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Directorate F - Food and Veterinary Office

DG(SANCO)/ 2009-8225 - MR - FINAL

FINAL REPORT OF A SPECIFIC AUDIT
CARRIED OUT IN
THE UNITED KINGDOM
FROM 05 MAY TO 15 MAY 2009
IN ORDER TO
EVALUATE THE FOLLOW-UP ACTION TAKEN BY THE COMPETENT
AUTHORITIES WITH REGARD TO OFFICIAL CONTROLS RELATED TO THE
SAFETY OF FOOD OF ANIMAL ORIGIN, IN PARTICULAR MEAT, MILK AND
THEIR PRODUCTS
IN THE CONTEXT OF A GENERAL AUDIT

In response to information provided by the Competent Authority, any factual error noted in the draft report has been corrected; any clarification appears in the form of an endnote.

Executive Summary

The main objective of the specific audit was to verify that official controls are carried out in accordance with the United Kingdom (UK) multi-annual national control plan (MANCP) and in compliance with Community law. The audit was also to evaluate the follow-up action taken by the Central Competent Authorities (CCA) in response to the recommendations made in report DG(SANCO)/2007-7450.

The CCA sent an action plan to the FVO addressing the recommendations of mission DG(SANCO)/2007-7450. All of the report's 4 recommendations are related to aspects of Regulation (EC) No 882/2004 which will be dealt with in the subsequent General Audit report.

Twelve food establishments were visited during the current audit. Seven of these establishments were considered to meet the general hygiene requirements whilst serious shortcomings were identified in two. The deficiencies identified relate to structure, layout, maintenance and hygiene of operation.

Eight of the establishments were considered to be generally in compliance with the specific requirements while 4 were not in compliance. The deficiencies identified relate to slaughter / cutting hygiene, production of minced meat, storage, testing of raw milk and controls on food waste and Animal By-Products (ABP).

The UK apply national measures and derogations in relation to quality of fresh meat used for the production of minced meat, for the microbiological sampling of minced meat and meat preparations and for carcass testing in smaller slaughterhouses.

The CCA only require Trichinella testing to be carried out on samples from breeding sows and boars, despite the UK not having been recognised as a region with a negligible risk of trichinosis. No special considerations are made in relation to outdoor production systems.

The compulsory beef labelling requirements were not correctly applied in most of the establishments visited. Deficiencies and weaknesses in traceability systems were also identified in several establishments.

The CCA committed itself to take immediate corrective action in the two establishments where serious shortcomings were identified and written guarantees were received during the final meeting.

The FVO team did not consider the shortcomings identified to lead to an immediate risk to human health.

TABLE OF CONTENTS

1	INTRODUCTION.....	1
2	OBJECTIVES OF THE MISSION.....	1
3	LEGAL BASIS FOR THE MISSION.....	2
4	BACKGROUND.....	2
5	FINDINGS AND CONCLUSIONS.....	3
5.1	National measures and derogations.....	3
5.2	Official certification.....	4
5.3	Food business operators' obligations and official controls.....	5
5.3.1	<i>General hygiene requirements</i>	5
5.3.2	<i>Specific requirements</i>	6
5.3.3	<i>HACCP-based systems</i>	8
5.3.4	<i>Identification marking and labelling</i>	9
5.3.5	<i>Traceability</i>	10
5.4	Official inspection tasks in establishments for verification of the food business operators' compliance.....	11
5.4.1	<i>Food chain information</i>	11
5.4.2	<i>Ante-mortem inspection</i>	12
5.4.3	<i>Post-mortem inspection</i>	12
5.4.4	<i>Health marking</i>	13
5.4.5	<i>Animal welfare at the time of slaughter or killing</i>	13
5.4.6	<i>Criteria for raw milk</i>	14
5.4.7	<i>Animal by-products</i>	15
6	OVERALL CONCLUSION.....	16
7	CLOSING MEETING.....	16
8	RECOMMENDATIONS.....	17

ABBREVIATIONS & SPECIAL TERMS USED IN THE REPORT

Abbreviation	Explanation
ABP	Animal By-Products
CA(s)	Competent Authority(ies)
CAR	Corrective Action Request
CCA	Central Competent Authority
CCP	Critical Control Point (HACCP)
DEFRA	Department for Food, Environment and Rural Affairs
EC	European Commission
EU	European Union
FBO(s)	Food Business Operator(s)
FCI	Food Chain Information
FSA	Food Standards Agency
FVO	Food and Veterinary Office
HACCP	Hazard Analysis and Critical Control Points
MANCP	Multi-Annual National Control Plan
MHI	Meat Hygiene Inspector
MHS	Meat Hygiene Service
OTM	Over Thirty Months (slaughtered bovine animals)
OV(s)	Official Veterinarian(s)
SANCO	Health & Consumer Directorate-General (EC)
SCC	Somatic Cell Count
TPC	Total Plate Count
UK	United Kingdom

1 INTRODUCTION

The Specific Audit formed part of the Food and Veterinary Office's (FVO) planned mission programme and was carried out as a component of a General Audit, as prescribed in Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

This report focuses on the sector specific issues identified during the audit. It does not necessarily include aspects relating to Regulation (EC) No 882/2004; these aspects will be addressed in the subsequent General Audit report.

2 OBJECTIVES OF THE MISSION

The main objective of the specific audit was to verify that official controls are carried out in accordance with the MANCP referred to in Article 41 of Regulation (EC) No 882/2004 and in compliance with Community law.

The more specific objectives of the mission were:

- The implementation of the MANCP.
- The evaluation of the follow-up action taken by the competent authorities in response to the recommendations made in report DG(SANCO)/2007-7450 with regard to:
 - o competent authority organisation and operation,
 - o official controls over food business operators' (FBO) compliance with general and specific rules on the hygiene of food of animal origin,
 - o the implementation of these rules by FBOs,
 - o the correct implementation of the chain of certification.

In particular, controls over meat of domestic ungulates, farmed game, wild game, minced meat, meat preparations, mechanically separated meat, meat products, raw milk and dairy products in the framework of Regulations (EC) No 178/2002, No 852/2004, No 853/2004, No 854/2004 and No 882/2004 were subject to the evaluation.

In pursuit of these objectives, the mission itinerary included the following:

Competent authorities			Comments
Competent authorities	Central	1	Opening and closing meeting
	Regional	2	FSA England and Wales
	Local Authorities	4	In establishments
Food production / processing / distribution			
Slaughterhouses		4	
Cutting plant / Meat products / Minced meat		7	3 integrated in slaughterhouse
Cold stores		2	
Milk processing plant		2	

3 LEGAL BASIS FOR THE MISSION

The mission was carried out under the general provisions of Community legislation and, in particular Article 45 of Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

Full legal references are provided in Annex 1. Legal acts quoted in this report refer, where applicable, to the last amended version.

4 BACKGROUND

The previous mission concerning the safety of food of animal origin in the United Kingdom (UK) was carried out from 8 to 19 October 2007, the results of which are described in report DG(SANCO)/2007-7450 – MR Final (hereafter referred to as report 2007-7450). This report is accessible at:

http://europa.eu.int/comm/food/fvo/ir_search_en.cfm

The action plan received from the UK authorities in response to the report's recommendations provided satisfactory guarantees in relation to 2 of the 4 recommendations and unsatisfactory response to the remaining 2 recommendations. All 4 recommendations relate to aspects of Regulation (EC) No 882/2004 which will be dealt with in the subsequent General Audit Report.

A detailed description of the Competent Authorities (CAs) can be found in the country

profile for the UK which is accessible at:

http://ec.europa.eu/food/fvo/country_profiles_en.cfm

5 FINDINGS AND CONCLUSIONS

5.1 NATIONAL MEASURES AND DEROGATIONS

Legal requirements:

According to Article 10 of Regulation (EC) No 853/2004 Member States may, without compromising the achievement of the objectives of Regulation (EC) No 853/2004 adopt national measures adapting the requirements laid down in Annex III. The national measures refer to continued use of traditional methods and regions subject to geographical constraints and are subject to notification to the Commission and other Member States. National rules may be maintained or established for prohibiting or restricting the placing on the market of raw milk or raw cream for direct human consumption or to permit the use of raw milk not meeting the criteria for plate count and somatic cell count. Article 7 of Regulation (EC) No 2074/2005 allows Member States to grant establishments manufacturing foods with traditional characteristics derogations from certain requirements set out in Regulation (EC) No 852/2004.

Audit findings:

The Central Competent Authority (CCA), the Food Standards Agency (FSA) informed the FVO team that no changes have been made since the previous FVO mission (report DG(SANCO)/2007-7450) regarding national measures and derogations:

- The UK authorities only require *Trichinella* testing on samples collected from breeding sows and boars. The exemption from the *Trichinella* testing in domestic pigs is included in the Meat Hygiene Service (MHS) Manual for Official Controls: "FSA is seeking the EU to recognise Great Britain as a *Trichinella* free region. Until then, domestic pigs kept solely for fattening are not required to be tested". The Commission has not yet officially recognised the United Kingdom (UK) as a region where the risk of *Trichinella* in domestic swine is negligible. It should be noted that the national exemption from the *Trichinella* testing requirement does not include older pigs not kept solely for fattening and not having been used for breeding, and it does not take into account the higher risk associated with outdoor production systems.
- The UK authorities allows the official veterinarians (OVs) to apply a general exemption from the requirement in Regulation (EC) No 854/2004, Annex I, Section I, Chapter II, D, 3 to require carcasses of domestic swine over 4 weeks old to be submitted for post-mortem inspection split lengthways into half carcasses down the spinal column. In the establishments visited the official veterinarians' decision was made in accordance to the FBO request and without any link to particular eating habits, technological developments or specific sanitary situations.

- The UK guidelines for carcass testing have laid down less stringent requirements for the testing in smaller slaughterhouses, e.g. sampling of 5 bovine carcasses once every 4 weeks if slaughtering less than 20 000, once every 12 weeks if slaughtering less than 7 500, once every year if slaughtering less than 1 500 and no sampling required if slaughtering less than 500 (the limits for pigs, sheep and goats are 5 times higher).
- The UK authorities apply national measures for the quality of fresh red meat used for the production of minced meat due to special eating habits. The derogation allows the use of fresh meat from animals other than poultry for a longer period instead of within no more than six days of their slaughter (Regulation (EC) No 853/2004, Annex III, Section V, Chapter III, 2(b)(ii)). The UK authorities are still in the process of carrying out the hazard analysis before notifying the Commission and other Member States.
- The UK authorities apply a national derogation for low throughput establishments producing less than 2 tonnes per week of minced meat and meat preparations to be exempted from microbiological sampling.

The UK authorities also apply the national derogation provided for in Article 13 (5) of Directive 2000/13/EC regarding the labelling requirement for milk and milk products in reusable bottles (door step deliveries).

Conclusion:

The UK authorities apply national measures and derogations regarding *Trichinella* testing of domestic swine without having been approved by the European Commission in accordance with Regulation (EC) No 2075/2005, Article 3 (2) as a region presenting a negligible *Trichinella* risk.

The UK authorities also apply national measures and derogations regarding the production of minced meat without the European Commission having approved this practice in accordance with the procedure laid down in Article 10 of Regulation (EC) No 853/2004. Exemptions are provided for the microbiological sampling of minced meat and meat preparations in low throughput establishments without having justified this on the basis of a risk analysis as foreseen in Annex I, Chapter 3, point 3.2. of Regulation (EC) No 2073/2005.

5.2 OFFICIAL CERTIFICATION

Legal requirements:

Article 30 of Regulation (EC) No 882/2004 requires that a link exists between the certificate and the consignment and that the information in the certificate is accurate and authentic. Council Directive 96/93/EC lays down the rules to be observed in issuing the certificates required by veterinary legislation.

Audit findings:

With the exception of one meat product establishment, none of the establishments at present visited exported meat or meat products. In the one meat product establishment certificates had been issued for exports to Gibraltar.

In one other establishment, certificates were issued for the de-boning of OTM (Over Thirty Months) carcasses. In one case a certificate was issued for 100 OTM quarters in a sealed vehicle but in reality only 88 OTM quarters had been included and the FBO had instead included 12 other quarters in the consignment. However, all of the missing 12 OTM quarters could be traced to having been cut in the cutting plant visited or were still there or had been condemned.

Conclusion:

No proper evaluation of the certification procedures could be made as certificates were issued in only 2 of the establishments visited. In one case however the information on the certificate was not accurate.

5.3 FOOD BUSINESS OPERATORS' OBLIGATIONS AND OFFICIAL CONTROLS

5.3.1 General hygiene requirements

Legal requirements:

Article 4(2) of Regulation (EC) No 852/2004 establishes that FBO carrying out any stage of production, processing and distribution of food after the stage of primary production/associated operations shall comply with general hygiene requirements as set out in Annex II of Regulation (EC) No 852/2004. These provisions relate to cleaning and maintenance, layout, design, construction, sitting and size of food premises. Article 4(2) of Regulation (EC) No 854/2004 specifies that the CA shall carry out official controls in respect of products of animal origin to verify FBO compliance with these requirements.

Audit findings:

Of the 12 food establishments visited, 7 generally met the requirements with only some minor deficiencies identified, 2 establishments did not meet the requirements in certain areas and 3 establishments did not fulfil the requirements in most areas.

The following deficiencies were identified regarding structure, layout, maintenance and cleaning in some of the establishments visited:

- In one slaughterhouse the design and layout did not allow access to the bleeding area.
- The use of unsuitable materials in the construction of the facilities, e.g. unprotected wood in working areas for exposed products, and/or floors, walls and ceilings that were not easy to clean.
- Inadequate maintenance, e.g. rusty rails and flaking paint contaminating products, gaps and holes in walls or under doors with a potential risk of airborne contamination or entry of pests.
- Inadequate cleaning and/or disinfection, e.g. accumulation of dirt on surfaces, mould and green algae on walls and ceilings and the formation of condensation over areas where products are handled or stored.
- Inadequate ventilation, especially in cold store rooms leading to an accumulation of

ice and snow. In one slaughterhouse the mechanical airflow was pulling air in from a contaminated area (rooms for storing hides and cleaning intestines) into the slaughter hall.

- Inadequate lighting in certain rooms, especially in store rooms, not allowing proper checks of products to be carried out.
- Inadequate drainage facilities, e.g. drainage onto floors, in some cases causing contamination from contaminated to clean areas, and blocked or unprotected drains in production rooms.
- In one establishment the changing facilities for staff was inadequate, and in some of the other establishments poor practices were applied by some of the employees, e.g. mixing working clothes with street clothes.

Most of the shortcomings found by the FVO team had not been identified by the CA. In some cases where the shortcomings had been identified and corrective action had been initiated by the CA, the follow-up had been inadequate to ensure compliance by the FBO.

Conclusion:

Seven of the 12 establishments visited were considered to meet the general hygiene requirements in Annex II of Regulation (EC) No 852/2004 while serious shortcomings were identified in 2 of the establishments. The FVO team requested for the final meeting an action plan for one slaughterhouse and one cold store visited where serious shortcomings regarding general hygiene requirements were identified.

The control system in place did not guarantee that deficiencies, even those of a serious nature, are identified and effectively addressed to ensure FBO compliance with the general hygiene requirements.

5.3.2 Specific requirements

Legal requirements:

Article 3 of Regulation (EC) No 853/2004 sets out that the FBO shall comply with the specific requirements of Annexes II and III of this Regulation. Article 4(3) of Regulation (EC) No 852/2004 states that FBOs shall adopt specific hygiene measures regarding compliance with microbiological criteria for foodstuffs, compliance with temperature control requirements and sampling and analyses. Details on microbiological criteria foodstuffs shall comply with are set out in Regulation (EC) No 2073/2005 and Article 4(2) of Regulation (EC) No 854/2004 specifies that the CA shall carry out official controls in respect of products of animal origin to verify FBO compliance with these requirements. These cover a range of items with regard to requirements for slaughterhouses, cutting plants, emergency slaughter, game handling, raw milk and dairy products and other products of animal origin.

Audit findings:

Of the 12 food establishments visited, 8 establishments generally met the specific hygiene requirements while 4 establishments were not in compliance with the requirements.

The following deficiencies were identified regarding the specific hygiene measures in the

red meat establishments visited:

- The dedicated pen for sick or suspect animals in the lairage in one slaughterhouse did not have separate drainage to prevent cross contamination between sick and healthy animals.
- Very dirty sheep had been accepted for slaughter in one slaughterhouse visited. This could lead to a serious risk of contamination of the meat during slaughter.
- Examples were seen where the bleeding, de-hiding and evisceration was carried out in such a way that contamination of the meat could not be avoided. In one slaughterhouse, the trachea and oesophagus of sheep were not kept intact during the bleeding.
- Unhygienic de-hiding procedures were observed in 2 slaughterhouses when slaughtering sheep. Contact between the fleece and exposed meat was not always avoided and indirect contact via the hands of the workers was not avoided, e.g. changing hands while holding the skin with one hand and loosening the skin with the other hand.
- The slaughter procedure applied in one slaughterhouse led to consistent spillage of faeces from the rectum onto the exposed meat during evisceration on all sheep carcasses.
- Cross contamination between carcasses was not prevented in one slaughterhouse visited (inadequate separation and contact with working platforms).
- The equipment for sterilising working tools was inadequate and not working properly in one slaughterhouse visited. In another slaughterhouses there was no sterilising equipment for the splitting saw.
- Some carcasses were seen with faecal contamination in chilling rooms although visible contamination must be removed without delay by trimming. Contaminated meat was also seen in one cutting plant (even on vacuum packed meat), and in a cold store receiving frozen meat for storage directly from a slaughterhouse.
- In several slaughterhouses kidneys were found still attached to the sheep and pig carcasses in the chilling rooms without having been de-capsulated or removed from their fatty covering.
- Direct contact between exposed meat and walls/fixtures was not prevented in some of the establishments visited.
- The equipment in some cutting rooms did not always ensure hygienic handling of the meat, e.g. deep cuts into the work tops (in one case so deep that there actually were holes right through), unclean work tops and in one case a conveyor belt in a poor state of repair.
- In one minced meat establishment visited, the separation between batches was not ensured and some batches had been produced from fresh meat more than 6 days after slaughter (this procedure is accepted by the CCA, see point 5.1.).
- In several establishments visited, plastic crates and containers used for products were not sufficiently cleaned. In some cases there was no clear separation between

containers used for products approved for human consumption and waste foods or ABP.

- In 2 establishments visited, the temperature of the water in the wash hand basins was far too high leading to a risk of hands been scolded.
- In 2 establishments visited some employees were wearing earrings, bracelets and MP3-players when handling exposed meat.
- The storage of products in cold store rooms was not always done in a hygienic way in the establishments visited. Examples were seen where containers with meat were stored directly on the floor, packages were severely damaged, exposed meat (some with freeze burns) was stored together with packed meat and/or condensation (including snow and ice) had piled up on the packages.
- Packaging materials were in some establishments not stored under hygienic conditions and not sufficiently protected against dust, dirt or even pests.

The microbiological sampling procedures in place in some of the establishments visited did not include the required sampling and testing for food safety and/or process hygiene criteria, e.g. carcass testing in slaughterhouses and final products testing in dairy establishments.

Other examples were seen where the number of samples taken were not in compliance with the requirements of Regulation (EC) No 2073/2005, where not all the parameters had been included or where the way of reporting test results had been incorrect.

Several of the shortcomings found by the FVO team had not been identified by the CA. In cases where the shortcomings had been identified and corrective action had been requested by the CA, the follow-up had been inadequate to ensure compliance by the FBO.

Conclusion:

Eight of the 12 establishments visited were generally considered to meet the specific hygiene requirements in Annex III of of Regulation (EC) No 853/2004 while shortcomings were identified in 4 of the establishments.

The control system in place did not guarantee that deficiencies, even those of a serious nature, are identified and effectively addressed to ensure FBO compliance with the specific hygiene requirements.

5.3.3 HACCP-based systems

Legal requirements:

On the basis of Article 5 of Regulation (EC) No 852/2004 the FBO shall put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles. In Section II of Annex II to Regulation (EC) No 853/2004 the specific requirements for HACCP-based procedures in slaughterhouses are specified. Official controls in respect of all products of animal origin in the scope of Regulation (EC) No 854/2004 shall include audits of HACCP-based procedures (Article 4(5) of Regulation (EC) No 854/2004).

Audit findings:

All the FBOs visited had procedures in place based on HACCP principles but the standard of procedures seen varied. Some procedures did not include all the principles referred to in Article 5.2 of Regulation (EC) No 852/2004, or they were incomplete, not kept up-to-date, not evaluated or validated.

Some procedures contained Critical Control Points (CCPs) which were control points rather than CCPs, or the CCPs had been established without setting any critical limits to separate acceptability from unacceptability for prevention, elimination or reduction of the identified hazard. In other cases the identified hazards were not really hazards.

Although monitoring procedures had been established by the FBOs, the monitoring was not in all cases properly carried out. Corrective action requests were in several cases issued but the deadlines were not always met or had been extended without clear justification.

Official controls include the control and verification of the HACCP procedures but had in most cases not identified the deficiencies found by the FVO team.

Conclusion:

Procedures based on HACCP principles are in place. Official controls include the control and verification of these procedures as required by Article 4(5) of Regulation (EC) No 854/2004, but the CA had in most cases failed to identify the deficiencies found by the FVO team or, where a corrective action request had been issued, this had not been adequately followed up.

*5.3.4 Identification marking and labelling***Legal requirements:**

Provisions for the identification marking of a product of animal origin are made in Article 5 and Annex II, Section I to Regulation (EC) No 853/2004 and verification of compliance with these requirements is foreseen by Article 4(6) of Regulation (EC) No 854/2004.

Article 3 of Directive 2000/13/EC sets out the particulars on the labelling of foodstuffs to be delivered as such to the ultimate consumer. Regulations (EC) No 1760/2000 and No 1825/2000 set out specific labelling requirements for beef meat.

Audit findings:

The FBOs visited have procedures in place for identification marking and labelling. Most products seen were labelled and marked with an identification mark. However, the following shortcomings were noted:

- Several consignments of fresh meat were seen where the wrapping or packaging could be opened without destroying the identification marks.
- Several consignments without any identification marks or labels were seen in the establishments visited (meat, meat products, dairy products).
- In one establishment visited, the identification markings had been used for purposes other than those intended, e.g. sellotape with identification marks used to hold/fixate

electric cables and plastic bags with identification marks used to protect parts of the equipment.

The FBOs also have obligations regarding the special labelling requirements for beef and veal. These specific, compulsory labelling requirements were generally not met in the establishments visited:

- Carcasses in some slaughterhouses were already labelled with information on the country and establishment of cutting.
- Beef and minced beef was in most cases not labelled in accordance with the compulsory beef labelling requirements, in particular regarding the origin of the meat.
- Un-identified, un-labelled beef was also seen in some establishments.

The CA in the establishments visited, including representatives from the FSA, pointed out to the FVO team, that the CCA for beef labelling was the Department for Food, Environment and Rural Affairs (DEFRA) and that the FSA had no responsibilities in relation to these requirements.

Conclusion:

Several cases of non-compliance with the identification marking requirements of Article 5 and Annex II, Section I to Regulation (EC) No 853/2004 and other labelling requirement were seen. The CA had not during its verification in accordance with Article 4(6) of Regulation (EC) No 854/2004 identified these shortcomings.

A high number of non-compliances with the specific beef labelling requirement, which are laid down in Regulations (EC) No 1760/2000 and 1825/2000 were identified. The CA responsible for the official controls in the establishments visited state that it has no responsibility regarding beef labelling.

5.3.5 Traceability

Legal requirements:

According to Article 18 of Regulation (EC) No 178/2002 the traceability of food and food-producing animals and any other substance intended to be incorporated into a food shall be established at all stages of production, processing and distribution. The FBO shall have in place systems and procedures to identify from whom they have been supplied and the other businesses to which their products have been supplied. Article 4(6) of Regulation (EC) No 854/2004 requires that verification of compliance with traceability requirements takes place in all approved establishments.

Audit findings:

All the FBOs visited had traceability systems in place. However the following shortcomings and weaknesses in the systems were identified:

- In some establishments the link could not be established between different documents supporting the traceability system. The FBO in one slaughterhouse with own cutting rooms could not demonstrate the destination for all the meat leaving the establishment, and for one consignment received where it had come from.

- Absence of internal identification procedures during certain stages of the production made the traceability between incoming beef and outgoing beef products impossible or unreliable in one cutting plant visited.
- The definition of batches and use of reference numbers was not understood by the FBO in one establishment producing beef.
- A high number of the transport documents accompanying live animals referred to out-of-date legislation and the documents were not always completed by either the owner/keeper, transporter or the slaughterhouse of destination.

Several examples were also seen of meat and other foodstuffs (including spices) which had passed the "best before" or "use by" dates. The FBOs did not have procedures in place on how to take corrective and preventive actions in these cases.

Conclusion:

The traceability systems implemented in accordance with Article 18 of Regulation (EC) No 178/2002 were generally weak at all stages of production in the establishments visited and inadequate to ensure compliance with the compulsory beef labelling requirements (see point 5.3.4.).

The CA could not demonstrate that traceability exercises had been carried out to verify FBO compliance with the traceability requirements in most establishments visited.

5.4 OFFICIAL INSPECTION TASKS IN ESTABLISHMENTS FOR VERIFICATION OF THE FOOD BUSINESS OPERATORS' COMPLIANCE

5.4.1 Food chain information

Legal requirements:

According to Article 3 of Regulation (EC) No 853/2004, the FBO shall comply with the relevant provisions of Annexes II and III to this Regulation. In particular the FBOs operating slaughterhouses must as appropriate, request, receive, check and act upon food chain information in respect of all animals, other than wild game, sent or intended to be sent to the slaughterhouse. According to Article 5(1) of Regulation (EC) No 854/2004 the OV shall carry out inspection tasks in slaughterhouses also as regards food chain information (FCI).

Audit findings:

The FCI was checked by the FVO team in several slaughterhouses. Although the majority of consignments of pigs are covered by FCI, the information provided in a high number of these was incomplete. In one slaughterhouse the FBO stated that the FCI is often absent when the animals arrive via markets. In 2 slaughterhouses visited, the FCI was checked by the OV rather than the FBO. No examples were seen where animals had been declared unfit for human consumption due to the absence of FCI.

Conclusion:

The enforcement action taken by the official veterinarians was inadequate, and not in line with the requirements of Regulation (EC) No 854/2004, Annex I, Section II, Chapter II, points 2 and 3, to ensure compliance from the FBO that all relevant FCI must be supplied

before the carcass is approved for human consumption.

5.4.2 Ante-mortem inspection

Legal requirements:

Article 5(1) of Regulation (EC) No 854/2004 requires that the OV carries out inspection tasks, including ante mortem inspection of all animals before slaughter in accordance with the general requirements of Section I, Chapter II of Annex I of Regulation (EC) No 854/2004.

Audit findings:

Provisions were in place for ante mortem inspection in all the slaughterhouses visited. The FBO work instruction in one establishment indicated that a Meat Hygiene Inspector (MHI) could carry out the ante mortem inspection of certain animals, but the CA assured the FVO team that this was outdated and that the ante mortem inspection in all UK slaughterhouses are carried out by the OV. The MHI can only assist the OV with purely practical tasks as provided for in the EU legislation.

In one slaughterhouse where the ante mortem records were evaluated by the FVO team, no evidence could be provided that one consignment of 42 fattening pigs and 4 other pigs had undergone the ante mortem inspection. In 2 other slaughterhouses inaccuracies were also identified in the ante mortem records.

In one slaughterhouse very dirty sheep had been accepted by the FBO and passed the ante mortem inspection despite the increased risk for contamination of the carcasses during the slaughter process. According to Regulation (EC) No 853/2004, Annex III, Section I, Chapter IV, paragraph 4 the FBO must ensure that animals are clean.

Conclusion:

Ante mortem inspection is carried out by an OV in accordance with the requirements of Article 5(1) of Regulation (EC) No 854/2004 and only minor shortcomings were identified in the keeping of records.

The requirement of Regulation (EC) No 853/2004, Annex III, Section I, Chapter IV, paragraph 4 that animals must be clean was not enforced by the CA in one slaughterhouse visited.

5.4.3 Post-mortem inspection

Legal requirements:

Article 5(1) of Regulation (EC) No 854/2004 requires that the OV carries out inspection tasks, including post-mortem inspection in accordance with the general requirements of Section I, Chapter II of Annex I and the specific requirements of Section IV of Regulation (EC) No 854/2004.

Audit findings:

Provisions for post mortem inspection were in place in all the slaughterhouses visited. However, the following shortcomings were identified:

- Carcasses of pigs more than 4 weeks old are routinely not split in half at the request of the FBO. The FVO team observed in one slaughterhouse that the carcass of a pig with tail bite (tail completely amputated) passed the post mortem inspection without any request from the MHI to have the carcass split in half in order to check the spinal column for abscesses. The CCA is applying a general derogation from the requirement to split pig carcasses (see point 5.1.).
- In some of the slaughterhouses and cutting plants, carcasses were found with the kidneys still encapsulated and covered in fatty tissue which does not allow for all parts of the required post mortem inspection to be carried out.
- The palpation of gastric and mesenteric lymph nodes of pigs did not take place in any of the slaughterhouses visited. The MHI was only visually inspecting the intestines from a distance.
- In one slaughterhouse the hearts, although incised, were not in all cases opened and visually inspected.

Conclusion:

Post mortem inspection is not carried out fully in accordance with the general requirements of Section I, Chapter II and the specific requirements of Section IV of Annex I to Regulation (EC) No 854/2004.

5.4.4 Health marking

Legal requirements:

Article 5(2) of Regulation (EC) No 854/2004 requires that health marking of carcasses of domestic ungulates, farmed game mammals other than lagomorphs and large wild game as well as half-carcasses, quarters and wholesale cuts shall be carried out in slaughterhouses and game-handling establishments by, or under the responsibility of, the OV when official controls have not identified any deficiencies that would make the meat unfit for human consumption.

Audit findings:

Health marking was generally applied correctly in the establishments visited.

Conclusion:

Health marks were applied in accordance with the requirements of Article 5(2) of Regulation (EC) No 854/2004.

5.4.5 Animal welfare at the time of slaughter or killing

Legal requirements:

Article 5(1) of Regulation (EC) No 854/2004 requires that the OV carries out inspection tasks, including animal welfare. Council Directive 93/119/EC sets out Community rules with regard to the protection of animals at the time of slaughter or killing.

Audit findings:

Animal welfare requirements were checked in three slaughterhouses visited:

- In one slaughterhouse slaughtering sheep during the FVO audit, the requirements were generally correctly applied.
- In one slaughterhouse, the stunning of pigs was not done in an adequate way; the indicators were not checked during stunning and the operator applied the electrodes again during the bleeding. None of the stunning operators in this establishment had received formal training on how to use the stunning equipment.
- In another slaughterhouse, the stunning of pigs was also inadequate; the animals were not sufficiently restrained or immobilised before stunning. The electrical stunning equipment was used to immobilise the pigs and the electrodes had to be replaced resulting in several electrical shocks being applied. Furthermore, in the latter case the operator did not respect the required parameters (was not waiting for the audio signal) and animals were shackled and hoisted before the end of the minimum required stunning period.
- In one slaughterhouse the FBO would not allow access to the bleeding area during operation for safety reasons due to poor layout of the slaughter line. Therefore the FVO team as well as the OV and MHI had no free access to ascertain compliance with Directive 93/119/EC, which is not in line with Article 8 of the Directive.

Conclusion:

Non-compliances with the animal welfare requirements of Directive 93/119/EC, Chapter II were identified during stunning and bleeding in 2 out of 3 slaughterhouses where this was checked. These animal welfare problems had not been identified by the OVs when carrying out their inspection tasks.

5.4.6 Criteria for raw milk

Legal requirements:

Article 8 of Regulation (EC) No 854/2004 requires that Member States shall ensure that official controls with respect to raw milk and dairy products take place in accordance with Annex IV to Regulation (EC) No 854/2004 and the CA carries out official controls to verify that health requirements and hygiene requirements for raw milk and colostrum are complied with and monitors the checks carried out for plate count, somatic cell count and residues of antibiotic substances.

Audit findings:

The procedures for testing raw milk for Total Plate Counts (TPC), Somatic Cell Counts (SCC) and antibiotic substances are described in detail in the report DG(SANCO)/2007-7450. The new procedures for notifying the CA of non-compliances, that were sent out for consultation before the previous FVO mission have now been approved and come into force.

Both dairy establishments visited had procedures in place to check the raw milk for antibiotic substances using rapid test methods. However, the raw milk was only tested in the establishments after reception and after being loaded into storage silos. No positive samples had been identified despite some individual farm samples in the one establishment turning out to be positive (dilution factor). The raw milk delivered to this

establishment was also tested regularly at farm level for TPC, SCC and antibiotic substances and the results were available to the FBO.

The following deficiencies were identified regarding the specific hygiene measures in the dairy establishments visited:

- One FBO using raw cows milk had all the raw milk testing carried out by an external laboratory using a rapid analytical method. The CA could not demonstrate that when using this rapid analytical method, acceptable limits for TPC were validated against the reference method.
- The manager in charge of another dairy establishment visited producing un-pasteurised dairy products from buffalo milk received from its own farm on the same site was unaware of the animal health status of the herd. The herd was not tested for TPC at farm level and the testing for TPC at reception in the establishment had only started the previous week.
- The CA in one establishment did not carry out any controls to verify compliance with the TPC and SCC requirements but only focussed on the testing for antibiotic substances.

No deficiencies were identified regarding heat treatment of milk in either of the 2 dairy establishments visited. One of the FBOs was able to demonstrate that corrective action had been taken when the pasteurisation equipment had failed.

Conclusion:

Non-compliances with some of the requirement of Annex IV to Regulation (EC) 854/2004 for raw milk testing were found in the dairy establishments visited. The UK authorities have failed to ensure compliance with these requirements.

5.4.7 Animal by-products

Legal requirements:

Article 5(1) of Regulation (EC) No 854/2004 requires that the OV carries out inspection tasks, including ABP. Annex II to Regulation (EC) No 1774/2002 sets out the requirements for the collection and transport of ABP, including requirements for identification, records and the use of commercial documents.

Audit findings:

Procedures on how to handle food waste and ABP were in place in all but one establishment visited. However, deficiencies were identified:

- A consignment of moulded cheese without any identification of ABP category, was found in one dairy establishment visited. The product had been received from another establishment with a commercial document that did not indicate it concerned ABP and was stored with the intention of feeding it to the pigs on the farm. The establishment had no approval for storage of ABP.
- The food waste containers in one establishment were not of an appropriate construction, not kept in sound conditions and were not stored in an appropriate way.

- In one establishment properly identified and leak proof food waste containers were placed on a public road for collection later rather than on the premises.
- In one cold store visited, fish baits were stored without any labelling or indication stating that they were not for human consumption. No document of origin could be provided
- In one establishment beef intended for feeding to greyhounds was packed and frozen in re-used boxes (some with old identification marks still intact) without being labelled as raw pet food. Delivery documents from earlier deliveries were not in line with the requirements of Regulation (EC) No 1774/2002.

The official controls carried out by the CA also include controls on ABP and the results of these controls are documented in the audit reports. However, the CA had failed to identify the non-compliances found by the FVO team in relation to Regulation (EC) No 1774/2002.

Conclusion:

Several non-compliances were found in relation to Regulation (EC) No 1774/2002. Despite including controls on ABP in the official controls, the CA had failed to identify these non-compliances.

6 OVERALL CONCLUSION

Serious shortcomings were identified in 2 establishments in relation to structure, maintenance and hygiene of operations and in 4 establishments in relation to the specific hygiene requirements. The CA committed itself to take immediate corrective action in the 2 establishments where serious hygiene problems were identified and guarantees were received during the final meeting.

No Trichinella testing is carried out on fattening pigs despite the UK not having been recognised as a region with a negligible risk of trichinosis. The FSA is not responsible for enforcing the beef labelling requirements and many shortcomings in this regard were identified in the establishments visited.

The FVO team did not consider that the shortcomings identified would lead to an immediate risk to human health.

7 CLOSING MEETING

A closing meeting was held on 15 May 2009 with the CCA, the FSA . At this meeting the FVO team presented the findings and preliminary conclusions of the mission and advised the CCA of the relevant time limits for production of the report and their response.

The representatives of the CCA acknowledged the findings and conclusions presented by the FVO team and made only minor comments in relation to individual points during the following discussion. In addition, information on action already taken and planned in

order to address particular findings in the establishments visited was provided.

8 RECOMMENDATIONS

An action plan describing the action taken or planned in response to the recommendations of this report and setting out a time table to correct the deficiencies found should be presented to the Commission within 25 working days of receipt of the report.

No.	Recommendation
1	Ensure that national measures and derogations are implemented only after following the requirements laid down in Article 10 of Regulation (EC) No 853/2004 and Article 7 of Regulation (EC) No 2074/2005.
2	Ensure that deficiencies related to general hygiene requirements as laid down in Annex II of Regulation (EC) No 852/2004, in particular in red meat establishments are identified and addressed.
3	Ensure that deficiencies related to specific hygiene requirements as laid down in Annexes II and III of Regulation (EC) No 853/2004 are identified and addressed, in particular with regard to raw milk criteria and operations in red meat establishments.
4	Ensure that official controls carried out in accordance with Article 4 of Regulation (EC) No 854/2004 are effective and sufficient to verify FBO compliance with the general and specific hygiene requirements.
5	Ensure that identification markings are applied in accordance with Article 5 and Annex II, Section I of Regulation (EC) No 853/2004.
6	Ensure compliance with the requirements for the compulsory beef labelling in line with the requirements of Regulations (EC) No 176/2000 and No 1825/2004.
7	Ensure that post mortem inspection is carried out in compliance with the general requirements of Section I, Chapter II and the specific requirements of Section IV of Annex I to Regulation (EC) No 854/2004.
8	Ensure that the official controls for Trichinella in meat is carried out in accordance with the requirements laid down in Regulation (EC) No 2075/2005.
9	Ensure compliance with the animal welfare requirements in Chapter II of Council Directive 93/119/EC.
10	Ensure compliance with the requirements of Annex IV to Regulation (EC) No 854/2004 for raw milk testing.
11	Improve the official controls in order to ensure compliance with the requirements of Regulation (EC) No 1774/2002 in the approved food businesses, in particular in relation to identification, labelling, and storage of Animal by-products.

The competent authority's response to the recommendations can be found at:

http://ec.europa.eu/food/fvo/ap/ap_the_united_kingdom_8225_2009.pdf

ANNEX 1 - LIST OF LEGISLATION REFERENCED IN THE REPORT

Reference	OJ Ref.	Detail
Directive 93/119/EC	OJ L 340, 31.12.1993, p. 21–34	Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing
Directive 96/93/EC	OJ L 13, 16.1.1997, p. 28–30	Council Directive 96/93/EC of 17 December 1996 on the certification of animals and animal products
Directive 2000/13/EC	OJ L 109, 6.5.2000, p. 29–42	Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs
Regulation (EC) No 1760/2000	OJ L 204, 11.8.2000, p. 1–10	Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97
Regulation (EC) No 1825/2000	OJ L 216, 26.8.2000, p. 8–12	Commission Regulation (EC) No 1825/2000 of 25 August 2000 laying down detailed rules for the application of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the labelling of beef and beef products
Regulation (EC) No 178/2002	OJ L 31, 1.2.2002, p. 1–24	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 law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
Regulation (EC) No 1774/2002	OJ L 273, 10.10.2002, p. 1–95	Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption
Regulation (EC) No 852/2004	OJ L 139, 30.4.2004, p. 1, Corrected and re-published in OJ L 226, 25.6.2004, p. 3	Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs
Regulation	OJ L 139,	Regulation (EC) No 853/2004 of the European

Reference	OJ Ref.	Detail
(EC) No 853/2004	30.4.2004, p. 55, Corrected and re-published in OJ L 226, 25.6.2004, p. 22	Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
Regulation (EC) No 854/2004	OJ L 139, 30.4.2004, p. 206, Corrected and re-published in OJ L 226, 25.6.2004, p. 83	Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
Regulation (EC) No 882/2004	OJ L 165, 30.4.2004, p. 1, Corrected and re-published in OJ L 191, 28.5.2004, p. 1	Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
Regulation (EC) No 2073/2005	OJ L 338, 22.12.2005, p. 1–26	Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs
Regulation (EC) No 2074/2005	OJ L 338, 22.12.2005, p. 27–59	Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004
Regulation (EC) No 2075/2005	OJ L 338, 22.12.2005, p. 60–82	Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for Trichinella in meat
Regulation (EC) No	OJ L 338, 22.12.2005, p.	Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional

Reference	OJ Ref.	Detail
2076/2005	83-88	arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004