



Annex 9.2 Gate-Keeping regulation

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1. General

If **compound feed** is purchased directly from a producer, the producer has to be eligible to deliver into the QS scheme.

Nevertheless, it may be necessary, particularly when entering new markets, to procure goods from non-certified producers or traders for a defined period. Therefore, the following possibilities exist:

- Gate-Keeping for non-certified producers of additives and premixtures
- Gate-Keeping for non-certified feed material producers
- Gate-Keeping for non-certified traders of agricultural primary products

Generally applies:

- Gate-Keeping for suppliers, which are certified according to a standard recognized by QS, is not possible. Which standards are currently recognized by QS for which activities, can be seen in → Annex 9.1.
- Gate-Keepers must deposit all raw materials, suppliers and transport service provider, for which they act as a Gate-Keeper, in the QS database at the location information and must always keep them up to date.
- The regulations also apply to the purchase of packaged goods from non-certified suppliers.

2. Gate-Keeping for non-certified producers of additives and premixtures

If a feed company wants to purchase additives or premixes directly from producers which are not certified (according to QS or a standard recognized by QS), this is possible under the following conditions:

- The supplier (producer of additive/premixture) is integrated into the supplier evaluation.
- If the supplier commissions the transport, requirements have to be defined for the transport, which delivers the additives/premixtures. For transport of bulk products, it must at least be required that the last three freights and the conducted cleaning regimes are proved and that they are corresponding to the ICRT-requirements. If the Gate-Keeper commissions the transport himself, certified transport companies have to be chosen.
- The additive/premixture is included into the feed monitoring and Gate-Keeping is conducted separately for **every non-certified producer**. For this purpose, a site-specific control must be submitted to QS which has to be released by QS. Therefore, the form "Request for a Site-Specific Control Plan" can be used (see www.q-s.de). The sample related data and the analysis results must be entered into the software platform feed monitoring and must be marked with the sample type "Gate-Keeping".

3. Gate-Keeping for non-certified feed material producers and traders

If a feed company wishes to purchase feed material from producers or traders which are not certified (according to QS or a standard recognized by QS), this is possible under the following conditions:

- The product is listed in **Annex 9.5 QS-list of feed materials** of the Guideline Feed Sector.
- The producer or trader is integrated into the supplier evaluation.
- If the supplier commissions the transport, requirements have to be defined for the transport, which delivers the feed materials. For transport of bulk products, it must at least be required that the last three freights and the conducted cleaning regimes are proved and that they are corresponding to the ICRT-requirements. If the Gate-Keeper commissions the transport himself, certified transport companies have to be chosen.
- Each delivered batch has to be sampled and the monitoring for undesired substances has to be conducted.

| Transport | Sampling | Analysis | Parameter |
|-----------------------------------|--------------------|--------------------------|--|
| Seagoing vessel ^{1, 2} | 1 sample per hold | Each sample | According to Guideline Feed Monitoring |
| Inland waterway vessel or coaster | 1 sample per hold | Each sample | According to Guideline Feed Monitoring |
| Train | 1 sample per train | Each sample | According to Guideline Feed Monitoring |
| Truck ³ | 1 sample per truck | 1 per batch (max. 500 t) | According to Guideline Feed Monitoring |

¹For seagoing vessels sampling per hold is not always possible. In this case the Gate-Keeper can alternatively do 1 analysis per 8000 tons.

²Containers at seagoing vessels (ca. 25-27 t) are treated just as trucks

³Pooling of several lorry supplies, which belong to one batch, is possible (max. 500 t).

- The sample taking has to be done according to the requirements of the Guideline Feed Monitoring.
- The parameters which have to be analysed have to follow the corresponding control plans for feed material producers in the Guideline Feed Monitoring. The correlation of the single products to the correspondent control plans is shown in **Annex 9.5 QS-list of feed materials** of the Guideline Feed Sector. For feed materials, for which there is no sector-specific control plan available in the guideline, a site-specific control plan has to be submitted to QS and approved by QS. Therefore the "Request for a Site-Specific Control Plan" can be used (see www.q-s.de).



- The sample related data and the analysis results must be entered into the QS database and must be marked with the sample type "Gate-Keeping".

Exceptions for the batch-by-batch monitoring

Under the following conditions it can be dispensed with batch-by-batch sampling for suppliers which are already in the process of certification:

- All suppliers of the supply chain (from feed material producer up to all traders) are known to the Gate-Keeper and the feed has been stored and traded completely separately (fully segregated chain).
- Before the first delivery the not-certified supplier must have started the certification process. This means there must exist at least a certification contract with a recognized certification body. A written confirmation of this must be present at the Gate-Keeper by the certification body. The certification must be completed within 18 months. If the supplier does not have a certification within this period of time, reducing the monitoring is not possible anymore. The Gate-Keeper has to analyse then each delivered batch on undesired substances.
- The Gate-Keeper has to create a control plan according to the Guideline Feed Monitoring and determine the number of analysis risk-oriented.
- The usage of this exception has to be released by QS in advance. Therefore, all information about the supply chain as well as the written confirmation of the certification body have to be sent to QS. Moreover, the control plan has to be confirmed by the QS office.

Limitations to the Gate-Keeper-possibilities for certain origins or products

For all feed materials which are produced in one of the following **countries** and for traders which are located in one of the following countries, there is no Gate-Keeping possible:

- Germany
- Netherlands
- Belgium
- Great Britain
- Luxembourg
- Austria
- Peru (applies only for fish meal)
- Pakistan (applies only for molasses)
- Indonesia (applies only for palm kernel expeller)
- Malaysia (applies only for palm kernel expeller)

This means that feed material producers from the countries listed above must be certified in accordance with QS or a QS-recognised standard. Gate-Keeping is not permitted for goods from these **countries** and for purchase from traders of these countries.

Example:

| Product | Place of the not-certified feed material producer | Place of the not-certified trader | Gate-Keeper-possibility |
|---------------|---|-----------------------------------|-------------------------|
| Soy bean meal | Germany | Switzerland | No |
| | Switzerland | Germany | No |
| | Brasilia | Switzerland | Yes |
| | Unknown | Switzerland | No |

Special release for risky products

For the following products Gate-Keeping is not possible as they have been classified as risky products within the QS scheme:

- Fatty acids from chemical refining
- Fatty acids esterified with glycerol
- Crude fatty acids from splitting
- Pure distilled fatty acids from splitting
- Fatty acid distillates from physical refining
- Mono- and diglycerides of fatty acids esterified with organic acids
- Fish oil (incl. fish oil hydrogenized and fish oil refined, hydrogenized)
- Fish oil stearine (winterized fish oil)



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- Salts from fatty acids
- Mono-, Di- and Triglycerides of fatty acids
- Raw coconut oil
- Raw cacao butter

This means that the above-mentioned feed materials may only be purchased from producers and traders which are certified and eligible to deliver into the QS scheme. Nevertheless, if a producer or trader can prove that the supply of one of the above-mentioned feed materials is not possible from a certified resource, he can ask for a **special release** at the QS office. Therefore, the following regulation is valid:

- The company has to argue in written form that there is no certified producer or trader as supplier available. Pure economic reasons are not acceptable.
- The supplier is not located in one of the above-mentioned countries.
- The supplier has to be integrated into the supplier evaluation.
- For the Gate-Keeping there has to be established a control plan for each non-certified producer or trader and every product. The control plan has to be applied for at QS (form "Request for a Site-Specific Control Plan", see www.q-s.de). Therefor the requirements of the Guideline Feed Monitoring are relevant and, depending on the product and supplier, additional requirements, which are defined in written form by QS. The control plan has to be released by QS. In case of approval the QS scheme participant will receive a written confirmation from QS.
- The data accompanying the samples and the analysis results have to be entered into the feed monitoring database and must be marked with the sample type "Gate-Keeping".
- QS gives a temporarily restricted approval to the Gate-Keeping (in general for one year). After that the producer has to get certified or the Gate-Keeper has to choose another resource.

Evaluation of the Gate-Keeping-possibilities by QS

QS evaluates regularly which feed materials and/or countries get excluded from the Gate-Keeping regulation. On the basis of this assessment further countries, products or product-country-combinations can get excluded from the Gate-Keeping regulation. Currently, the following countries resp. product-country-combinations are assessed:

- Poland
- France
- Italy
- Spain
- Brasilia: oil seed meals and citric pulp
- Argentinia: oil seed meals

4. Gate-Keeping for non-certified suppliers of primary agricultural products

4.1 Gate-Keeping for non-certified suppliers, when purchasing cereals, (oil) seeds or legumes

If a feed company wants to purchase cereals, (oil) seeds or legumes as unprocessed agricultural primary products via a trader, which is not certified according to QS or a standard recognized by QS, this is possible under the following conditions:

- The trader is integrated into the supplier evaluation.
- There are requirements defined for the transport, which delivers the cereals, (oil) seeds or legumes. For transport of bulk products, it must at least be required that the last three freights and the conducted cleaning regimes are proved and that they are corresponding to the ICRT-requirements. If the Gate-Keeper commissions the transport himself, certified transport companies have to be chosen.
- The Gate-Keeper deposits all information on Gate-Keeping in the QS database.
- Each delivered batch has to be sampled and the monitoring for undesired substances has to be conducted.

| Transport | Sampling | Analysis | Parameter |
|-----------------------------------|--------------------|--------------------------|--|
| Seagoing vessel ^{1, 2} | 1 sample per hold | Each sample | According to Guideline Feed Monitoring |
| Inland waterway vessel or coaster | 1 sample per hold | Each sample | According to Guideline Feed Monitoring |
| Train | 1 sample per train | Each sample | According to Guideline Feed Monitoring |
| Truck ³ | 1 sample per truck | 1 per batch (max. 500 t) | According to Guideline Feed Monitoring |

¹For seagoing vessels sampling per hold is not always possible. In this case the Gate-Keeper can alternatively do 1 analysis per 8000 tons. For seagoing vessels, sampling must be carried out by an independent sampler (in the port of loading or unloading).

²Containers at seagoing vessels (ca. 25-27 t) are treated just as trucks

³Pooling of several lorry supplies, which belong to one batch, is possible (max. 500 t).

- The sample taking has to be done according to the requirements of the Guideline Feed Monitoring.
- The parameters which have to be analysed have to follow the corresponding control plans for feed material producers in the Guideline Feed Monitoring.
- The sample related data and the analysis results must be entered into the feed monitoring database.
- In case the Gate-Keeper has a written statement from the drying company that proves, that
 - natural gas is used, or
 - indirect or no drying is applied,

the batch related monitoring can be reduced (in accordance with HACCP respectively guideline feed monitoring).

The whole batch must be kept segregated from the other batches, unless it is tested and approved.

- The data accompanying the samples and the analysis results have to be entered into the feed monitoring database and must be marked with the sample type "Gate-Keeping".

Limitations to this regulation for certain origins

For traders in the following **countries** there is no Gate-Keeping possible:

- | | | |
|---------------|-----------------|--------------|
| ■ Germany | ■ Belgium | ■ Luxembourg |
| ■ Netherlands | ■ Great Britain | ■ Austria |
| ■ Denmark | ■ Ireland | ■ Greece |
| ■ Canada | | |

This means that traders from the countries listed above must be certified in accordance with QS or a QS-recognised standard. Gate-Keeping is not permitted for goods from these countries.

Exception for pure delivery trading of cereals, (oil)seeds and legumes

If grain, (oil) seeds and legumes are purchased from a non-certified trader via an intermediary certified pure delivery trader, the implementation of the monitoring and supplier evaluation requirements can be transferred from the certified pure delivery trader to the QS-certified purchaser (recipient of the goods). Contractual regulations must exist between the pure delivery trader and the purchaser. The purchaser (buyer of the goods) then acts as Gate-Keeper and in this case is obliged to deposit all information on this transaction in the QS database. In the audit, the pure delivery trader is obliged to prove that the contractually stipulated agreement is implemented (e.g. by showing the monitoring results).

4.2 Gate-Keeping for non-certified agricultural producer associations when purchasing hay and straw

If a feed company wishes to purchase unprocessed hay and straw from a non-certified agricultural producer association, this is possible under the following conditions:

- The producer association is integrated into the supplier evaluation.



- Requirements are defined for the transporter who delivers the hay and straw. At a minimum, these must include proof of the last three previous loads and the cleaning measures carried out and that these comply with the ICRT specifications. If the Gate-Keeper commissions the transport, it must be certified.
- The Gate-Keeper deposits all information on the Gate-Keeping in the QS database.
- In the framework of the regular feed monitoring, the goods must be analysed in accordance with the corresponding control plans in the Guideline Feed Monitoring.

5. Gate-Keeping for products from the intervention

If a feed company wants to purchase products from the intervention, this is possible under the following conditions:

- The storage facility is integrated into the HACCP concept.
- If the Gate-Keeper commissions the transport himself, certified transport companies have to be chosen. If the transport is not commissioned by the Gate-Keeper, requirements have to be defined for the transport company, which delivers the products out of the intervention. For transport of bulk products, it must at least be required that the last three freights and the conducted cleaning regimes are proved and that they are corresponding to the ICRT-requirements.
- The products out of the intervention are included into the feed monitoring. For this purpose, a site-specific control must be submitted to QS which has to be released by QS. Therefore, the form "Request for a Site-Specific Control Plan" can be used (see www.q-s.de). The sample related data and the analysis results must be entered into the software platform feed monitoring and must be marked with the sample type "Gate-Keeping".

6. Gate-Keeping for non-certified transport

QS-certified feed companies can act as Gate-Keepers for non-certified transport service providers (road, inland waterway and rail transport). This applies to the transport of primary agricultural products and feed within and out of **Ukraine** and is initially limited until 30.03.2023.

6.1 Gate-Keeping for non-certified road transport

QS certified feed companies can act as Gate-Keepers for non-certified road transports within and out of **Ukraine** under the following conditions:

- The transport company is integrated into the supplier evaluation.
- A quality agreement must be available with each non-certified transport company. This agreement must regulate at least the following points:
 - Before each loading of a means of transport with feed, a sensory check must be carried out to ensure that the loading space is clean; this means dry, free of residual material from previous transport goods, pests and free of odours that could negatively affect the feed to be loaded.
 - Cleaning and disinfection measures must always be carried out as specified in the ICRT database (IDTF), depending on the preliminary loads transported.
- The Gate-Keeper must have at least documentation on the last three loads of the hold, the corresponding cleaning and disinfection measures carried out and the result of the visual inspection.
- A declaration that no loads prohibited according to the ICRT database have been carried in the freight hold from the non-certified transport company must be present. If this was the case, it must be proven that the means of transport and the holds were cleared by an approved loading inspector before loading.

This regulation is initially limited until 30.03.2023.

6.2 Gate-Keeping for non-certified inland waterway transport

QS-certified charterers can act as Gate-Keepers for non-certified inland waterway transports within and out of **Ukraine** under the following conditions:



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- The transport service provider is integrated into the supplier evaluation.
- A quality agreement must be available with each non-certified transport service provider. This agreement must regulate at least the following points:
 - The load compartments must be suitable for the loading with feed and must be empty, clean, dry and free from pests and residues of previous loads. In addition, odours that could negatively affect the feed to be loaded must be avoided as far as possible.
 - Before loading an inland waterway vessel with feed, a load compartment inspection (LCI) must be carried out. For the conduction of a LCI only inspection bodies may be commissioned which are accredited in accordance with ISO 17020 and which specialise in feed or work according to an internationally recognised certification system such as ISO 9001:2015 or an equivalent. Alternatively, recognised loading inspectors may carry out a load compartment inspection if they can do so due to their proven skills and their experience and qualifications.
 - Cleaning and disinfection measures must always be carried out as specified in the GMP+ document TS 3.3 Inland waterway transport and short sea shipping of feed or the OVOCOM Hygiene code for inland waterway transport, depending on the previous loads transported.
- The Gate-Keeper must have knowledge of the type and name of the three previous loads as well as the description of the last cleaning operation for the load compartments.
- All LCI reports must be present at the Gate-Keeper. The result of an LCI can only be an acceptance or rejection of the load compartment. This must be clearly stated in the LCI report.

This regulation is initially limited until 30.03.2023.

6.3 Gate-Keeping for non-certified charterers for rail transports of feed and primary agricultural products originating in Ukraine

QS-certified feed companies can act as Gate-Keepers for non-certified charterers for rail transports of feed and primary agricultural products originating in **Ukraine** under the following conditions:

- The charterer is integrated into the supplier evaluation.
- A quality agreement must be available with each non-certified charterer. This agreement must regulate at least the following points:
 - The load compartments must be suitable for the loading with feed and must be empty, clean, dry and free from pests and residues of previous loads. In addition, odours that could negatively affect the feed to be loaded must be avoided as far as possible.
 - Before loading of the load compartments with feed, a load compartment inspection (LCI) must be carried out. For the conduction of a LCI only inspection bodies may be commissioned which are accredited in accordance with ISO 17020 and which specialise in feed or work according to an internationally recognised certification system such as ISO 9001:2015 or an equivalent. Alternatively, recognised loading inspectors may carry out a load compartment inspection if they can do so due to their proven skills and their experience and qualifications.
- If the load compartments are not designated as "Agri-Only", at least information on the last three previous loads transported and cleaning operations must be available.
- All LCI reports must be present at the Gate-Keeper. The result of an LCI can only be an acceptance or rejection of the load compartment. This must be clearly stated in the LCI report.

This regulation is initially limited until 30.03.2023.