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trading standards law explained

Manufacturing your own pet foods

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

This guidance is for Scotland

This guide covers the manufacturing of pet food, with particular emphasis on the domestic production of pet food and treats in your own home - for example, home-made dog biscuits.

Before you start manufacturing any pet food, please contact your local Trading Standards service for general advice. Feed businesses, including all pet food manufacturers, must not operate without being approved or registered (as appropriate) with Food Standards Scotland (FSS).

Additionally, legislation requires the Animal and Plant Health Agency (APHA), as the competent authority, to approve manufacturing plants where pet food uses or incorporates products of animal origin - for example, eggs, meat, milk, butter, honey. This includes premises manufacturing pet food in domestic houses, even if using products of animal origin deemed fit for human consumption.

The pet food must be labelled with mandatory labelling requirements, which are sometimes referred to as a 'statutory statement'.

What is a pet food?

A pet food is any product (whether processed, partially processed or unprocessed) produced by a pet food manufacturer (even if produced in your own home) and intended to be ingested by pet animals after placing on the market. Pet food is usually in the form of a coarse mix, kibbles / biscuits, or as a wet food in tins or pouches; it also includes, for example, dog cakes and other similar treats, and raw feed (frozen or fresh).

Feed legislation applies principally to feed for 'food-producing animals', which means farmed livestock, including rabbits and horses. However, it also covers feed for what are called 'non-food producing animals'. This typically means creatures living freely in the wild, fur-bearing animals, pets, and animals kept in zoos, circuses and laboratories.

A pet is defined as any 'non-food producing animal' belonging to a species fed, bred or kept but not normally used for human consumption.

Manufacturing pet food

The pet food industry is highly regulated (see 'Key legislation' below), and this legislation applies equally to what can be described as commercial pet food manufacture on an industrial scale and to smaller scale manufacturers, perhaps in a person's private home or a small unit.

The overarching principle of the legislation is that animal feed, including pet food, must be produced in hygienic conditions, and that the finished product is safe, is not harmful to animal or human health and is fully traceable. The main pieces of legislation to be considered in the manufacture of pet food, even in your own home, are described below.

Assimilated Regulation (EC) No 183/2005 *laying down requirements for feed hygiene* requires that feed safety and hygiene be considered at all stages of the production of pet food, wherever this may be carried out. The Regulation sets out the operating standards to which all pet food manufacturers must comply. The Regulation summarises the feed hygiene requirements in terms of:

- Facilities and equipment
- Personnel
- Production
- Quality control, including a HACCP feed-safety management system ('hazard analysis and critical control points')
- Storage and transport
- Record-keeping, including traceability
- Complaints and product recall

All pet food manufacturers must also comply with assimilated Regulation (EC) No 767/2009 *on the placing on the market and use of feed*. This legislation covers matters such as:

- Safety and marketing requirements. Special regard should be given to the species and type of pet for which you are manufacturing food
- Stringent labelling, presentation and packaging requirements, including analytical declarations
- Responsibility

- Substantiation of any claims, including nutritional claims
- Prohibition on the misleading of purchasers
- Prohibition on making medicinal claims

This Regulation also covers undesirable substances and particular nutritional purposes - for example:

- Maximum levels of various contaminants allowable in pet food (for example, arsenic, lead, dioxins and certain pesticides)
- Certain substances that must not be used in feed

Assimilated Regulation (EC) No 1831/2003 *on additives for use in animal nutrition* contains provisions for the control of additives in pet food. These controls relate to the additives (including vitamins, colourants, flavourings and binders) authorised for use in animal feed and cover matters such as:

- Categorisation of feed additives
- Authorisation of feed additives
- Labelling and packaging of feed additives
- Provisions relating to a register of additives

Assimilated Regulation (EC) No 1069/2009 *laying down health rules as regards animal by-products and derived products not intended for human consumption* relates to animal by-products - for example, material of animal origin comprising those parts of animals that are either deemed surplus to human consumption or are not normally consumed by people in the UK, and derived from animals inspected and passed as fit for human consumption prior to slaughter. It may also include products of animal origin - for example, eggs, milk, butter, honey, etc.

Animal materials or animal products of this nature, that are not intended for human consumption, are classified as 'animal by-products' (ABP) under this Regulation (category 3 ABP). Such material must be free of any transmissible disease, which therefore excludes material from dying, diseased or disabled animals. Approval by APHA is required for pet food manufacturers using category 3 ABP. This includes premises manufacturing pet food in domestic houses or small units, whether using meat fit for human consumption or category 3 ABP.

You must not make pet food using:

- Category 1 or 2 ABPs
- Catering waste
- Material from animals that passed inspection for disease before death, but failed inspection after death

Information and guidance on the applicable legislation can be found on the Food Standards Scotland website.

FSS approval / registration

Assimilated Regulation (EC) No 183/2005 *laying down requirements for feed hygiene* requires feed businesses to be approved or registered (as appropriate) with the competent authority; In Scotland, the competent authority is Food Standards Scotland (FSS). This applies to all pet food manufacturers, regardless of scale, and they must not operate without such approval / registration. Information on how to apply for approval or registration is available on the FSS website.

Assimilated Regulation (EC) No 183/2005 contains various conditions that pet food manufacturers have to comply with. The requirements of Annex II to the Regulation (see link in 'Key legislation' below) must be

complied with in relation to all pet food manufacture.

Registration with the FSS is free. A fee is payable if approval is required.

APHA approval for products incorporating products of animal origin

If the manufacture of pet food, even in your own home, includes ingredients from products of animal origin, then APHA approval is required (in addition to local authority registration or approval). This applies even if these products are fit for human consumption - for example, using ingredients bought direct from a supermarket. The requirement arises from the fact that once the decision is made to use human foodstuffs containing products of animal origin in the manufacture of pet food, the material becomes an ABP. APHA approval as a pet food plant is always required to handle such ABP.

For approval to be granted in, for example, a domestic home, strict separation of the pet food ingredients from food still intended for human consumption must be achieved at all stages of processing, in order to safeguard both human and animal health. Such separation may be achieved by having totally separate facilities (for example, a dedicated kitchen, work area and storage area) or by strict time separation with a fully documented clean-down programme. Hazards need to be controlled by a documented HACCP plan, supplemented by prerequisite programmes.

A requirement of APHA approval is an ongoing microbiological testing regime for *Salmonella* and other enterobacteriaceae. This must be completed at a UKAS-accredited laboratory in accordance with ISO 17025 for ABP purposes. A search for compliant laboratories can be carried out on the UKAS website.

Further guidance on using animal by-products to make pet food can found on the GOV.UK website.

There is a statutory fee for obtaining APHA approval.

Labelling

Pet food must be labelled with both the general mandatory labelling requirements and specific mandatory labelling requirements as required by assimilated Regulation (EC) No 767/2009 *on the placing on the market and use of feed*.

Detailed information on the labelling requirements and labelling presentation of pet food can be found in 'Retail sale of pet food'.

Guidance on the manufacture of safe pet foods

In the UK, there is formal recognition in place for the *FEDIAF Guide to Good Practice for the Manufacture of Safe Pet Foods*, produced by FEDIAF (Fédération Européenne de l'Industrie des Aliments pour Animaux Familiers, which is also known as the European Pet Food Industry Federation). The main aim of this document is to provide guidance to ensure that pet food is fit and safe for the purpose of feeding pets, whilst at the same time meeting the relevant requirements of the legislation. The guide covers the production, storage and distribution of pet food manufactured in the UK as well as imports into the UK, but should not be used as a replacement for the national regulatory requirements.

APHA has produced a code of practice for the control of *Salmonella* in animal feed in Great Britain.

Trading Standards

For more information on the work of Trading Standards services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

In this update

Information about registration and approval updated. Link added to APHA code of practice for the control of *Salmonella* in animal feed in Great Britain.

Last reviewed / updated: May 2026

Key legislation

- Assimilated Regulation (EC) No 1831/2003 *on additives for use in animal nutrition*
- Feed (Hygiene and Enforcement) (Scotland) Regulations 2005
- Assimilated Regulation (EC) No 183/2005 *laying down requirements for feed hygiene*
- Assimilated Regulation (EC) No 767/2009 *on the placing on the market and use of feed*
- Assimilated Regulation (EC) No 1069/2009 *laying down health rules as regards animal by-products and derived products not intended for human consumption (Animal by-products Regulation)*
- Animal Feed (Scotland) Regulations 2010
- Assimilated Regulation (EU) No 142/2011 *implementing Regulation (EC) No 1069/2009 and Directive 97/78/EC*
- Animal By-Products (Enforcement) (Scotland) Regulations 2013
- Animal By-Products and Pet Passport Fees (Scotland) Regulations 2018

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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