limit in accordance with paragraph 1. <sup>2</sup>The notification shall be accompanied by information, declarations and evidence demonstrating that the husbandry facility is expected to fulfil the relevant requirements for this type of housing in accordance with Article 4(2) or (3) at that time. <sup>3</sup>Before the expiry of the time limit, the competent authority shall determine a corresponding identification number in accordance with § 14(1) or (2) and notify the owner of the animal husbandry enterprise.

<sup>2</sup> Note from the editor: The referenced Eighth Ordinance amending the Animal Welfare Livestock Farming Ordinance has not yet been adopted.

<sup>3</sup> Note from the editor: The referenced Eighth Ordinance amending the Animal Welfare Livestock Farming Ordinance has not yet been adopted.

## **§ 16 Register for domestic enterprises and housing facilities**

(1) <sup>1</sup>For the purpose of monitoring compliance with the provisions of this Act, the competent authority under § 12(1) shall keep an electronic register containing the names and addresses of livestock holdings and the identification numbers specified under Sections 14 and 15. <sup>2</sup>When a new identification number is determined in accordance with Article 14 paragraph 3, the period to which the respective identification number of the husbandry facility is assigned must be indicated in the register until the old identification number is cancelled in accordance with Article 18.

(2) <sup>1</sup>By way of derogation from paragraph 1, the Federal States may set up a joint electronic register of establishments with the identification numbers specified in accordance with Sections 14 and 15 at a central register-keeping authority. <sup>2</sup>The authorities responsible under § 12(1) shall immediately transmit to the authority keeping the register all data necessary for keeping the register in accordance with sentence 1. <sup>3</sup>Paragraph 1 sentence 2 applies accordingly. <sup>4</sup>The Federal States may set up a joint body to operate this register.

(3) <sup>1</sup>The authority keeping the register pursuant to paragraph 1 or 2 shall, in agreement with the Federal Office for Information Security, in particular in compliance with the provisions of Articles 24, 25 and 32 of Regulation (EU) 2016/679, define more detailed requirements for the data format and the requirements for security against unauthorised access to the register and during data transmission. <sup>2</sup>The requirements for the data format and the requirements for security against unauthorised access to the register shall correspond to the state of the art and shall be continuously adapted by the competent authority in agreement with the Federal Office for Information Security.

## **§ 17 Processing of data of domestic enterprises**

(1) The competent authority pursuant to § 12 (1) is authorised to collect, store and use the data pursuant to § 12 (2), § 13 (1), Sections 14, 15 and 19 (1) as well as the evidence pursuant to § 12 (2) sentence 2, § 14 (4) and § 15 (3) sentence 2 for the purposes specified in § 12 (1), § 14 (1) to (3), § 15 (1) and (3) and § 19 (2).

(2) The authority keeping the register pursuant to § 16(1) or (2) shall be authorised to collect, store and use the data pursuant to § 16(1) for the purpose specified in § 16(1).

(3) The data and evidence referred to in paragraphs 1 and 2 may also be processed by the competent authorities for the purpose of monitoring compliance with the provisions of this Act.

Footnotes:

(+++ § 17: With regard to application see § 36(2) +++)

## **§ 18 Deletion of data of domestic enterprises**

<sup>1</sup>Subject to other statutory provisions, personal and non-personal data pursuant to § 12 (2), § 13 (1), Sections 14, 15, 16 (1) and § 19 (1) as well as the evidence pursuant to § 12 (2) sentence 2, § 14 (4) and § 15 (3) sentence 2 shall be deleted by the competent authority one year after the reason for their collection no longer applies. <sup>2</sup>If the data is stored electronically, it must be deleted automatically.

Footnotes:

(+++ § 18: With regard to application see § 36(2) +++)

## **Subsection 3 Record-keeping obligations and traceability of domestic animal husbandry facilities**

### **§ 19 Recording obligations of domestic enterprises**

(1) The owner of the animal husbandry enterprise is obligated to keep records in accordance with paragraph 2 with regard to each holding facility notified under § 12(1) and the animals kept therein on

1. the date of the housing facilities of animals,
2. the average weight of the animals per husbandry group at the time of husbandry,
3. the Number of animals kept,
4. the method of husbandry according to § 4 Paragraph 1:
5. Changes in
  - a) the number of animals kept,
  - b) the method of husbandry and
6. the whereabouts of the animals.

(2) <sup>1</sup>The records referred to in paragraph 1 shall be kept in a permanent manner from the time the animals are housed in the holding facility and shall be kept up to date. <sup>2</sup>They shall be kept in writing or electronically and submitted to the competent authority on request for the purpose of monitoring compliance with the provisions of this Act.

(3) <sup>1</sup>The records must be kept by the owner of the animal husbandry enterprise for three years from the date of the respective recording, subject to other legal regulations. <sup>2</sup>Subject to other legal regulations,

personal data contained herein must be deleted after the retention period has expired. <sup>3</sup>If the data is stored electronically, it must be erased automatically if technically possible.

(4) <sup>1</sup>By way of derogation from paragraph 1, no records in accordance with paragraph 1 are required if corresponding records are to be made in accordance with other legal provisions. <sup>2</sup>The same shall apply insofar as the obligations to amend pursuant to paragraph 2 and the retention and erasure obligations pursuant to paragraph 3 are regulated accordingly.

(5) <sup>1</sup>In the case of a recording referred to in paragraph 1(5) or (6), the date of the change shall be indicated in addition to the changes. <sup>2</sup>In addition, the registration number must be stated in a record in accordance with paragraph 1 number 6 in the case of the delivery of an animal to a husbandry facility or a food business operator who has a registration number in accordance with § 26 paragraph 2 of the Livestock Transport Ordinance.

## **§ 20 Requirements to traceability for domestic food business operators**

(1) Food business operators at all stages of production and distribution of foodstuffs in accordance with Article 3(1) shall ensure, before the first transfer of animals or the first placing on the market of foodstuffs, that

1. there is a link between the food and the information on the husbandry method of the animal or group of animals from which the food was obtained; and
2. that for the labelling according to § 3(1) the necessary information are transmitted together with the animal or foodstuff to the food business operators in the subsequent stages of production and distribution.

(2) Every food business operator shall bear responsibility in his production or distribution stage in accordance with paragraph 1.

(3) The owner of the animal husbandry facility keeping the animals shall provide the food business operator at the subsequent stage of production or distribution with the identification number of the holding in which the animal or group of animals was kept at the relevant stage of production or distribution for traceability purposes, at the same time as the information referred to in paragraph 1(2), as soon as it is communicated to him by the competent authority.

(4) The food business operator shall provide the information referred to in paragraphs 1(2) and 3 in such a way that it is clearly understandable, unambiguous and easily available or, if transmitted electronically, available.

## **Section 3 Voluntary labelling of foreign food of animal origin**

### **Subsection 1 Labelling requirements**

#### **§ 21 Voluntary labelling**

(1) <sup>1</sup>If a food business operator uses foodstuffs referred to in Appendix 1 that have been obtained from an animal species referred to in Appendix 2 and

1. from animals reared abroad
  - a) which have been kept during the relevant husbandry period,
  - b) slaughtered, or

- c) dismembered, or

2. abroad
  - a) were produced; or
  - b) were traded,

with labelling of the farming method of the animals from which the food was obtained in accordance with § 7 (1), (3) sentence 1, (4) sentence 1, (5) sentence 1, § 9 (1) sentence 1 or (2) sentence 1, § 10 or § 11 (1) sentence 1, (2) sentence 1, (3) sentence 1 and (4) sentence 1 to the final consumer in Germany, it requires prior authorisation from the competent authority. <sup>2</sup>§ 3 Paragraph 2 shall apply accordingly. <sup>3</sup>The authorisation must be obtained before the food is first sold to end consumers in Germany.

(2) For the labelling the §§ 4 to 11 apply accordingly.

(3) The food business operator, who delivers the food to the end consumer in accordance with paragraph 1 sentence 1 shall, within the limits of the possibilities available to him, ensure that

1. the link between the food and the information on the husbandry method of the animal or group of animals from which the food was obtained has been ensured throughout the food chain,
2. that the information required for labelling has been truthfully and completely transmitted together with the animal or the foodstuff,
3. the link between the form of husbandry that the foodstuff is labelled with and the information about the husbandry method of the animal or group of animals from which the food is obtained, and
4. the operator of the housing facilities where the animals from which the foodstuffs referred to in the first sentence of paragraph 1 were kept;
  - a) shall keep records according to § 19 if the housing facility is located in Germany or keep
  - b) records according to § 32 if the husbandry facility is located abroad.

(4) The records referred to in paragraph 3(4) shall be submitted to the competent authority upon request.

## **§ 22 Application for autorisation to use labels**

(1) <sup>1</sup>The application for an authorisation pursuant to § 21 (1) sentence 1 shall be submitted by the food business operator who supplies the food to the final consumer in Germany. <sup>2</sup>It is irrelevant whether the food business operator has its registered office in Germany, in a member state of the European Union or in a third country. <sup>3</sup>The application shall be submitted in German or English, in writing or electronically, to the competent authority referred to in paragraph 2 before the food is first supplied to the final consumer in Germany.

(2) The competent authority is if the food business operator

1. has a place of business in Germany, the authority within which the registered office is located,
2. and if it does not have a registered office in Germany, the competent authority is the Federal Office for Agriculture and Food.

(3) <sup>1</sup>The application in accordance with paragraph 1 must state the following:

1. the name and address of the food business operator;
2. The foodstuff intended to be placed on the domestic market,
3. the husbandry method of the animals from which the food is obtained according to § 4(1), and
4. the following additions to the housing facilities where the animals from which the food is obtained are kept:

- a) the identification numbers of the housing facilities according to § 14, § 15 or § 27 or
- b) the information according to § 25 paragraph 2 if there is no identification number available.

<sup>2</sup>In addition to the information according to sentence 1, the food business operator must ensure that the requirements of § 21 (3) are met.

(4) <sup>1</sup>The food business operator shall provide the competent authority with evidence of the information referred to in paragraph 3 sentence 1 number 4 letter b, in particular with regard to compliance with the requirements of the form of rearing in the individual husbandry facilities in accordance with § 4 paragraph 2 or paragraph 3. <sup>2</sup>Suitable evidence includes, in particular, official certificates, participation in a state animal welfare label, certificates from inspection bodies that are demonstrably accredited in the field of animal husbandry and production in accordance with DIN EN ISO/IEC 17065, January 2013 edition<sup>4</sup> and, in the case of organic farming, the certificate issued in accordance with Article 35(1) of Regulation (EU) 2018/848. <sup>3</sup>In addition, compliance with the requirements of § 21 (3) must be demonstrated. <sup>4</sup>The evidence must be attached to the application in accordance with paragraph 1.

(5) The competent authority may require further information and evidence if these are necessary for the decision on the application.

(6) An approval according to § 21 paragraph 1 is not required if

- 1. the foodstuff
  - a) is exclusively obtained from animals from housing facilities for which an identification number according to § 14, 15 or 27 has been established, and
  - b) referred to by the owner of the husbandry facilities in point (a) is handed over to the end consumer by means of direct marketing, and
- 2. the owner of the husbandry facilities has notified the delivery of food according to point 1 to the Federal Office for Agriculture and Food.

<sup>4</sup> This DIN EN ISO/IEC standard is to be obtained from Beuth Verlag GmbH Berlin and can be archived, stored and viewed at the German National Library.

## **§ 23 Granting and extending the authorisation of label use**

(1) The responsible authority shall grant authorisation if the applying food business operator has demonstrated that

- 1. the animals of which a foodstuff has been won according to § 21 (1) sentence 1 will, in the relevant husbandry period, be kept in a housing facility which satisfies the requirements of § 4 paragraph 2 or 3, and
- 2. the requirements of § 21 paragraph 3 are met.

(2) <sup>1</sup>The authorisation must be limited to two years. <sup>2</sup>It may be extended by the competent authority for two years at a time if the applicant food business operator demonstrates that the requirements of 1 continue to be met. <sup>3</sup>The application for extension must be submitted at least two months before the expiry of the time limit. <sup>4</sup>The application must be accompanied by information and declarations in accordance with § 22 (3) and evidence in accordance with § 22 (4). <sup>5</sup>The competent authority must make a decision on the application before the expiry of the time limit and notify the applicant food business operator of this decision.

(3) <sup>1</sup>The competent authority may reject the application if it becomes aware of a final decision on a criminal offence committed within a period of two years prior to the application or a final decision on an administrative offence committed by the applicant food business operator against this Act during this period. <sup>2</sup>The competent authority may collect, store and use data pursuant to sentence 1 from the body responsible for prosecuting criminal offences or administrative offences for the purpose specified in

sentence 1, insofar as this is necessary for the examination of the refusal of authorisation. <sup>3</sup>It must delete the data in accordance with sentence 1 one year after the decision on the application has become final.

## **§ 24 Notification of changes by authorisation holders and revocation of authorisation**

(1) The food business operator who has applied for an authorisation in accordance with § 22 (1) sentence 1 or received an authorisation in accordance with § 23 (1) shall notify the competent authority in writing or electronically of all changes to the information in accordance with § 22 (3) sentence 1 as soon as they have occurred.

(2) <sup>1</sup>The competent authority shall revoke authorisation

1. if a requirement of § 23 paragraph 1 is no longer met, or take it back
2. if it becomes known that a requirement of § 23 paragraph 1 has not been met.

<sup>2</sup>By way of derogation from sentence 1 number 1, the competent authority may order the suspension of the authorisation if it can be expected that the reasons for the revocation can be eliminated within a reasonable period of time.

(3) The competent authority may withdraw the authorisation if it becomes aware of a final decision on a criminal offence committed within a period of two years prior to the application or of a final decision on an administrative offence committed by the applicant food business operator against this Act during this period.

(4) Otherwise, the Administrative Procedural Act Regulations on the withdrawal and revocation of administrative acts remain unaffected.

## **Subsection 2 Notification and recording obligations of foreign companies; Registration**

### **§ 25 Notification of husbandry facilities of foreign enterprises**

(1) <sup>1</sup>An owner of an animal husbandry facility may notify the Federal Office for Agriculture and Food as the competent authority of the keeping of animals of an animal species listed in Appendix 2, from which foodstuffs are obtained in accordance with Appendix 1, in a holding facility in a Member State of the European Union or in a third country. <sup>2</sup>The notification shall be made in writing or electronically in German or English in accordance with paragraphs 2, 4 sentence 3 and paragraph 5 sentence 2.

(2) <sup>1</sup>The notification referred to in paragraph 1 shall specify the following:

1. the name and address of the animal husbandry enterprise,
2. the name and address of the owner of the animal husbandry enterprise;
3. if available, the unique registration number of the husbandry facility keeping the animals, assigned in accordance with Article 93 of Regulation (EU) 2016/429,
4. if there are several husbandry facilities in the animal husbandry enterprise in which animals of the same species as in the notified husbandry facility are kept, the locations of the individual husbandry facilities on the livestock holding, together with a site plan,
5. the competent authority for monitoring compliance with animal welfare requirements in the establishment, and
6. the following information on the individual housing facility:
  - a) the size of the restricted usable floor area of the housing facility,
  - b) the number of animals kept in the housing facility, and

c) the husbandry method according to § 4 paragraph 1 in which the animals are to be kept in the housing facility.

<sup>2</sup>The owner of the livestock holding must declare that the housing facility fulfils the requirements for the notified housing form in accordance with Article 4(2) or (3). <sup>3</sup>In the event that the housing facility notified in accordance with paragraph 1 does not fulfil the requirements of the specified housing form or comparable requirements, the farmer may apply for the housing facility to be assigned an identification number with the identification of another housing form if the housing facility meets the requirements for this housing form in accordance with Article 4 paragraph 2 or paragraph 3.

(3) In the event that the housing facility notified in accordance with paragraph 1 does not fulfil the requirements of the specified housing form or comparable requirements, the owner of the livestock holding may apply for the housing facility to be assigned an identification number with the identification of another housing form if the housing facility meets the requirements for this housing form in accordance with Article 4 paragraph 2 or paragraph 3.

(4) <sup>1</sup>The owner of the livestock holding must provide the Federal Office for Agriculture and Food with evidence of compliance with the requirements of § 4(2) or (3) for the form of husbandry in the individual husbandry facility. <sup>2</sup>Suitable evidence includes, in particular, official certificates, participation in a state animal welfare label, certificates from inspection bodies that are demonstrably accredited in the field of agricultural animal husbandry and production in accordance with DIN EN ISO/IEC 17065,

<sup>5</sup>January 2013<sup>5</sup> edition, and, in the case of organic farming, the certificate issued in accordance with Article 35(1) of Regulation (EU) 2018/848. <sup>3</sup>The evidence must be attached to the notification.

(5) <sup>1</sup>The Federal Office for Agriculture and Food may publish models for notifications under paragraph 1, provide forms or specify a format to be used for the electronic transmission of data. <sup>2</sup>If the Federal Office for Agriculture and Food publishes samples, provides forms or specifies a particular format, these must be used.

<sup>5</sup> This DIN EN ISO/IEC standard is to be obtained from Beuth Verlag GmbH Berlin and can be archived, stored and viewed at the German National Library.

## **§ 26 Change notification for foreign companies**

(1) As soon as a change has occurred, the owner of the animal husbandry enterprise must notify the Federal Office for Agriculture and Food in writing or electronically if

1. the change concerns information pursuant to § 25(2) sentence 1 or
2. the husbandry of animals in a notified holding facility has been permanently terminated.

(2) By way of derogation from paragraph 1 number 1, temporary changes to the form of husbandry in a holding facility need not be notified if all changes in relation to the animal in question do not exceed a total period of two weeks during the relevant period of husbandry.

## **§ 27 Determination of an identification number for husbandry facilities**

(1) <sup>1</sup>If the owner of the animal husbandry enterprise has provided evidence that the husbandry facility specified in the notification pursuant to § 25(1) fulfils the requirements of § 4(2) or (3) for the specified form of husbandry, the Federal Office for Agriculture and Food shall specify an identification number for this husbandry facility by which it can be clearly identified. <sup>2</sup>The Federal Office for Agriculture and Food shall notify the owner of the animal husbandry enterprise of this identification number within two months of its notification in accordance with § 25(1). <sup>3</sup>If the husbandry facility specified in the notification pursuant to § 25(1) does not fulfil the requirements of the specified husbandry form or comparable requirements, the Federal Office for Agriculture and Food may assign an identification number to this husbandry facility with the identification of another husbandry form if the husbandry facility meets the requirements for this husbandry form pursuant to § 4(2) or (3) and the owner of the animal husbandry enterprise has applied for

this pursuant to § 25(3).

(2) The identification number is composed of a non-personal

1. identifier for the husbandry in accordance with Appendix 10,
2. the uniform identification number for the enterprise established by the Federal Office for Agriculture and Food,
3. a sequential identification number for the housing facility, and
4. an identifier consisting of month and year of expiry of the validity of the identification number in numeric two-digit form.

(3) <sup>1</sup>The validity of the identification number must be limited to a period of two years. <sup>2</sup>It can be extended by the Federal Office for Agriculture and Food for two years at a time if the applicant owner of the livestock holding can prove that the requirements of the specified form of husbandry are met. <sup>3</sup>The application for extension must be submitted at least two months before the expiry of the time limit. <sup>4</sup>The application must be accompanied by information and declarations in accordance with § 25 (2) and evidence in accordance with § 25 (4). <sup>5</sup>The Federal Office for Agriculture and Food must make a decision on the extension before the expiry of the time limit and inform the applicant owner of the livestock holding of this decision.

(4) In the case of an extension, the month and year of the determination of the identification number shall be replaced in the identification number by the month and year of the extension by the Federal Office for Agriculture and Food.

(5) If a notification of change pursuant to § 26(1) requires the allocation of a different identification number, the Federal Office for Agriculture and Food shall immediately determine the new identification number in accordance with paragraph 1 and notify the owner of the livestock holding.

(6) The Federal Office for Agriculture and Food may request further information and evidence from the owner of the animal husbandry enterprise if this is necessary to determine the identification number in accordance with paragraph 1, paragraph 3 or paragraph 5.

## **§ 28 Use of an identification number for foreign husbandry facilities**

(1) The farmer or other food business operator may provide the identification number of the husbandry facility where the animal or group of animals was kept at the relevant stage of production to the food business operator at the subsequent production or distribution stage, in addition to the information on the husbandry system, to ensure the link between the food and the information on the husbandry system of the animal or group of animals from which the food was obtained.

(2) If a husbandry facility does not or no longer fulfils the requirements for the establishment of an identification number in accordance with § 27(1) sentence 1, the Federal Office for Agriculture and Food shall prohibit the owner of the animal husbandry enterprise from using the identification number.

## **§ 29 Registration of foreign enterprises and housing facilities**

(1) <sup>1</sup>For the purpose of monitoring compliance with the provisions of this Act, the Federal Office for Agriculture and Food shall keep an electronic register containing the names and addresses of the animal husbandry enterprise and husbandry facilities referred to in § 25(1) with the identification numbers specified in § 27. <sup>2</sup>The Federal Office for Agriculture and Food shall include the prohibition pursuant to § 28 (2) in the register pursuant to sentence 1. <sup>3</sup>When a new identification number is determined in accordance with Article 27 paragraph 1 or paragraph 5, the period to which the respective identification number of the husbandry facility is assigned must be indicated in the register until the old identification number is deleted.

(2) <sup>1</sup>The Federal Office for Agriculture and Food shall, in agreement with the Federal Office for Information Security, specify more detailed requirements for the data format and the requirements for security against unauthorised access to the register and during data transmission, in particular taking into account the

provisions of Articles 24, 25 and 32 of Regulation (EU) 2016/679. <sup>2</sup>The requirements must correspond to the state of the art and must be continuously adapted by the competent authority in agreement with the Federal Office for Information Security.

### **§ 30 Processing of data from permit holders and foreign enterprises**

(1) The Federal Office for Agriculture and Food shall be authorised to process the data pursuant to § 22 (3), (5) and (6) no. 2, Sections 23, 24 (1) to (3), § 25 (2), § 26 (1), Sections 27, 28 (2), § 29 (1) and § 32 (1) as well as the evidence pursuant to § 22 (4) sentences 1 and 3 and (5), § 23 (2) sentences 2 and 4, § 25 (4) sentence 3 and § 27 (6) for the purposes specified in § 22 (1), § 23 (1) to (3), § 24 (2) and (3), § 25 (1), § 27 (1), (2) and (5), Sections 28, 29 (1) and § 32 (2).

(2) The data and evidence referred to in paragraph 1 may also be processed by the Federal Office for Agriculture and Food for the purpose of monitoring compliance with the provisions of this Act, and in particular may be made available to other authorities competent under this Act.

Footnotes:

(+++ § 30: With regard to application see § 36(2) +++)

### **§ 31 Deletion of data of autorisation holders and foreign enterprises**

<sup>1</sup>Subject to other statutory provisions, personal and non-personal data pursuant to § 22 (3), (4), (6) no. 2, Sections 23, 24 (1) to (3), § 25 (2), § 26 (1), Sections 27, 28 (2), § 29 (1) and § 32 (1) as well as the evidence pursuant to § 22 (4) sentences 1 and 3 and (5), § 23 (2) sentences 2 and 4, § 25 (4) sentence 3 and § 27 (6) shall be deleted by the competent authority one year after the reason for their collection has ceased to exist. <sup>2</sup>If the data is stored electronically, it must be deleted automatically.

Footnotes:

(+++ § 31: With regard to application see § 36(2) +++)

### **§ 32 Recording obligations of foreign enterprises**

(1) The owner of an animal husbandry enterprise is obligated to keep records in accordance with subsection (2) with regard to each husbandry facility specified in the notification pursuant to § 25 subsection (1) sentence 1 and the animals kept therein on

1. the date on which the animal was housed,
2. the average weight of the animals per husbandry group at the time of husbandry,
3. the number of kept animals,
4. the husbandry method according to § 4 Paragraph 1,
5. changes in
  - a) the number of animals kept,
  - b) the husbandry method and
6. the whereabouts of the animals.

(2) <sup>1</sup>The records referred to in paragraph 1 shall be kept in a permanent manner from the time the animals are housed in the holding facility and shall be kept up to date. <sup>2</sup>They shall be kept in writing or electronically and submitted to the Federal Office for Agriculture and Food on request for the purpose of monitoring compliance with the provisions of this Act.

(3) <sup>1</sup>Subject to other legal regulations, the records must be kept by the owner of the animal husbandry enterprise for three years from the date of the respective recording. <sup>2</sup>Subject to other legal regulations, personal data contained herein must be deleted after the retention period has expired. <sup>3</sup>If the data is stored electronically, it must be erased automatically if technically possible.

(4) <sup>1</sup>By way of derogation from paragraph 1, no records are required if corresponding records are to be made in accordance with other legal provisions. <sup>2</sup>The same shall apply insofar as corresponding provisions have been made for the amendment obligations pursuant to paragraph 2 and the retention and erasure obligations pursuant to paragraph 3.

(5) <sup>1</sup>In the case of a recording referred to in paragraph 1(5) or (6), the date of the change shall be indicated in addition to the changes. <sup>2</sup>In addition, the registration number must be stated in a record in accordance with paragraph 1 number 6 in the case of the delivery of an animal to a husbandry facility or a food business operator who has a registration number in accordance with § 26 paragraph 2 of the Livestock Transport Ordinance.

## **Section 4 Monitoring**

### **§ 33 Measures taken by the competent authorities**

(1) <sup>1</sup>The implementation of the provisions of this Act, including the monitoring of compliance, shall be the responsibility of the competent authorities of the Federal States, unless otherwise stipulated in this Act. <sup>2</sup>The competent authorities must regularly monitor compliance with the provisions of this Act.

(2) The competent authority may eliminate detected infringements and prevent future infringements, in particular:

1. by requiring the owner of the animal husbandry enterprise
  - a) to immediately submit an amendment notice if it finds that information from previous communications has become incorrect,
  - b) by requiring the owner to comply with recording obligations that go beyond § 19(1) and § 32 (1) and
2. by requiring the owner to change the labelling of food before it is placed on the market or to provide the final consumer with corrected information if the food has already been placed on the market.

## **§ 34 Implementation of monitoring**

(1) Insofar as it is necessary to monitor compliance with the provisions of this Act in the event of sufficient suspicion of breaches of the provisions of this Act, the persons authorised by the competent authority to carry out the monitoring shall be authorised

1. Plots, housing facilities and domestic enterprises, in or on which animals
  - a) are kept of an animal species referred to in Appendix 2; or
  - b) foodstuffs obtained of animal origin according to Appendix 1 are kept, manufactured, treated or placed on the market,and to enter the associated business premises during normal operating or business hours,
2. to consult, in particular, records, consignment notes, production descriptions and documents relating to the foodstuffs of animal origin used in the manufacturing of foodstuffs of animal origin, and to request copies, extracts, printouts or other reproductions, including from data carriers, from electronic data, from any commercial medium,
3. to or on the plots, housing facilities and operating premises designated in point 1 to make photographs or recordings of the land,
4. to request all necessary information from the owner of the animal husbandry enterprise or the food business operator or from the persons designated by the owner of the animal husbandry enterprise or food business operator, in particular information on the production, labelling and placing on the market of the food.

(2) <sup>1</sup>The recordings or recordings referred to in paragraph 1 shall be destroyed as soon as they are no longer required, but no later than at the end of the third year following the date of their recording or recording. <sup>2</sup>The period in accordance with sentence 1 shall not apply if longer storage is required due to pending fine proceedings, a public prosecutor's investigation or court proceedings. <sup>3</sup>In this case, the recordings or recordings must be destroyed once the proceedings have been legally concluded.

(3) paragraph 1(1) does not apply to living spaces.

## **§ 35 Duty to cooperate**

(1) <sup>1</sup>The owners of the animal husbandry enterprise and food business operators and the persons designated by them who are in possession of the land, facilities and premises referred to in § 35(1)(1) shall be obligated to comply with the measures referred to in § 35(1) and (2) and to support the persons responsible for monitoring in the fulfilment of their duties. <sup>2</sup>In particular, they must, at the request of the persons responsible for monitoring provide the following:

1. information,
2. mark housing facilities, rooms and appliances, and
3. open rooms and containers.

(2) The person obliged to provide information pursuant to paragrphah 1 sentence 2 point 1 may refuse to provide information to such questions, the answer of which would expose himself or one of the relatives referred to in Section 383(1) point 1 to 3 of the Code of Civil Procedure to the risk of criminal prosecution or proceedings under the Act on Administrative Offences.

## **§ 36 Transfer of tasks of the competent authority to persons under private law**

(1) <sup>1</sup>The governments of the Federal States are authorised to regulate the transfer of tasks of the competent authorities in accordance with the provisions of this Act to persons under private law by means of

ordinances.<sup>2</sup> The legal ordinances pursuant to sentence 1 may also regulate the conditions and procedure for lending.

(2) <sup>1</sup>The person governed by private law to whom tasks are delegated in accordance with paragraph 1 must be competent, independent of the business circles concerned and reliable and must guarantee that it has the necessary equipment and organisation to fulfil the tasks assigned to them. <sup>2</sup>This person must ensure that the regulations on the protection of personal data and the protection of trade and business secrets are complied with. <sup>3</sup>Sections 17, 18, 30 and 31 shall apply accordingly to the extent that tasks are transferred by way of a loan in accordance with paragraph 1 or paragraph 4.

(3) Appointed persons shall be subject to the supervision of the relevant competent authority.

(4) The governments of the federal states may transfer the authorisation under paragraph 1 to other authorities by ordinance.

### **§ 37 Mutual information**

The federal and state authorities and agencies responsible for implementing this Act shall notify each other of the agencies responsible for enforcing this Act and the identification numbers of the competent authorities.

### **Section 5 Fine regulations**

### **§ 38 Provisions on fines**

(1) It shall be an administrative offence for any person, who intentionally or negligently acts

1. contrary to § 3 paragraph 1 by failing to ensure that a label is attached,
2. contrary to § 5 paragraph 1 or paragraph 2 sentence 2, in each case also in conjunction with § 21 paragraph 2, a label is used,
3. contrary to § 12 (1) sentence 1, § 13 (1), § 15 (3) sentence 1, § 24 (1) or § 26 (1), fails to make a notification or fails to make it correctly, completely, in the prescribed manner or in good time,
4. contrary to § 19 paragraph 1 or § 32 paragraph 1 does not keep a record or does not keep it correctly,
5. contrary to § 19 paragraph 3 sentence 1 or § 32 paragraph 3 sentence 1 does not keep a record or does not keep it for at least three years,
6. contrary to § 20 paragraph 1, point 1 does not ensure that the connection mentioned there is guaranteed,
7. contrary to Article 20 paragraph 1 number 2, fails to ensure that the information specified therein is transmitted,
8. contrary to Article 20 paragraph 3, fails to provide an identification number, or fails to do so correctly, completely or on time,
9. without the approval pursuant to § 21 paragraph 1 sentence 1 supplies a foodstuff, or
10. contravenes an enforceable order pursuant to § 28 (2) or § 33 (2).

(2) The administrative offence may be punished by a fine of up to thirty thousand euros in the cases referred to in paragraph 1, (1), (6), (8), and (9), and by a fine of up to ten thousand euros in the other cases.

(3) The administrative authority within the meaning of § 36(1)(1) of the Administrative Offences Act shall be the Federal Office for Agriculture and Food in the cases referred to in paragraph 1(2) to (5) and (9), insofar as it is responsible for implementing the provisions referred to therein.

### **§ 39 Confiscation**

<sup>1</sup>If an administrative offence pursuant to § 39(1) has been committed, the following may be imposed:

1. objects to which the administrative offence relates, or
2. objects that can be used to commit or prepare for it, or which were intended for it,

can be confiscated. <sup>2</sup>Section 23 of the Administrative Offences Act shall apply.

### **Section 6 Final provisions**

### **§ 40 Transitional provisions**

(1) <sup>1</sup>By way of derogation from § 12(1), the owner of the animal husbandry enterprise must notify the competent authority by 1 August 2024 of any facilities in which animals are kept on 24 August 2023 from which foodstuffs subject to mandatory labelling pursuant to § 3(1) are obtained. <sup>2</sup>Section 12(2) to (5) shall apply to the notification.

(2) Foodstuffs subject to mandatory labelling in accordance with this Act which are placed on the market or labelled before 1 August 2025 and which do not meet the requirements of this Act may continue to be placed on the market until the respective stocks have been used up.

### **§ 41 References to regulations of the European Community or European Union act**

References in this Act to provisions of the European Community or the European Union refer to the versions specified in Appendix 11.

### **§ 42 Evaluation**

Five years after the entry into force of this law, the Federal Office of Food and Agriculture shall report to the German Bundestag on the effectiveness of the measures taken under this law.

### **§ 43 Entry into force**

This Act comes into force on the day after promulgation.

### **Appendix 1 Foodstuffs of animal origin within the scope of this Act**

(Reference source: Federal Law Gazette 2023 I No 220, p. 21)

Fresh meat: Fresh meat as defined in point 1.10 of Annex I to Regulation (EC) No 853/2004, including minced meat and offal, with the exception of meat preparations.

**Appendix 2**  
**Animal species within the scope of the Act**

(Reference source: Federal Law Gazette 2023 I No 220, p. 22)

1	2
Animal species	Category of animals
Pig	Animals of the species <i>Sus scrofa f. domestica</i> intended for slaughter at the age of ten weeks until slaughter (fattening pig)

**Appendix 3 (referred to § 3(2))**  
**Husbandry period**

(Reference source: Federal Law Gazette 2023 I No 220, p. 23)

The relevant period for fattening pigs when the animals are slaughtered at the age of more than 10 weeks and with a live weight of at least 40 kilograms shall be the husbandry period after the animals have reached a live weight of 30 kilograms.

**Appendix 4 (to § 4 paragraph 2 number 1)**  
**Requirements on the husbandry of animals**

(Reference source: Federal Law Gazette 2023 I No. 220, p. 24 - 27)

**Chapter I: Husbandry method 'stable'**

When labelling foodstuffs obtained from fattening pigs, the term "barn" must be used if the animals have been kept in a husbandry facility that meets the requirements of sentence 3 during the relevant part of the rearing period. The pigs for fattening must be kept in a fortified, fully covered and closed or predominantly enclosed building or room. The building or the room must

1. fulfil the requirements for husbandry facilities in accordance with Sections 3 and 22 of the Animal Welfare Farm Animal Husbandry Ordinance and
2. be designed in such a way that each animal has at least
  - a) an unrestricted floor area in accordance with § 29(2) sentence 1 of the Livestock Farming Ordinance,
  - b) a resting area in accordance with § 29(2) sentence 2 of the Animal Welfare Livestock Farming Ordinance, and
  - c) organic and fibre-rich enrichment material that is harmless to health and available in sufficient quantities, to which each pig has access at all times and which the pig can examine and move and which can be changed by the pig and thus serves to promote exploratory behaviour.

**Chapter II: Husbandry method 'stable+space'**

When labelling foodstuffs obtained from fattening pigs, the designation "stable+place" must be used if the animals at the relevant stage of husbandry

1. have been kept in a husbandry facility which

- a) consists of a fortified, fully or partially roofed and enclosed or predominantly enclosed building or room,
- b) fulfils the requirements for housing facilities in accordance with Sections 3 and 22 of the Animal Welfare Farming Ordinance,
- c) provides each animal, notwithstanding § 29(2) sentence 1 of the Ordinance on the Keeping of Farm Animals for Livestock Protection, with at least one unrestricted usable floor area in accordance with Table 1, depending on the average weight of the animals,
- d) provides each animal with a lying area in accordance with § 29(2) sentence 2 in conjunction with sentence 1 of the Ordinance on the Keeping of Livestock for Farm Animal Welfare,
- e) has animal pens equipped with the following elements that comply with the requirements of the Ordinance on the Keeping of Livestock for Farm Animal Welfare:
  - aa) organic and fibre-rich enrichment material that is harmless to health and available in sufficient quantities, to which each animal has access at all times and which the pig can examine and move and which can be changed by the pig and thus serves exploratory behaviour, and
  - bb) roughage that is given in addition to the enrichment material referred to in double letter
- f) has pens that are equipped with at least three of the following elements that fulfil the requirements of the Animal Welfare Farming Ordinance:
  - aa) contact lattices between bays allowing at least three fattening pigs simultaneously to be in contact with fattening pigs of another group;
  - bb) partition walls within the bays that separate different functional areas from each other;
  - cc) one or more raised levels above the floor area which are safe for the pigs to use and easily accessible via a ramp and whose areas are not counted towards the unrestricted floor area referred to in point 1(c),
  - dd) Micro-climate areas offering different temperature ranges within the bays;
  - ee) different lighting conditions in the bays;
  - ff) suitable scouring devices;
  - gg) at least one suitable drinking trough with an open water surface for up to 24 fattening pigs each, which is available in addition to § 29(3) in conjunction with § 28(2)(5) of the Livestock Farming Ordinance,
  - hh) a lying area which has a maximum perforation level of five per cent and must be soft or littered and which has at least one area for each animal in accordance with Table 2, depending on the average weight of the animals,
  - ii) other elements that allow additional structuring of the bay.

or

2. have been kept in a housing facility which:

- a) fulfils the requirements of point 1(a) to (e)(aa) and
- b) in which the animals have at all times a limited area outside a stable, which can be visited and left by the pigs independently (outdoor run) and thus allows each animal to perceive external weather influences and environmental impressions.

Table 1:

1	2
Average weight in kilograms	Floor area in square meters
over 30 to 50	0.563

1	2
Average weight in kilograms	Floor area in square meters
over 50 to 110	0.844
more than 110	1.125

Table 2:

1	2
Average weight in kilograms	Lying area in square meters
over 30 to 50	0.3
over 50 to 110	0.6
more than 110	0.9

"By way of derogation from sentence 1 number 2(d), the period during which animals are allowed to be outdoors may be reduced for the necessary period of cleaning or for a short time, where this is absolutely necessary in individual cases for reasons of animal welfare."

### **Chapter III: Husbandry method 'fresh-air stable'**

For the labelling of foodstuffs obtained from fattening pigs, the name 'fresh-air stable' shall be used if the animals in the relevant husbandry period:

1. have been kept in a housing facility which:
  - a) consists of a fortified and fully or partially roofed building or room that fulfils the requirements for housing facilities in accordance with Sections 3 and 22 (2), (3), (3a) sentence 1 numbers 1, 2 and (4) of the Animal Welfare Farm Animal Husbandry Ordinance as amended ... [Draft 8. Amendment Ordinance]<sup>6</sup>
  - b) it is designed in such a way that
    - aa) the outdoor climate in each bay has a significant influence on the stable climate,
    - bb) each animal has access to different climatic areas at all times; and
    - cc) each pig has access at all times to organic and fibrous-rich organic and fibrous material that is safe for health and which can be manipulated by the pig, and thus serves its exploratory behaviour; and
  - c) provides each pig with at least one unrestricted floor area in accordance with the average weight of the animals as shown in the following table:

1	2
Average weight in kilograms	Floor area in square meters
over 30 to 50	0.7
over 50 to 120	1.3

or

2. have been kept in a housing facility,
  - a) which fulfil the requirements of §§ 3 and 22 of the Animal Welfare Farm Animal Husbandry Ordinance in the version ... [Draft 8. Amendment Ordinance]<sup>7</sup>
  - b) consisting of a fortified, fully or partially covered and closed or predominantly enclosed building or room,
  - c) in which the animals in the building or in the room within the respective pen have a resting area in accordance with § 29 (2) sentence 2 in conjunction with sentence 1 of the Animal

Welfare Farm Animal Husbandry Ordinance,

- d) in which the animals have access to an exercise area at all times, thus enabling each animal to perceive external weather influences and environmental impressions, and
- e) in which, notwithstanding § 29(2) sentence 1 of the Animal Welfare Livestock Farming Ordinance, each pig is provided with at least one unrestricted floor area in accordance with the following table, depending on the average weight of the animals:

1	2
Average weight in kilograms	Floor area in square meters
over 30 to 50	0.7
over 50 to 120	1.1
more than 120	1.4

By way of derogation from point 1(c) of the first sentence, the animals may be provided with a lower unrestricted floor area, provided that reasons for animal welfare are not precluded.

By way of derogation from sentence 1 number 2 letter d, the time during which the animals have access to the exercise area may be reduced for the necessary duration of cleaning or for a short period if this is absolutely necessary in individual cases for reasons of animal welfare.

#### **Chapter IV: Housing form “outdoor run/free-range”**

In the labelling of foodstuffs obtained from fattening pigs, the designation “outdoor run/free-range” must be used if the animals have been kept in a housing facility that meets the requirements of sentence 2 during the relevant part of the rearing period. The fattening pigs must

1. be kept in a housing facility,
  - a) which fulfil the requirements of §§ 3 and 22 of the Animal Welfare Farm Animal Husbandry Ordinance in the version ... [Draft 8. Amendment Ordinance]<sup>8</sup>
  - b) consisting of a fortified, fully or partially covered and closed or predominantly enclosed building or room,
    - aa) in which each animal, notwithstanding § 29(2) sentence 1 of the Animal Welfare Farm Animal Husbandry Ordinance, has at least one unrestricted usable floor area in accordance with Table 1, depending on the average weight of the animals,
    - bb) in which each animal has a bedded lying area, and
    - cc) in which, notwithstanding § 22(3)(4) of the Animal Welfare Farming Ordinance, a predominant part of the floor area is enclosed, and
  - c) in which every pig has access at all times to a sufficient quantity of organic and fibre-rich, non-hazardous material that the pig can examine and move around and that can be changed by the pig to encourage exploratory behaviour, and
  - d) in which the animals have access at all times to an exercise area which, in accordance with the average weight of the animals per pig, has at least one enclosed, unrestricted floor area in accordance with Table 2, notwithstanding § 22(3)(4) of the Animal Welfare Farming Ordinance,
- or
2. be kept in a housing facility,
  - a) which fulfils the requirements of § 3 of the Animal Welfare Livestock Farming Ordinance,
  - b) in which they are kept permanently, outdoors without a fixed stable in accordance with § 29a of the Animal Welfare Farm Animal Husbandry Ordinance in the version ... [Draft 8. of Change Regulation]<sup>9</sup>
  - c) in which every pig has access at all times to a sufficient quantity of organic and fibre-rich,

non-hazardous material that the pig can examine and move and that can be changed by the pig and thus serves its exploratory behaviour.

By way of derogation from sentence 2 number 1 letter d or number 2 letter b, the time during which the animals have access to the exercise area may be reduced for the necessary duration of cleaning or for a short period if this is absolutely necessary in individual cases for reasons of animal welfare. For the period in which the animals are not kept outdoors without a fixed stable, the animals must be kept in a housing facility that fulfils the requirements of Sections 3, 22 and 29(2) sentence 1 of the Animal Welfare Farm Animal Husbandry Ordinance, in derogation of sentence 2(2)(b).

Table 1:

1	2
Average weight in kilograms	Floor area in square meters
over 30 to 50	0.5
over 50 to 120	1.0
more than 120	1.5

Table 2:

1	2
Average weight in kilograms	Floor area of in square meters
over 30 to 50	0.25
over 50 to 120	0.5
more than 120	0.8

- <sup>6</sup> Note from the editor: The referenced Eighth Ordinance amending the Animal Welfare Livestock Farming Ordinance has not yet been adopted.
- <sup>7</sup> Note from the editor: The referenced Eighth Ordinance amending the Animal Welfare Livestock Farming Ordinance has not yet been adopted.
- <sup>8</sup> Note from the editor: The referenced Eighth Ordinance amending the Animal Welfare Livestock Farming Ordinance has not yet been adopted.
- <sup>9</sup> Note from the editor: The referenced Eighth Ordinance amending the Animal Welfare Livestock Farming Ordinance has not yet been adopted.

#### **Appendix 5 (referred to § 7(2)) Labelling for pre-packaged food in black colour**

(Reference source: Federal Law Gazette 2023 I No. 220, p. 28 - 29)

1. Sample animal husbandry identification according to § 7 paragraph 2:

- a) Sample husbandry method 'stable'



TIERHALTUNG	TIERHALTUNG
Bio	Bio
Auslauf/Weide	Outdoor/free-range

Frischluftstall	Frischluftstall
Stall+Platz	Stall+Platz
Stall	Stall
PLATZHALTER	PLATZHALTER

b) Sample husbandry method 'stable+space'



TIERHALTUNG	ANIMAL HUSBANDRY
Bio	Organic
Auslauf/Weide	Outdoor/free-range
Frischluftstall	Fresh-air stable
Stall+Platz	Stable+space
Stall	Stable
PLATZHALTER	PLATZHALTER

c) Sample husbandry method 'fresh-air stable'



TIERHALTUNG	ANIMAL HUSBANDRY
Bio	Organic
Auslauf/Weide	Outdoor/free-range
Frischluftstall	Fresh-air stable
Stall+Platz	Stable+space
Stall	Stable
PLATZHALTER	PLACEHOLDERS

d) Sample husbandry method 'outdoor run/free-range'



TIERHALTUNG	ANIMAL HUSBANDRY
Bio	Organic
Auslauf/Weide	Outdoor/free-range
Frischluftstall	Fresh-air stable
Stall+Platz	Stable+space
Stall	Stable
PLATZHALTER	PLACEHOLDERS

e) Sample husbandry method 'organic'



TIERHALTUNG	ANIMAL HUSBANDRY
Bio	Organic
Auslauf/Weide	Outdoor/free-range
Frischluftstall	Fresh-air stable
Stall+Platz	Stable+space
Stall	Stable
PLATZHALTER	PLACEHOLDERS

2. Technical description of the animal husbandry identification according to § 7 paragraph 2:

a) Colours

The label shall be two-coloured. The letters, the outlined rounded rectangles and the QR code must be printed in black. The background must be white.  
Black portion (black = 100 %)

b) Design

The label shall consist of an outlined rounded rectangle. In the rectangle the word 'animal husbandry' must be written, going from the bottom left to the top left. On the right side of the word 'animal husbandry' five outlined rounded rectangles have to stand underneath each other. Next to each rectangle, one of the five husbandry methods must be placed in the following order from top to bottom:

1. 'Organic',
2. 'Outdoor run/free-range',
3. 'Fresh-air stable',
4. 'Stable+space',
5. 'Stable'.

The relevant husbandry method shall be labelled with a black filling of the rounded rectangle. There must be a QR code to the right of the husbandry systems, which can be used to call up information on the husbandry systems on the website [www.tierhaltungskennzeichnung.de/scan](http://www.tierhaltungskennzeichnung.de/scan).

c) Protection zone

The label shall be framed by a rectangular free area in which no lettering or other drawings are permitted. The width of the area referred to in the first sentence shall correspond to at least one eighth the width of the label in each direction.

d) Size

A font size with an x-height of at least 1.2 millimetres must be used for labelling. By way of derogation from sentence 1, the x-height of the font size may be at least 0.9 millimetres for packaging or containers whose largest surface area is less than 80 square centimetres.  
Definition of the x-height

1  
2  
3  
4  
5  
6  
7

# Appendix

Key

1	Upper Line
2	Versal Line
3	Center line
4	Baseline
5	Subline
6	x-height
7	Font size

e) Rotation  
The label may be rotated by no more than 15 degrees in any direction.

f) Sizes and space ratio  
The size ratio and the spatial ratio of the word and graphic components of the label must not be changed.

**Appendix 6 (on § 7 (3), sentence 3)  
Black colour labelling for pre-packaged food of animal origin of various species**

(Reference source: Federal Law Gazette 2023 I No 220, p. 30)

1. Sample animal husbandry identification pursuant to § 7(3) sentence 3

## Tierart Schwein



Tierart Schwein	Animal species Pig
TIERHALTUNG	TIERHALTUNG
Bio	Bio
Auslauf/Weide	Outdoor/free-range
Frischluftstall	Frischluftstall
Stall+Platz	Stall+Platz
Stall	Stall
PLATZHALTER	PLATZHALTER

2. Technical description

a) Colours  
The label shall be two-coloured. The letters, the outlined rounded rectangles and the QR code must be printed in black. The numbers and characters in the black-marked rounded

rectangles must be white. The background must be white.  
Black portion (black = 100 %)

b) Design

The label shall consist of an outlined rounded rectangle. In the rectangle the word 'animal husbandry' must be written, going from the bottom left to the top left. On the right side of the word 'animal husbandry' five outlined rounded rectangles have to stand underneath each other. In addition to each rectangle, one of the five forms of husbandry shall be in order from top to bottom:

1. 'Organic',
2. 'Outdoor run/free-range',
3. 'Fresh-air stable',
4. 'Stable+space',
5. 'Stable'.

The relevant husbandry method shall be marked by a black filling of the rounded rectangles. There must be a QR code to the right of the husbandry systems, which can be used to call up information on the husbandry systems on the website [www.tierhaltungskennzeichnung.de/scan](http://www.tierhaltungskennzeichnung.de/scan).

In addition, the word 'animal species' shall be indicated on the left-hand side of the bordered rounded rectangle in bold black font followed by the animal species from which the part of the food subject to labelling was obtained.

c) Protection zone, size, rotation, size and space ratio

The technical description of points 2(c) to (f) of Appendix 5 shall apply accordingly.

**Appendix 7 (referred to § 8)  
Labelling for pre-packaged foodstuffs in colour**

(Reference source: Federal Law Gazette 2023 I No 220, p. 31)

1. Model animal husbandry identification according to § 8:



TIERHALTUNG	ANIMAL HUSBANDRY
Bio	Organic
Auslauf/Weide	Outdoor/free-range
Frischluftstall	Fresh-air stable
Stall+Platz	Stable+space
Stall	Stable
PLATZHALTER	PLACEHOLDERS

2. Technical description of the animal husbandry identification according to § 8:

a) Colours

The label must be four-coloured. The letters, the outlined rounded rectangle label, the relevant husbandry method, and the QR code shall be printed in black. The rounded rectangles, which are not to be marked, must be printed in white without outlining. The

background has to be mint green. The background of the QR code has to be white. The outer edge must be pale mint green.

Black portion (black = 100 %)

Mint green portion (print colour values CMYK: C=65 %, M=0 %, Y=30 %, K=0 %)

Mint green portion (print colour values CMYK: C=65 %, M=0 %, Y=30 %, K=0 %)

b) Design, protection zone, size, rotation, size and space ratio

The technical description of points 2(b) to (f) of Appendix 5 shall apply accordingly.

**Appendix 8 (referred to § 11)  
Special cases of labelling for pre-packaged foods in black colour**

(Reference source: Federal Law Gazette 2023 I No. 220, p. 32 - 33)

**Chapter I: Animal husbandry labelling in accordance with § 11 (1) and (3)**

1. Sample



TIERHALTUNG	ANIMAL HUSBANDRY
Bio	Organic
Auslauf/Weide	Outdoor/free-range
Frischluftstall	Fresh-air stable
Stall+Platz	Stable+space
Stall	Stable
PLATZHALTER	PLACEHOLDERS

2. Technical description

a) Colours

The label shall be two-coloured. The letters, the outlined rounded rectangles and the QR code must be printed in black. The numbers and characters in the black-marked rounded rectangles must be white. The background must be white.

Black portion (black = 100 %)

b) Design

The label shall consist of an outlined rounded rectangle. In the rectangle the word 'animal husbandry' must be written, going from the bottom left to the top left. On the right side of the word 'animal husbandry' five outlined rounded rectangles have to stand underneath each other. Next to each rectangle, one of the five husbandry methods must be placed in the following order from top to bottom:

1. 'Organic',
2. 'Outdoor run/free-range',
3. 'Fresh-air stable',
4. 'Stable+space',
5. 'Stable'.

The relevant husbandry method shall be marked by a black filling of the rounded rectangles. In the outlined rounded rectangles, the respective proportion of the holding shape of the

entire food must be indicated as a percentage in white writing. There must be a QR code to the right of the husbandry systems, which can be used to call up information on the husbandry systems on the website [www.tierhaltungskennzeichnung.de/scan](http://www.tierhaltungskennzeichnung.de/scan).

c) Protection zone, size, rotation, size and space ratio  
The technical description of points 2(c) to (f) of Appendix 5 shall apply accordingly.

## Chapter II: Animal husbandry labelling in accordance with § 11(2) and (4)

### 1. Sample



### 30 % kennzeichnungsfreier Anteil

TIERHALTUNG	ANIMAL HUSBANDRY
Bio	Organic
Auslauf/Weide	Outdoor/free-range
Frischluftstall	Fresh-air stable
Stall+Platz	Stable+space
Stall	Stable
PLATZHALTER	PLACEHOLDERS
30% kennzeichnungsfreier Anteil	30% non-labelled portion

### 2. Technical description

a) Colours  
The label shall be two-coloured. The letters, the outlined rounded rectangles and the QR code must be printed in black. The numbers and characters in the black-marked rounded rectangles must be white. The background must be white.  
Black portion (black = 100 %)

b) Design  
The label shall consist of an outlined rounded rectangle. In the rectangle the word 'animal husbandry' must be written, going from the bottom left to the top left. On the right side of the word 'animal husbandry' five outlined rounded rectangles have to stand underneath each other. Next to each rectangle, one of the five husbandry methods must be placed in the following order from top to bottom:

1. 'Organic',
2. 'Outdoor run/free-range',
3. 'Fresh-air stable',
4. 'Stable+space',
5. 'Stable'.

The relevant husbandry method shall be marked by a black filling of the rounded rectangles. In the rounded rectangles, the respective proportion of the husbandry methods subject to labelling of the total foodstuff shall be indicated as a percentage in white.

There must be a QR code to the right of the husbandry systems, which can be used to call up information on the husbandry systems on the website [www.tierhaltungskennzeichnung.de/scan](http://www.tierhaltungskennzeichnung.de/scan).

In addition, the percentage of the non-labelled food in the total foodstuff shall be indicated in

the middle of the rounded rectangle in bold black, followed by the indication 'non-labelled proportion'.

c) Protection zone, size, rotation, size and space ratio

The technical description of points 2(c) to (f) of Appendix 5 shall apply accordingly.

**Appendix 9 (referred to § 14(5))**  
**Labelling for husbandry in domestic enterprises**

(Reference source: Federal Law Gazette 2023 I No 220, p. 34)

The husbandry identifier as part of the identification number for housing facilities of domestic enterprises shall be composed of an identification number for the species, the husbandry methods, the country of origin and the Lander in which the enterprise is established, in accordance with the following table:

1	2	3	4
Animal species	Husbandry method	Country of origin	Federal state
SW — Pig [Schwein]	STA — Stable [Stall] STP — Stable+space [Stall + Platz] FRI — Fresh-air stable [Frischluftstall] AFH — Outdoor run/free-range BIO — organic [Bio]	DE — Germany	01 — Schleswig-Holstein 02 — Hamburg 03 — Lower Saxony 04 — Bremen 05 — North Rhine-Westphalia 06 — Hesse 07 — Rhineland-Palatinate 08 — Baden-Württemberg 09 — Bavaria 10 — Saarland 11 — Berlin 12 — Brandenburg 13 — Mecklenburg-Vorpommern 14 — Saxony 15 — Saxony-Anhalt 16 — Thuringia

Example: SWSTADE01

**Appendix 10 (referred to § 27(2))**  
**Identification of husbandry for foreign enterprises**

(Reference source: Federal Law Gazette 2023 I No 220, p. 35)

The husbandry identifier as part of the identification number for housing facilities of foreign enterprises shall be composed of an identification number for the species, the husbandry method and the country of origin in which the holding is established, in accordance with the following table:

1	2	3
Animal species	Husbandry method	Country of origin
SW — Pig [Schwein]	STA — Stable [Stall] STP — Stable+space [Stall + Platz] FRI — Fresh-air stable [Frischluftstall] AFH — Outdoor run/free-range BIO — organic [Bio]	Use of the two-digit ISO code (ISO 3166 alpha-2), except for Greece (EL)

Example: SWSTAEL

**Appendix 11 (referred to § 41)**  
**List of references of the Regulations of the European Community or of the European Union**

(Reference source: Federal Law Gazette 2023 I No 220, p. 36)

1. Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food act, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1), as last amended by Regulation (EU) 2019/1381 (OJ L 231, 6.9.2019, p. 1),
2. Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55; (OJ L 226, 25 June 2004, p. 22); (OJ L 204, 04 August 2007, p. 26); (OJ L 46, 21 February 2008, p. 50); (OJ L 119, 13 May 2010, p. 26); (OJ L 160, 12 June 2013, p. 15); OJ L 13, 16.1.2019, p. 12, as last amended by Regulation (EU) 2021/1756 (OJ L 357, 8.10.2021, p. 27),
3. the provisions of Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18; (OJ L 331, 18 November 2014, p. 40); (OJ L 50, 21 February 2015, p. 48); OJ L 266, 30.9.2016, p. 7, as last amended by Regulation (EU) 2015/2283 (OJ L 327, 11.12.2015, p. 1),
4. Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on animal diseases and amending and repealing certain acts in the field of animal health (OJ L 84, 31.3.2016, p. 1); (OJ L 57, 03 March 2017, p. 65); (OJ L 84, 20 March 2020, p. 24); (OJ L 48, 11 February 2021, p. 3); (OJ L 224, 24 June 2021, p. 42).
5. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), (OJ L 119 of 4.5.2016, p. 1). (OJ L 314, 22 November 2016, p. 72); (OJ L 127, 23 May 2018, p. 2); (OJ L 74, 04 March 2021, p. 35).
6. Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1); (OJ L 260, 17 October 2018, p. 25); (OJ L 262, 19 October 2018, p. 90); (OJ L 270, 29 October 2018, p. 37); (OJ L 305, 26 November 2019, p. 59); (OJ L 37, 10 February 2020, p. 26); (OJ L 324, 06 October 2020, p. 65); (OJ L 7, 11 January 2021, p. 53); (OJ L 204, 10 June 2021, p. 47); OJ L 318, 9.9.2021, p. 5, as last amended by Delegated Regulation (EU) 2022/474 (OJ L 98, 25.3.2022, p. 1).

**Editorial notes**

This standard contains non-official sentence numbers.