

**Issue: Classification of Pet Food for granivorous psittacine birds**

**Item at issue: Pet food for granivorous psittacine birds**

**Possible classification: Subheadings 2309.90.20 or Subheading 2309.90.99**

**Matters under consideration:**

- Subheading **2309.90.20**: Pet foods other than those of heading 2309.10
- Subheading **2309.90.99**: Other

**Description of goods:**

**Item 1: “Birds Maintenance Formulas, Minor” in packing of 450g, 3kg, 12 kg bags**

The product is intended for small-sized parrots (genera Agapornis, Cyanoramphus, Pyffhura, Forpus...) which in the wild consume a great diversity of foods. It is a maintenance diet formulated to feed pet birds and breeding pairs during non-reproductive periods. Its composition meets the nutritional requirements of birds during this time.

Composition:

Cereal grains and products derived thereof, oil seeds, oil fruits and products derived thereof, vegetable oils (crude rapeseed, refined palm), legume seeds and products derived thereof, dried whole egg, dried brewer's yeast, minerals and products derived thereof, inulin (Cichorium intybus), Mojave yucca and additives: vitamins and minerals

The product is designed to **constitute 100% of the parrot's diet** in non-reproductive periods and the daily intake ranges from 10 to 18% of the bird's bodyweight. For instance, lovebirds will consume between 4 to 10g.

**Item 2: “Vitamin-mineral supplement” in packing 100g and 700g jar in powdered form.**

Vitamin-mineral supplement is a supplement for granivorous psittacine birds. It is formulated to correct vitamin, mineral and trace element deficiencies of seed mixtures.

The powdered product is designed to be incorporated to the moist mixture of sprouts, boiled seeds, fruit and vegetables.

Composition:

Minerals and products derived thereof, cereal grains and products derived thereof, dried brewer's yeast, oil seeds, oil fruits and products derived thereof, vegetable oils (high oleic sunflower, refined linseed) legume seeds and products derived thereof, sugars, marigold meal (Tagetes erecta) and vitamins

It is a **complementary food** for granivorous psittacine birds.

Before or during the mixing process, it should be sprinkled on the wet ingredients of the diet (sprouts, cooked ingredients, fruits and vegetables) or on the whole diet if it contains wet ingredients.

Daily dose should be 4% of the dry weight of the non-balanced part of the diet (seeds, sprouts, fruits, vegetables)

**Basis of ruling:**

Item 1

Item 1 is classified in subheading 2309.90.20 by application of GIRs 1 and 6 since it is a preparation designed to provide the bird with all the nutritional elements required to ensure a balanced daily diet (**Explanatory Note (II) (A) to Heading 23.09**)

Item 2

Item 2 is classified in subheading 2309.90.99 by application of GIRs 1 and 6 subject to **Explanatory Note (C) to Heading 23.09** which covers preparations known as “pre-mixes” for use in making complete feeds or supplementary feeds to ensure that the *“animal makes good use of the feeds and safeguard its health”*.

**Conclusion:**

Subheading 2309.90.20 covers complete feed whereas subheading 2309.90.99 covers supplementary feed.